

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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Enquiries: Natasha Higgitt
Tel: 021 462 4502
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CaseID: 19770

Date: Thursday November 03, 2022
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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

Nombuso Trading In Mining CC 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 has been appointed by Nombuso Trading in Mining CC to undertake an Environmental Authorisation Application for proposed mining activities on portion of portion 105 of the farm Blesboklaagte 296 JS, near Witbank, Mpumalanga Province (MP 30/5/1/1/3/13105 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, mobile offices, hard-park, storm water infrastructure, stockpiling facilities, a possible surface pollution control dam and ROM within an application area of 5 ha.

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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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 field-based 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 or www.aphp.org.za for a list of qualified archaeologists).

The proposed development is located within an area of very high Palaeontological Sensitivity as per the SAHRIS PalaeoSensitivity map. As such, desktop 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

Natasha Higgitt
Heritage Officer

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South African Heritage Resources Agency

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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/606521>
(DMR-MP, Ref: MP 30/5/1/1/3/13105 MP)