

Our Ref: 15459



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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Date: Thursday October 01, 2020

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Interim Comment

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

Attention: Meronox (Pty) Ltd

Meronox (Pty) Ltd. intends to develop a filling station and associated infrastructure on Erf 20 of President Park X6, located on the corner of Nita Avenue and Mandela Drive, eMalahleni, Mpumalanga. The filling station will comprise of underground petrol and diesel tanks (5 x 23 000?), fuel pumps, a canopy covered forecourt and a convenience store.

Meronox (Pty) Ltd are proposing to construct and operate a filling station on ERF 20 of President Park X6, which is 0.90 hectares in extent and ERF 21 of President Park X6 for the access driveway. Located on the farm Zeekoewater 311 JS, in the Emalahleni Local Municipality of the Mpumalanga Province. The filling station will comprise of 5x23000l underground fuel and diesel tanks, covered parking and a convenience store.

AdiEnvironmental cc is undertaking a Basic Assessment (BAR) process on behalf of Meronox (Pty) Ltd in support of an application for Environmental Authorisation in terms of the National Environmental Management Act, 107 of 1998 (NEMA) in respect of listed activities in the NEMA Environmental Impact Assessment (EIA) Regulations 2017 as amended. A Background Information Document has been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

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 2007 impact assessment guidelines and section 38(3).

Due to the extent of the development and its location near a developed area, a detailed motivation in a letter that recommends exemption can be drafted by a suitably qualified archaeologist. The letter must contain ground level photographs, background information of the heritage of that area, historical maps to motivate for

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an exemption.

Any earth moving activities pose a threat to palaeontological and heritage resources, particularly in relatively undisturbed areas, coal mine area, Koppies, Mountains and River valleys are sensitive to these types of heritage resources. The proposed development area is located in an area of insignificant and low significant palaeontological sensitivity area. As per the requirements listed on the SAHRIS palaeo-sensitivity map, a Fossil Finds Procedure must be written up by a suitably qualified palaeontologist. The Procedure must contain a geological map and detailed procedure that outlines the roles and responsibilities of the ECO, construction crew, maintenance staff and an independent palaeontologist in the event that fossils are uncovered.

SAHRA APM unit will process the case further once the above 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

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

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ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/539665>
(DARDLEA, Ref: 1/3/1/16/1N-234)