



an agency of the  
Department of Arts and Culture

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CaseID: 11571

Date: Monday September 04, 2017

Page No: 1

## **Response to NID (Notification of Intent to Develop)**

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

Attention: Ntshovelo Mining Resources (Pty) Ltd

**Ntshovelo Mining Resources (Pty) Ltd, a subsidiary of Mbuyelo Coal (Pty) Ltd, has appointed Geo Soil and Water cc (GSW) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the necessary authorisation and amendment processes for Vlakvarkfontein Coal Mine. In turn GSW has appointed EIMS as well as various specialist sub-consultants to assist with compiling the necessary reports and undertaking the statutory consultation processes, in support of proposed extensions to the Vlakvarkfontein Coal Mine. It is anticipated that several listed activities contained in the National Environmental Management Act (Act 107 of 1998) (NEMA), National Environmental Management Waste Act (Act 59 of 2008) (NEMWA) and National Water Act (Act 36 of 1998) (NWA) will be triggered by the proposed extension.**

Ntshovelo Mining Resources (Pty) Ltd a subsidiary of Mbuyelo Coal (Pty) Ltd is proposing to amend their Environmental Authorisation and EMPr for Vlakvarkfontein Coal Mine, in order to extend the existing mining activities. This application will include addition opencast coal pit area, the re-location of the administration facilities and pollution control dam, the construction of a new water treatment facility and coal processing plant. The mine is located on Portions 5; 13; and 18 of the farm Vlakvarkfontein 213 IR, in Victor Khanye Local Municipality of Mpumalanga Province.

A Background information document has been submitted to SAHRA to notify us of the application process.

In terms of the National Heritage Resources Act, no 25 of 1999 (NHRA), heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are generally protected. They may not be disturbed without a permit from the relevant heritage resources authority. In contexts of development applications, the developer must ensure that no heritage resources will be impacted by the proposed development, by lodging an application to SAHRA and submitting detailed development specifications as a notification of intent to develop. If the application is made in terms of s. 38 (8) of the NHRA then it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is undertaken, as s. 38(2)a does not apply. Such a study should follow the SAHRA impact assessment guidelines and section 38(3).

SAHRA as a commenting authority in this application requires an assessment of heritage resources including

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Page No: 2

palaeontological resources to be conducted by a qualified archaeologist and palaeontologist respectively. As such SAHRA requires a Heritage Impact assessment and a field Palaeontological Impact Assessment for the proposed development to be conducted and submitted to SAHRA for comments. If you are unaware of any archaeologists and palaeontologists a list of them working within the Heritage Resources Management field are provided in the following websites: (see [www.asapa.org.za](http://www.asapa.org.za)) and (see [www.palaeontologicalsociety.co.za](http://www.palaeontologicalsociety.co.za)).

SAHRA will comment further on this proposed development once the requested 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.

Yours faithfully

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Nokukhanya Khumalo  
Heritage Officer  
South African Heritage Resources Agency

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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/407327>

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Page No: 3