



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  
[www.sahra.org.za](http://www.sahra.org.za)

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CaseID: 16389

Date: Monday June 07, 2021

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## **Interim Comment**

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

Attention: Xakwa Coal (Pty) Ltd

PO Box 90512  
Garsfontein  
0042

**Xakwa Coal (Pty) Ltd is applying for an Integrated Environmental Authorisation and a Mining Right. The mining of coal will occur on portions 6, 7, 13 and 16 of the farm Modderfontein 236 IR, situated within the Magisterial District of Delmas, Mpumalanga.**

Xakwa Coal (Pty) Ltd have appointed Geovicon Environmental (Pty) Ltd to undertake an environmental assessment as part of the Scoping and Environmental Impact Assessment Reporting process in support of an Environmental Authorisation (EA) in terms of the National Environment Management Act, Act 107 of 1998 (NEMA) for activities that trigger the NEMA EIA 2014 Regulations. As well as the requirements of the Minerals and Petroleum Resources Development Act, No 28 of 2002 (MPRDA)(As amended).

A Scoping report was submitted to the South African Heritage Resources Agency (SAHRA) for commenting in terms of section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). The Scoping report states that a Heritage Impact Assessment (HIA) was commissioned but the report does not mention whether a Palaeontological impact assessment will be undertaken as well.

### **Interim Comment**

The HIA report must be undertaken by a suitably qualified archaeologist.

The proposed development area is located within an area of very high sensitivity in terms of palaeontological resources as per the SAHRIS PalaeoSensitivity. The dBAR notes that the development area is underlain by the highly fossiliferous Karoo Supergroup formations, as such, a field-based Palaeontological Impact Assessment (PIA) must be undertaken by a qualified palaeontologist (See <https://www.palaeosa.org/heritage-practitioners.html> for a list of qualified palaeontologists). The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.

**Xakwa Coal (Pty) Ltd, Proposed Modderfontein Colliery Mining Right  
Application**

**Our Ref: 16389**



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Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

The applicant is advised to extend the BAR process in terms of section 19(1)b of the NEMA EIA regulations in order to comply with this comment.

Further comments will be issued upon receipt of the requested.

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: <https://sahris.sahra.org.za/node/572187>  
(DMR-MP, Ref: 305/1/1/2/10272)

# Xakwa Coal (Pty) Ltd, Proposed Modderfontein Colliery Mining Right Application

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