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Environmental Authorisation for the Proposed New Infrastructure at the Universal Coal Development III (Pty) Ltd Ubuntu Colliery near Delmas, Mpumalanga Province

Notification of Intent to Develop

Prepared for:

Universal Coal Development III (Pty) Ltd

Project Number:



UCD6097

November 2020



This document has been prepared by Digby Wells Environmental.

Report Type:	Notification of Intent to Develop
Project Name:	Environmental Authorisation for the Proposed New Infrastructure at the Universal Coal Development III (Pty) Ltd Ubuntu Colliery near Delmas, Mpumalanga Province
Project Code:	UCD6097

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TABLE OF CONTENTS

1.	Introduction	1
2.	Project Details	1
2.1.	Project Description and Background.....	2
3.	Illustrative Material	3
4.	Assessment Process.....	6
4.1.	NHRA Section 38(1) Activities	6
4.2.	EIA Regulations Listed Activities	7
4.3.	Identified and Known Heritage Resources and Potential Impacts	10
5.	Recommendation	12

LIST OF TABLES

Table 1:	Project Location Details.....	1
Table 2:	Landowner Details.....	2
Table 3:	Current Assessment Processes	6
Table 4:	NHRA Section 38 Triggers	7
Table 5:	Identified Listed Activities	8
Table 6:	Identified Heritage Resources in terms of Section 3 of the NHRA	10
Table 7:	Specialist Heritage Recommendations	12

LIST OF PLANS

Plan 1:	Local Setting of the Project	4
Plan 2:	Current and Proposed Infrastructure	5

1. Introduction

Universal Coal Development III (Pty) Ltd (hereinafter Universal Coal) holds a Mining Right (MR)¹, Environmental Management Plan (EMP) and Environmental Authorisation (EA)² for the Brakfontein Colliery in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA) and the National Environmental Management Act, 1999 (Act No. 107 of 1998) (NEMA). The EA was approved in 2013 and the MR and EMP were approved in 2017. Universal Coal subsequently applied to change the name of the mine to the Ubuntu Colliery. This application was approved in January 2019.

Since the most recent approval, Universal Coal have investigated the approved infrastructure and mine layout. Universal Coal intend to amend the approved layout and include now infrastructure not included in the current approvals (the Project). This infrastructure is described in Section 2 below.

The proposed Project will trigger Listed Activities in terms of the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 (Government Notice Regulation [GN R] 982 as amended by GN R 326) (refer to Section 4.2). Universal Coal has appointed Digby Wells Environmental (hereinafter Digby Wells) to undertake the Scoping and EIA process necessary to obtain approval for the Project.

The EIA process includes a Heritage Resources Management (HRM) process in compliance with the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA). This document constitutes the specialist Notification of Intent to Develop (NID) for submission to the Heritage Resource Authorities (HRAs), specifically the South African Heritage Resources Agency (SAHRA) and the Mpumalanga Provincial Heritage Resources Authority (MPHRA).

2. Project Details

The Ubuntu Colliery is located within the western margins of the Witbank Coalfields in the Victor Khanye Local Municipality (VKLM) within the Nkangala District Municipality (NDM) of the Mpumalanga Province. Table 1 presents a summary of the details of the Project location. These details are presented in Plan 1. Table 2 below presents details of the landowners affected by the Project.

Table 1: Project Location Details

Name of property/ies	Ubuntu Colliery
Street address or location (e.g.: Off R44)	The Ubuntu Colliery is bisected by the D2546 district road, which connects to the R555 regional road to the northwest and to the R50 via other district roads to the south.

