

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
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CaseID: 20685

Date: Friday May 05, 2023
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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: Jaments (Pty) Ltd

Pentagon House, 5 Neven Street, Model Park, eMalahleni

Prospecting Right Application for Coal on the remaining extent of the farm Bankfontein 445 JS, Portion 38 of the farm Groenfontein 440 JS and Portion 05 of the farm Erfdeel 446 JS, situated in the Magisterial District of Middleburg in Mpumalanga Province

Singo Consulting (Pty) Ltd have been appointed by Jaments (Pty) Ltd to undertake an Environmental Authorisation (EA) Application for proposed prospecting activities on the remaining extent of the farm Bankfontein 445 JS, Portion 38 of the farm Groenfontein 440 JS and Portion 05 of the farm Erfdeel 446 JS, near Middelburg, Mpumalanga Province (MP 30/5/1/1/2/16558 PR).

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 activities will include 15 boreholes, mobile office and toilet, parking, access road, guard room, logging area, waste storage area, sumps and tanks within an application area of 515.096 ha.

No heritage assessment that complies with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required in terms of section 24(4)b(iii) of NEMA and section 38(8) of the NHRA has been conducted as part of the EA process.

In an Interim Comment issued on the 17/04/2023, SAHRA requested 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. Since the issuing of the Interim Comment, a response to the Interim Comment has been submitted to the application.

In the letter drafted by Singo Consulting on behalf of Jaments (Pty) Ltd, an exemption from further studies is requested based on the results of the Screening Tool and the Palaeontological Sensitivity map.

SAHRA notes that no further assessment of the impact to palaeontological resources is required as per the

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Interim Comment, however, there are areas within the proposed development area that have not been disturbed and no heritage assessment has ever been conducted on those properties.

Interim Comment

SAHRA requests that an assessment of the impact on heritage resources be completed that complies with section 38(3) of the NHRA as part of the EA process. The assessment must include an assessment of the impact on archaeological 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).

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 Regulations in order to address this comment. Further comments will be issued upon receipt of an amended BAR documents inclusive of appendices that includes the results of the requested heritage assessment.

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
Manager: Development Applications Unit
South African Heritage Resources Agency

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ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/613080>
(DMR-MP, Ref: DMRE Ref: MP 30/5/1/1/2/16558 PR)