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## WITHDRAWAL FROM SAHRIS OF EXISTING CASE ID 12155: REHABILITATION OF THE JAGERSFONTEIN PIT THROUGH BACKFILLING

- 1 We act Jagersfontein Developments (Pty) Ltd ("JD").
- 2 As you may be aware, JD proposes to backfill the old Jagersfontein open pit ("Pit") situated on Portion 15 of the Farm Jagersfontein 14 IS with fine and coarse tailings from its tailings processing operations ("**Proposed Project**").
- 3 To authorise the Proposed Project, JD initially intended to apply for a waste management licence ("**WML**") in terms of the National Environmental Management: Waste Act, No 59 of 2008 ("**Waste Act**"). As part of the WML application ("**WMLA**") and in terms of section 38(8) of the National Heritage Resources Act, No 25 of 1999 ("**NHRA**"), JD uploaded a case to SAHRIS (case ID 12155) under the reference "*Rehabilitation of the Jagersfontein pit through backfilling*" ("**Case 12155**").
- 4 Following consultation with the Free State Department of Economic Development, Tourism and Environmental Affairs ("**FS DESTEA**") and Free State Department of Mineral Resources ("**FS DMR**") on the WMLA, the view shared by both the FS DESTEA and FS DMR is that the Proposed Project does not constitute a waste management activity in terms of the Waste Act and is merely rehabilitation.

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- 5 JD will therefore not submit the WMLA. As such, the exemption under section 38(8) of the NHRA from the requirement to submit a permit in terms of section 38(1)(c)(i) of the NHRA for the development or any other activity that will change the character of a site exceeding 5000m<sup>2</sup> in extent no longer applies. JD has therefore submitted an application in terms of section 38(1) of the NHRA on SAHRIS (case ID 13978) under the reference "*Jagersfontein Open Pit Rehabilitation through Backfilling*" for a permit authorising the Proposed Project.
- 6 From previous correspondence with SAHRA, we understand that, despite JD not submitting a corresponding WMLA, Case 12155 cannot be removed from SAHRIS. Considering the above, we nevertheless request that Case 12155 be considered withdrawn.
- 7 We trust that you find the above in order.

Kind regards



**SANDRA GORE / ALECIA PIENAAR**  
**CLIFFE DEKKER HOFMEYR INC**