¹ MP30/5/1/1/2/1007MR

² 17/2/3/N-143

Erf or farm number/s	Portions 6, 8, 9, 10, 20, 26, 30 and the Remaining Extent (RE) of the farm Brakfontein 264 IR. The proposed infrastructure is limited to Portion 10 and RE of the farm Brakfontein 264 IR.
Coordinates of approximate centre of project area	26°11'51.67"S
	28°51'53.82"E
Town or District	14 km north of Devon, 16 km northeast of Delmas and 17 km north of Leandra
Responsible Municipality	VKLM in the NDM
Extent of property	52.621 ha
Maximum extent of proposed development	Road diversion: length of 2.5 km and reserve of 32 m. The extent of the other infrastructure will be confirmed during the impact assessment phase.
Current use	Operational coal mine
Predominant land use/s of surrounding properties	Agriculture and mining.

Table 2: Landowner Details

Name	Property	Notified
Andries Schoeman Brakfontein Boerdery (Pty) Ltd	Portion 10 of the farm Brakfontein 264 IR	Pending ³
	RE of the farm Brakfontein 264 IR	

2.1. Project Description and Background

The infrastructure authorised in the existing EMP includes the following:

- Offices and associated vehicle parking;
- Weighbridge;
- Run of Mine (RoM) pads;
- Pollution Control Dams (PCDs);
- Opencast mining;
- Culverts;

³ Digby Wells will notify all landowners of the proposed Project during the Public Participation Process (PPP) which is required in terms of the EIA process. The PPP has not been undertaken to date.

- Mine equipment workshop and stores; and
- Wash bay facility.

The original mine plan intended to transfer the coal produced at the Ubuntu Colliery to the Kangala Colliery for further processing, including crushing, screening and washing. This is no longer practical and so crushing and screening is now taking place through a mobile crushing and screening plant within the approved pit area.

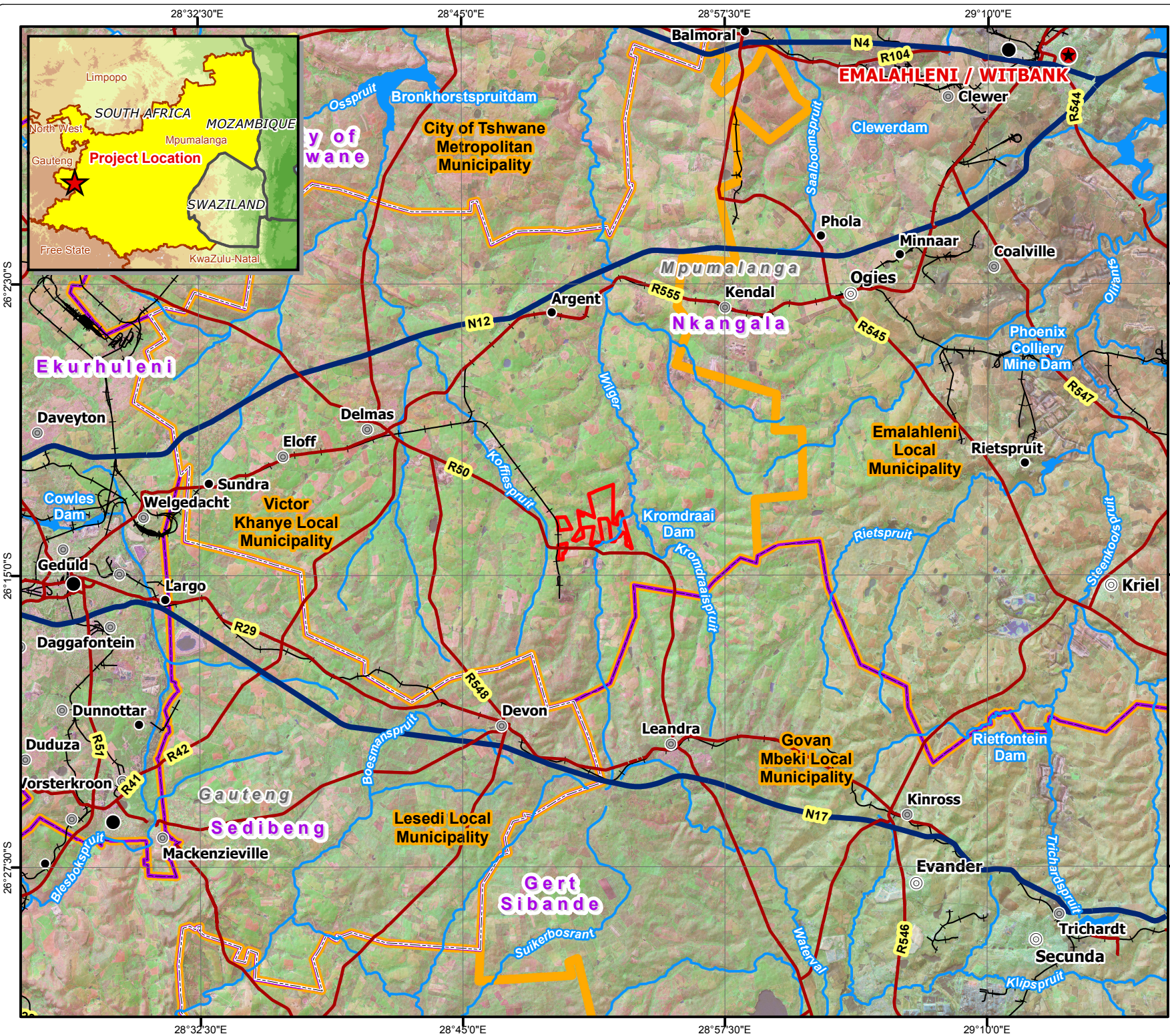
Further to the on-site crushing and screening, the following new infrastructure requires EA:

