

Our Ref:



an agency of the  
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
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CaseID: 21807

Date: Friday July 14, 2023  
Page No: 1

## Interim Comment

**In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Mr Nicholus Maloba  
Yoctolux

### UNDERGROUND MINING RIGHT APPLICATION FOR COAL

Thank you for informing SAHRA of the Environmental Authorisation (EA) application by Eco Elementum and Engineering (Pty) Ltd on behalf of Yoctolux Collieries (Pty) Ltd for the proposed Greenfield underground coal mining operation (Mafatiki Colliery) near the towns of Devon and Leandra in the Lesedi Local Municipality of Gauteng Province and on the border with Mpumalanga Province. According to the submitted Scoping Report, an EA application in support of a mining right application will be submitted to the Department of Mineral Resources and Energy (GP 30/5/1/2/2/10116MR).

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999), any proposed development that requires an application in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA) must have an assessment of impacts to heritage resources completed as part of the application process.

The underground mining project is over portions 2, 3, 4, 5 and a portion of the remaining extent of portion 6 of the farm Leeuwkop 299 IR, portions 1, 2, 3, 4, 6, 7, 8, 11, 23, 25, 27, and a portion of portion 14, and the remaining extent of portions 5, 12 and portion 21 and 22 of the farm Winterhoek 314 IR portions 17, 18, 56 and the remaining extent of portion 23 of the farm Nooitgedacht 294 IR, portions 7, 8, 18, 19, 25, 26, 31, 33 and 39 of the farm Palmietfontein 316 IR and is located in the Highveld Coalfield. The project location is bound to the current location due to the underlying geology, surrounding wetlands and the applicant's existing prospecting rights. The greater area has also been impacted by historic underground mining and some sections have already been transformed from its natural state.

It is noted that the area proposed for development is underlain by geological formations of moderate and very high significance. It is therefore likely that significant palaeontology may be impacted by the proposed development. The palaeontological sensitivity of the area under consideration is very high. In addition, the submitted Scoping Report indicates the presence of graves in the vicinity of the proposed

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development. The study area is within 150m of a Grade IIIa Heritage site. This map shows low sensitivity for the overall site, but with high sensitive cultural and heritage areas in close proximity. Furthermore, the included is the listed as an endangered ecosystems: Waldrift, Krugersdorp, Leeuwkuil, Suikerbosrand, Rolfe's Pan Nature Reserves and/or privately conserved (Johanna Jacobs, Tweefontein, Gert Jacobs, Nikolaas and Avalon Nature Reserves as well as the Heidelberg Natural Heritage Site. It is noted that the DSR states that an HIA and PIA will be conducted as part of the EIA phase.

## Interim Comment

SAHRA requests that the pending **heritage impact assessment** assesses the impact of the proposed mining on *all heritage resources* including, but not limited to, archaeological heritage, palaeontological heritage, rock art, any significant structures and intangible heritage. This assessment must not only assess impacts in terms of the development footprint, but must also assess broader, indirect impacts to heritage that may result from the proposed development. The HIA must comply with section 38(3) of the NHRA.

The quickest process to follow for the archaeological component would be to contract a qualified specialist (see [www.asapa.org.za](http://www.asapa.org.za) or <https://www.aphp.org.za/index.php/memberlist>). The report must comply with the 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessments

A Palaeontological Field assessment study must be undertaken by a qualified palaeontologist (see [https://www.palaeosa.org/current\\_members.html](https://www.palaeosa.org/current_members.html)). The PIA must comply with the 2012 SAHRA Minimum Standards: Palaeontological Components of Heritage Impact Assessments.

Any other heritage resources that may be impacted such as built structures, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

The case will be processed further once the draft EIAr documents, and the appendices, as well as the HIA and PIA reports are submitted to the case.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

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Yours faithfully

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Annlin Matabane  
Heritage Officer  
South African Heritage Resources Agency

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Natasha Higgitt  
Manager: Development Applications Unit  
South African Heritage Resources Agency

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**ADMIN:**  
Direct URL to case: <https://sahris.sahra.org.za/node/619934>  
(DMR, Ref: GP 30/5/1/2/2/10116 MR)