

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 19920

Date: Wednesday November 16, 2022
Page No: 1

Interim Comment

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

Attention: Mr Nkonyane, Zakhele Wiseman
M and N Colliery (Pty) Ltd

Mining Permit and Environmental Authorisation Application within Portion of Portion 1 of the Farm Twyfelhoek 379 IT, situated in the Magisterial District of Mkhondo in Mpumalanga Province.

Thank you for notifying SAHRA of the proposed Mining Permit Application and Environmental Authorisation (EA) Application for mining activities on Portion of Portion 1 of the Farm Twyfelhoek 379 IT, near Driefontein, Mpumalanga Province (MP 30/5/1/3/2/13713 MP).

As the proposed development is undergoing an EA Application process in terms of the National Environmental Management Act, 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations as amended, it is incumbent on the developer to ensure that an application specific **Heritage Impact Assessment** (HIA) is done as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 24(4)b(iii) of NEMA. This must include an archaeological component, palaeontological component and any other applicable heritage components. The HIA must be conducted **as part of the** EA Application in terms of NEMA and the NEMA EIA Regulations.

SAHRA requests that an assessment of the impacts to heritage resources that complies with section 38(3) of the NHRA as required by section 38(8) of the NHRA and section 24(4)b(iii) of NEMA be conducted as part of the EA process.

The assessment must include an assessment of the impact to archaeological and historical resources. The field-based assessment of archaeological resources must be conducted by a qualified archaeologist and the report 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 Minimum Standards refer to a Letter of Recommendation for Exemption for further studies should the specialist deem it appropriate. SAHRA reserves the right to insist on a field-based assessment should the Letter of Recommendation not provide ample information to make an informed comment.

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

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Page No: 2

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. The Minimum Standards refer to a Letter of Recommendation for Exemption for further studies should the specialist deem it appropriate. SAHRA reserves the right to insist on a field-based assessment should the Letter of Recommendation not provide ample information to make an informed comment.

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.

Further comments will be issued upon receipt of the draft BAR documents inclusive of appendices.

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
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit

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Page No: 3

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ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/607322>
(DMR-MP, Ref: MP 30/5/1/3/2/13713 MP)