- Crushing facilities and stockpile area;
- Control room;
- Toilet facilities;
- Haulage truck queueing area;
- Hard park area;
- Brake test ramp area;
- Diesel depot area;
- Product stockpile;
- Perimeter fencing;
- D2546 district road diversion;
- Guard house and access control gate.
- LDV and main access road;
- Heavy duty truck access road;
- Storm water diversion berm/trench;
- Access control and boom gate;
- Topsoil Safety berm;
- Lab office;
- Sewage Treatment Plant (STP);
- Contractors camp site;
- Water Treatment Plant (WTP);
- 45 000 litre Silo tank; and

This new infrastructure will be constructed within the disturbed areas within the approved MR. The WTP will treat borehole water sourced from within the Project footprint for domestic use. The specific design for the D2546 district road diversion are still to be confirmed, but it is anticipated that the road diversion will extend 2.5 km with a width of 7 m and a reserve of 32 m.

3. Illustrative Material


Illustrative material is provided in Plan 1 and Plan 2. These indicate the geographical context of the Project and layout design of the proposed infrastructure.



Universal Coal Development III (Pty) Ltd Ubuntu Colliery EIA Regional Setting


Legend

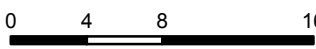
- Project Area
- ★ City
- Major Town
- Secondary Town
- ◉ Other Town
- Settlement
- Road_Line
- National Route
- Main Road
- Railway Line
- Railway Line
- Perennial Stream
- Dam/ Lake
- Provincial Boundary (2016)
- District Municipal Boundary (2016)
- Local Municipal Boundary (2016)



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Projection: Transverse Mercator
 Datum: WGS 1984
 Central Meridian: 29°E
 Date: 20/10/2020
 Ref #: UCD6097_H_01_AMT





Kilometres

www.digbywells.com © Digby Wells Environmental

28°50'0"E

28°51'15"E






28°52'30"E

Universal Coal Development III (Pty) Ltd Ubuntu Colliery EIA Infrastructure Layout

Legend

-  Project Area
-  Main Road
-  Street
-  Railway Line
-  Non-Perennial River/Stream
-  Perennial River/Stream
-  Dam / Lake
-  Non-Perennial Pan
-  Perennial Pan

