



an agency of the  
Department of Arts and Culture

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CaseID: 13177

Date: Wednesday April 17, 2019

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## Interim Comment

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

Attention: Sitatunga Resources

#### Prospecting Right Application

Thiko Resources (Pty) Ltd is proposing to prospect for coal over an area of 93.57 ha, using non-invasive and invasive methods. They propose ten (10) prospecting boreholes and a site camp (0.5ha) located about 300m away from the Olifants Rivier and the Boesmankransspruit rivier. The prospecting will be located on Portion 38 of the farm Speekfontein 336 in the eMalahleni Local Municipality, in Mpumalanga Province. There will be a 100m buffer zone around the watercourses, there will be no additional roads constructed, and the drilling pads will be 10m<sup>2</sup> in extent.

Sitatunga Resources (Pty) Ltd have submitted a Basic Assessment (BAR) process on behalf of the applicant, Thiko Resources (Pty) Ltd, in respect of listed activities in the EIA Regulations 2017, that require an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) as amended, and a mine right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended). A Public Participation Notice and Scoping Report has been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

The South African Heritage Resources Agency (SAHRA) Archaeology, Palaeontology and Meteorites (APM) Unit issued an Interim Comment dated 26/11/2018 requesting a field based Palaeontological Impact Assessment to be undertaken by a suitably qualified palaeontologist and the desktop Heritage Impact Assessment by an archaeologist, mention in the BAR, must be submitted to the case for comments. These reports were to be compiled and submitted to SAHRA as part of the Basic Assessment Application process. However, a letter motivating for an exemption from heritage studies has submitted by the consultant to the case.

#### Interim Comment

The requirements stated in the Interim Comment dated 26/11/2018 still stands. Therefore, the SAHRA APM Unit requires the submission of the requested heritage studies prior to the BAR application being submitted to

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the competent authority, as per section 19(1)a and 19(8) of the NEMA EIA regulations 2014, as amended. It should be noted that an assessment of heritage is a requirement of section 38(8) of the NHRA and section 24(4)b III of the NEMA, Act 107 of 1998, as amended.

SAHRA awaits the submission of the HIA and PIA reports before commenting further on this case. Furthermore, SAHRA advises that an extension of the application is made in terms of section 19 (1)b of the NEMA EIA regulations 2014, in order for the specialist studies to be submitted to the case on SAHRIS and for SAHRA comments to be included in 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

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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/514502>

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