



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: 11187

Date: Tuesday May 29, 2018

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Final Comment

In terms of Section 38(8), 38(4) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Pearl Star Investments 85

Pearl Star Investments 85 cc intends to develop a filling station and associated infrastructure on Portion 1 of Erf 10769, Middelburg X26, Middelburg. The filling station will comprise of underground petrol and diesel tanks, fuel pumps, a canopy covered forecourt and a convenience store. Access to the site will be provided from La Roca Boulevard/Spring Street (i.e. access road to Middelburg Mall) as well as from a left-in-only road extending from the R35 provincial road (Samora Machel Street) to the site. The left-in-only road will extend across the Remainder of Portion 27 of Middelburg Town and Townlands 287 JS to the site.

The filling station will be located within the Steve Tshwete Local Municipality, Mpumalanga Province.

AdiEnvironmental cc have been appointed to undertake the Basic Assessment process in support of an Environmental Authorisation application in terms of Environmental Impact Assessment (EIA) 2014 Regulations, of the National Environmental Management Act, no 107 of 1998 (NEMA). The extent of the proposed filling station is 5000 m², adjacent to the Middelburg shopping centre. The location of the proposed development appears to be disturbed from the single photo submitted to the case however the BID document does not contain enough information to waive the requirements of a Heritage assessment in terms of section 38 (3). A palaeontological letter of exemption from further studies letter from Dr Heidi Fourie was submitted to the case, in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 (NHRA).

Fourie, H. October 2017. Exemption Letter – Proposed Filling Station and Associated Infrastructure on Erf 10769, Middelburg X26, Middelburg Steve Thwete Local Municipality in the Mpumalanga Province.

The study area is underlain by Vaalian aged shale, sandstone, conglomerate and igneous rocks of the Loskop Formation, which is of low palaeontological significance. It is surrounded by the Selons River Formation (Waterberg Group, Transvaal Supergroup) and Dwyka Group (Karoo Supergroup), which are of low and moderate palaeontological significance, respectively. The author recommends no further palaeontological assessments as the proposed Filling Station will not impact on potentially fossiliferous rocks.

Final Comment

SAHRA Archaeology, Palaeontology, and Meteorites (APM) Unit accepts the palaeontological letter of

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exemption from further studies letter submitted to the case, and the recommendations provided therein. SAHRA grants the development from undertaking an assessment of other heritage resources, as the area proposed for the Filling Station has been altered from its natural state, and the possibility of identifying significant heritage resources is very low.

The following conditions must be included in the EMPr for implementation:

If fossils are uncovered during construction then construction must cease within the immediate vicinity, a buffer of 30 m must be established, and a palaeontologist called in to inspect the finds. The palaeontologist must obtain a section 35(4) permit in terms of NHRA and Chapter IV NHRA Regulations, before any fossils are collected.

If there are any new heritages resources are discovered during construction and operation phases of the proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer.

If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer. Mitigation will only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). You may contact SAHRA APM Unit for further details: (Nokukhanya Khumalo/Phillip Hine 021 202 8652).

If any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Mimi Seetelo 012 320 8490).

This comment must be forwarded to the Competent authority and the record of decision by the competent authority must be uploaded to this case as well as the Final BAR.

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

Yours faithfully

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Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Acting Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/399181>
(MDARDLA, Ref: 1/3/1/16/1N-104)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.