Approved Infrastructure

-  Overburden
-  PCD
-  RoM Stockpile
-  UC Boxcut
-  Open Cast Pit

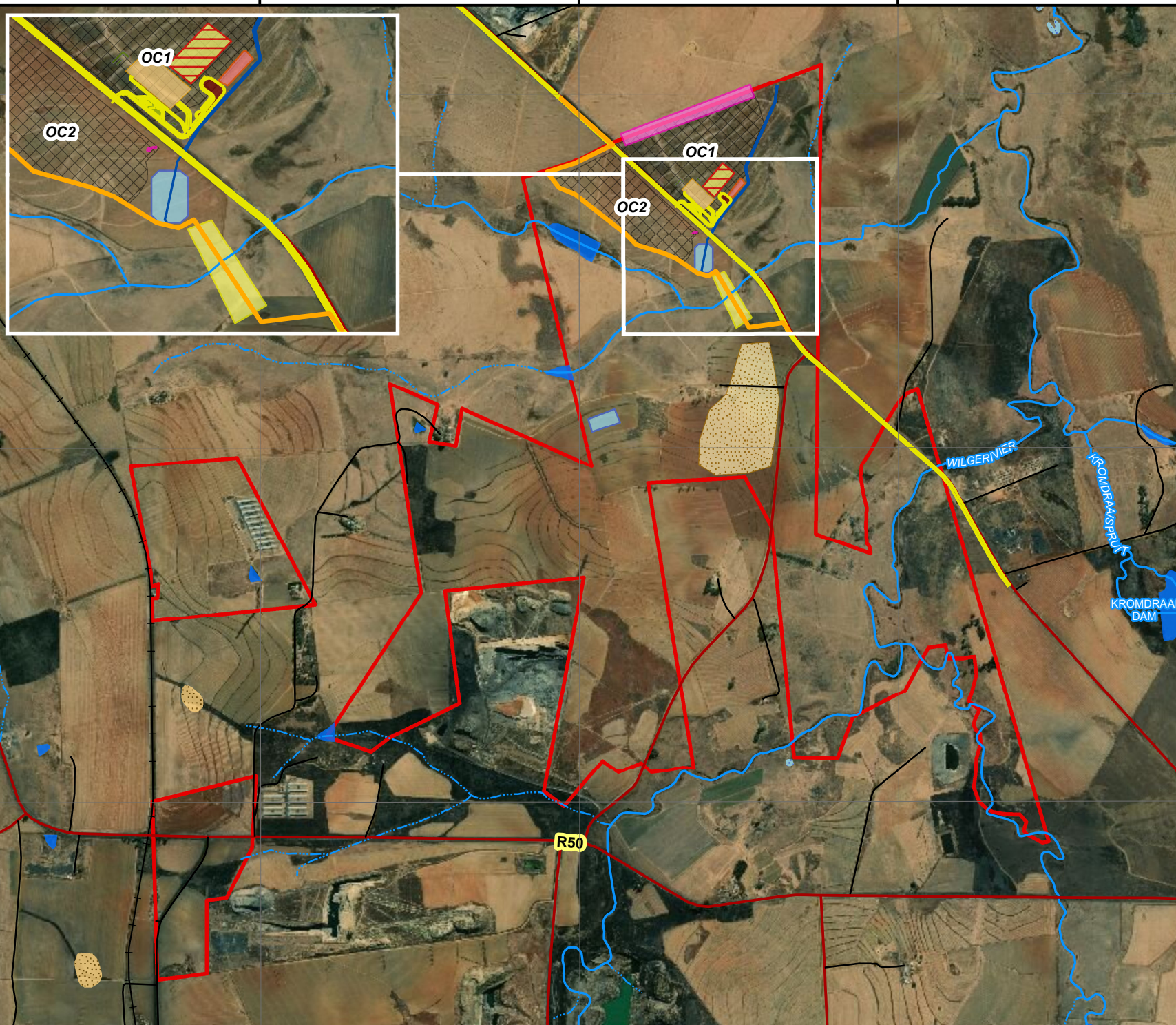
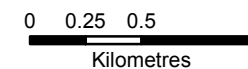
Proposed Infrastructure

