

**Our Ref:**



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: Tuesday November 01, 2022  
Page No: 1

CaseID: 19702

## **Interim Comment**

### **In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Ms Yvette Mmanasoe  
GEOVICON ENVIRONMENTAL (PTY) LTD  
42 AG Visser  
Gholfsig  
Middelburg  
1050

**Rietspruit Coal Pits (Pty) Ltd applied for a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA) as amended, and simultaneously is applying for an IEA for listed activities in terms of sections 24 and 24D of the National Environmental Management Act, 1998 (Act no. 107 of 1998) (NEMA), and a Waste Management License (WML) for waste management activities in terms of the National Environmental Management Waste Act, 2008 (59 of 2008) NEMWA. Both legislations are read together with Regulations 19 & 20 of the amended Environmental Impact Assessment Regulations, 2014 (Government Notice No. 326). The above-mentioned applications involve the mining of coal.**

Geovicon Environmental (Pty) Ltd were appointed by Rietspruit Coal Pits (Pty) Ltd to undertake an Environmental Authorisation Application for proposed mining activities on portion of portion 21 of the farm Roodepoort 40 IS, near Kriel, Mpumalanga Province (MP 30/5/1/1/3/13623 MP).

A Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed mining will include open cast mining, stockpiles, mobile offices, hard-park, storm water management, surface pollution control dam and ROM will be considered, and roads. The life of the project will be 24 months.

No assessment of the impact to heritage resources has been conducted as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) that complies with section 38(3) of the NHRA.

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Page No: 2

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The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit requests that an assessment of the impact to heritage resources be undertaken as part of the EA process that complies with section 38(3) of the NHRA as required by section 38(8) of the NHRA. The HIA must include an archaeological and palaeontological component.

The archaeological component of the HIA must be conducted by a qualified archaeologist and must comply with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports (see [www.asapa.co.za](http://www.asapa.co.za) or [www.aphp.org.za](http://www.aphp.org.za) for a list of qualified archaeologists).

The proposed development is located within an area of low and very high Palaeontological Sensitivity as per the SAHRIS PalaeoSensitivity map. As such, a field-based Palaeontological Impact Assessment (PIA) is requested to 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.

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 EA 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 above requested reports and revised DBAR that incorporates the results of the heritage specialist reports.

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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Natasha Higgitt  
Heritage Officer

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Page No: 3

South African Heritage Resources Agency

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

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/606084>  
(DMR-MP, Ref: MP 30/5/1/1/3/13623 MP)