



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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CaseID: 16897

Date: Friday October 22, 2021

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## Final Comment

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

Attention: Ms Nokuthula Cebekhulu

North Block Complex (Pty) Ltd

Spitzkop Road, Portion 5 of Paardeplaats Farm 380JT, Belfast, 1100

**The road is used by the general public, landowners, and workers accessing land along the road. The road falls within an approved Mining Right Area (MRA) (MP 30/5/1/2/2/10090 MR). In order for NBC to undertake opencast coal mining as approved in the Mining Right (MR), the road needs to be permanently realigned.**

NBC Colliery has appointed CI Group Environmental (Pty) Ltd to undertake a Basic Assessment application process and a EMPr in support for an Environmental Authorisation (EA) in terms of the National Environmental Management Act, Act no 107 of 1998 (NEMA) as amended, for activities that trigger the NEMA Environmental Impact Assessment (EIA) 2014 Regulations, as amended.

NBC Colliery is proposing to realign the D2809 Provincial road that passes its Paardeplaats and NBC mine right area to around the mine right. The road is located in the Emakhazeni Local Municipality of Mpumalanga Province. Construction will also include 2 burrow pits for the material to use on the road.

A Palaeontological Impact Assessment (PIA) report by Banzai Environmental (Pty) Ltd and a Letter of Exemption from PGS Heritage (Pty) Ltd on page 20 of the BAR report has been submitted to SAHRA for commenting in terms of section 38 of the National Heritage Resources Act, no. 25 of 1999 (NHRA).

**De Bruyn, C. July 2021. Heritage Opinion regarding the proposed road realignment by NBC Colliery, near Emakhazeni (Belfast), Emakhazeni Local Municipality, Nkangala District Municipality, Mpumalanga Province**

In 2012 and 2021 PGS Heritage undertook field assessments for the Paardeplaats and NBC Colliery and the exemption letter is based on those impact assessments and a new field assessment of the road alignment. 13 additional sites were identified in the field and 5 were in close proximity to the road diversion. Sites PP05 a cemetery (68m away), PP30 is the remains of historic homestead (70m away), PP32 is the remains of historic homestead with a risk of graves (61m away), PP38 reservoir with associated infrastructure 50m away, PP41 is a small stone structure (25m away). These sites will not be impacted by the proposed construction activities and



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the author recommends monitoring of these sites by an archaeologist during construction

## **Butler, E. August 2021. Phase 1 PIA for the permanent realignment of the D2809 Provincial Road**

The construction area is underlain by Permian Aged shale and sandstones of the Vryheid Formation, Ecce Group, Karoo Supergroup. A field assessment was undertaken in August and the author did not identify any surface outcrops of the formation. The overall impact is assessed as low and the author recommends chance finds procedures. The procedure is located under section 12 of the PIA report

### **Final Comment**

The SAHRA Archaeology, Palaeontology and Meteorites (APM) accepts the Heritage exemption letter and PIA report and recommendations contained therein. The SAHRA has no objection to the development going ahead on the following conditions:

A suitably qualified archaeologist must monitor the 5 heritage sites in close proximity to the road diversion. A monitoring report must be submitted to the case once construction is completed.

If fossil remains or trace fossils are discovered during any phase of construction, either on the surface or exposed by excavations the Environmental Officer (EO) in charge of these developments must be informed. These discoveries ought to be protected and the ECO must report to SAHRA.

A Chance Finds Fossil Procedures included under section 12 of the PIA report must be included in the EMPr.

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

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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).

The Burial Grounds and Graves (BGG) Unit accepts the recommendations provided in the HIA report and has no objections to this proposed development.

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).

The Final BAR and its appendices must be submitted to the case and once a Record of Decision from the competent authority is issued, it must also be 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  
Manager: Archaeology, Palaeontology and Meteorites Unit

# Permanent Realignment of the D2809 Provincial Road

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South African Heritage Resources Agency

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## ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/579319>  
(DARDLEA, Ref: To be issued)

## 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.