-  Access Road
-  Canal
-  D2546 District Road Diversion
-  Contractors Camp Site
-  Control Room Area
-  Culvert
-  Diesel Depot Area
-  Hard Park
-  Haul Truck Queueing Area
-  Product Stockpile
-  Sewage Treatment Plant
-  Workshop, Offices & Other Infrastructure



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Projection: Transverse Mercator
Datum: WGS 1984
Central Meridian: 29°E
Date: 20/10/2020
Ref #: UCD6097_H_02_AMT



28°50'0"E

28°51'15"E

28°52'30"E

26°11'15"S

26°12'30"S

26°13'45"S

28°50'0"E

28°51'15"E

28°52'30"E

26°11'15"S

26°12'30"S

26°13'45"S

4. Assessment Process

Table 3 summarises the impact assessment processes that are currently being conducted for the proposed Project.

Table 3: Current Assessment Processes

Legislation (e.g. NEMA, MPRDA, etc.)	Current phase of assessment process (e.g. Scoping, EIA, etc.)	Authorities who will receive information	Capacity of Authorities
NEMA	Scoping	Department of Mineral Resources (DMR)	Licencing
MPRDA	Scoping	DMR	Licencing
NHRA	Scoping	SAHRA	Commenting
	Scoping	MPHRA	Noting

These assessments are required in terms of legislated and / or regulated activities outlined in Sections 4.1 to 4.3 below.

4.1. NHRA Section 38(1) Activities

The proposed development will include the following activities listed in Section 38(1) of the NHRA, which generally require heritage assessments be undertaken.

Table 4: NHRA Section 38 Triggers

		NHRA Section 38 (1) Activities / Triggers		Summary description (e.g. 500 m conveyor belt, open cast pit, etc.)
<input checked="" type="checkbox"/>	a	Any linear development or barrier >300 m		The proposed road will extend 2.5 km.
<input type="checkbox"/>	b	Any bridge or similar structure >50 m		
<input type="checkbox"/>	c	Any development or activity that will change the character of a site:		
	<input checked="" type="checkbox"/>	i	≥5 000m ² in extent	The proposed activities will potentially extend over 5 000 m ² but will not change the character of the site.
	<input type="checkbox"/>	ii	Involving ≥3 existing erven/ subdivisions	
	<input type="checkbox"/>	iii	Involving ≥3 or more erven/ divisions consolidated within past 5 years.	
<input type="checkbox"/>	d	Rezoning of a site ≥10 000m ² in extent.		
<input checked="" type="checkbox"/>	e	Other triggers, e.g.: in terms of other legislation, (i.e.: National Environment Management Act, etc.)		NEMA, MPRDA

4.2. EIA Regulations Listed Activities

Table 5 summarises activities applicable to the proposed Project listed in the EIA Regulations, which generally require impact assessments.

Table 5: Identified Listed Activities

NEMA Activity	NHRA Trigger	Description	Expected duration/phase
Listing Notice 1 Activity 9	38(1)(e)	<p><i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i></p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more;</p> <p><i>excluding where—</i></p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>	Construction
Listing Notice 2 Activity 6	38(1)(e)	<p><i>The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding—</i></p> <p>(i) activities which are identified and included in Listing Notice 1 of 2014;</p> <p>(ii) activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</p> <p>(iii) the development of facilities or infrastructure for the treatment of effluent, polluted water, wastewater or sewage where such facilities have a daily throughput capacity of 2 000 cubic metres or less; or</p> <p>(iv) where the development is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will not exceed 50 cubic metres per day.</p>	Construction

