



an agency of the  
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
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CaseID: 13998

Date: Wednesday May 13, 2020

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## **Final Comment**

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

Attention: Velile Ramphele

**Proposed operations for the Southern Side are within the same site within Farm Portion 1 area numbers (DWX 1469J and (DWX 1471J). In order to prepare the Southern Side for operations, there are several alternative options proposed for the establishment of the Southern Side as a Coal Stockpile Area and a Loading Area, under Victor Kanye Local Municipality, Mpumalanga Province.**

Gijima Supply Chain Management (PTY) Ltd is proposing to extend their existing coal sidings to Portion 1 of the farm Van Dyksput 214 IR, Victor Kanye Local Municipality, in the Mpumalanga Province. The proposed extension will be across the railway line from their existing Arbor coal sidings.

They have appointed Myezo Environmental (Pty) Ltd to undertake a Basic Assessment (BAr) application process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 1998 (NEMA), as amended and a Mining Right in terms of section 22 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended), for listed activities in the NEMA EIA Regulations 2014, as amended.

A Final Basic Assessment Report with the HIA report included on page 123 in volume 3 of 3 of the specialist reports was submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

*Van Schalkwyk, J.A. March 2019. Phase 1 Cultural Heritage Impact Assessment: The Proposed Upgrade and Increase in the Scope of activities at the Existing Arbor Railway Siding, Delmas Region, Nkangala District Municipality, Mpumalanga Province.*

The author undertook a field assessment of the proposed arbor siding expansion area and noted the presence of the Arbor railway station building that was built in the 1940's. This building is maintained by Transnet and will not be impacted by the proposed sidings expansion. The study area is located in a moderate palaeontological sensitivity zone and a desktop study is required.

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It is noted that the Bar report was initially submitted as a comment, and that SAHRA did not respond to the submission within the public review period. As such, the SAHRA Archaeology, Palaeontology, and Meteorites (APM) Unit notes the development application, endorses the maintenance of the Arbor Railway building but due to our comments being late, SAHRA grants the development an exemption from undertaking a palaeontological assessment by a suitably qualified palaeontologist. However, the following general conditions still apply:

A detailed Fossil Finds Procedure must be developed and included in the EMPr in the event that Fossiliferous rocks are uncovered. This procedure must be developed by a suitably qualified palaeontologist, or reviewed by a suitably qualified palaeontologist.

In the event that 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 8654).

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 (Thingahangwi Tshivase/Mimi Seetelo 072 802 1251).

If any historical buildings will be impacted by the proposed development, then comment and permits in terms of section 34 must be sort from the Mpumalanga Heritage Resources Authority (MPHRA). Please contact Benjamin Moduka at [bmoduka@mpg.gov.za](mailto:bmoduka@mpg.gov.za) or call the offices at 013 766 5196.

**EA Application for the Proposed Operations of Arbor Railway Siding to Store,  
Handle and Rail Coal**

**Our Ref: 13998**



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Once a Record of Decision from the competent authority is issued, it must also be submitted to the case. This comment must be forwarded to the competent authority and proof of submission must be uploaded 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  
Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/525208>

**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.