NEMA Activity	NHRA Trigger	Description	Expected duration/phase
Listing Notice 2 Activity 27	38(1)(a)	<p><i>The development of a road—</i></p> <p><i>(i) with a reserve wider than 30 metres; or</i></p> <p><i>(ii) catering for more than one lane of traffic in both directions;</i></p> <p><i>but excluding a road—</i></p> <p><i>(a) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010, in which case activity 24 in Listing Notice 1 of 2014 applies;</i></p> <p><i>(b) which is 1 kilometre or shorter; or</i></p> <p><i>(c) where the entire road falls within an urban area.</i></p>	Construction

4.3. Identified and Known Heritage Resources and Potential Impacts

Certain categories of heritage resource, if existing and identified, generally require heritage assessments to be completed before any development may take place. These categories may be formally or generally protected in terms of the NHRA. Table 6 presents an overview of such heritage resources identified within the Project area.

Table 6: Identified Heritage Resources in terms of Section 3 of the NHRA

	Section	Description
<input checked="" type="checkbox"/>	3(2)(a)	Places, buildings, structures and equipment of cultural significance
		Description of resource: the historical built environment constitutes a significant portion of the cultural landscape and within the larger MR Area. No such heritage resources have been identified within the Project area at this stage.
		Potential impact: None identified to date.
<input type="checkbox"/>	3(2)(b)	Places to which oral traditions are attached or which are associated with living heritage
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(c)	Historical settlements and townscapes
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(d)	Landscapes and natural features of cultural significance
		Description of resource: None identified
		Potential impact: None
<input checked="" type="checkbox"/>	3(2)(e)	Geological resources of scientific or cultural importance
		Description of resource: The Project area is underlain by geological strata of very high palaeosensitivity.
		Potential impact: The Project has potential to directly impact fossil heritage. This will be assessed in more detail in the Impact Assessment phase.
<input checked="" type="checkbox"/>	3(2)(f)	Archaeology and/or palaeontology (Including archaeological sites and material, fossils, rock art, battlefields & wrecks)
		Description of resource: Archaeological resources constitute a minor portion of the cultural landscape. No such heritage resources have been identified within the Project area at this stage.
		Potential impact: None identified to date.

	Section	Description
<input checked="" type="checkbox"/>	3(2)(g)	Graves and burial grounds (e.g. ancestral graves, graves of victims of conflict, historical graves & cemeteries)
		Description of resource: Burial grounds and graves constitute a significant portion of the cultural landscape and within the larger MR Area. One such resource has been identified within the Project area.
		Potential impact: The Project has potential to directly impact burial grounds or graves. This will be assessed in more detail in the Impact Assessment phase.
<input type="checkbox"/>	3(2)(h)	Other human remains
		Description of resource: None identified Potential impact: None
<input type="checkbox"/>	3(2)(i)	Sites of significance relating to the history of slavery in South Africa
		Description of resource: None identified Potential impact: None
<input type="checkbox"/>	3(2)(j)	Movable objects
		Description of resource: None identified Potential impact: None

5. Recommendation

Table 7 presents a summary and motivation of the specialist recommendations.

Table 7: Specialist Heritage Recommendations

Is a Heritage Impact Assessment required?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If NO, provide motivation: Not applicable.			
If YES, provide suggested components that may be required or undertaken during HIA.			
<input checked="" type="checkbox"/>	Archaeology	<input type="checkbox"/>	Architecture
<input checked="" type="checkbox"/>	Built Environment	<input checked="" type="checkbox"/>	Burial Grounds and Graves
<input checked="" type="checkbox"/>	Palaeontology	<input type="checkbox"/>	Public Participation
<input type="checkbox"/>	Townscapes	<input type="checkbox"/>	Visual Impact
<input type="checkbox"/>	Other:		
Recommendation made by:			
Name: Shannon Hardwick		Name: Justin du Piesanie	
Capacity: HRM Consultant		Capacity: Divisional Manager: Social and Heritage Services	