

**Rehabilitation of the historically mined Pit on Portion 15 of the farm
Jagersfontein 14IS in the Fauresmith District of the Free State through
backfilling with coarse and fine tailings from the Jagersfontein Tailings**

Operation



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: 19315

Date: Thursday September 01, 2022
Page No: 1

Letter

In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Jagersfontein Developments (Pty) Ltd

1 President Street
Jagersfontein
9974

Jagersfontein Developments (Pty) Ltd ("JD") proposes to backfill the old Jagersfontein open pit ("Pit") with fine tailings suspended in water ("Paste") and coarse tailings from its tailings processing operations ("Tailings Operations"). As the Pit has a surface area of 19.65 hectares (196,500m²) and the backfilling will change its character, the proposed project constitutes a development / activity as contemplated under section 38(1)(c)(i) of the NHRA, namely – "any development or other activity which will change the character of a site exceeding 5000m² in extent". This document constitutes JD's motivation for undertaking the proposed development / activity and is submitted in support of its application for a permit in terms of section 38(1)(c)(i) of the NHRA ("Section 38 Application"). A permit was granted by SAHRA in 2013, authorising JD to backfill the Pit ("2013 Initial Section 35 Permit"), following an application under section 35 of the NHRA ("Section 35 NHRA Application"). Following an appeal by a third party to the Appeal Tribunal, established under the NHRA, the Initial Permit was set aside and redirected to the SAHRA for the reason that public participation was required. JD withdrew the Section 35 NHRA Application; and submitted an application under section 38 of the NHRA ("Section 38 Application"). It has obtained further specialists reports and conducted the required public participation (discussed below).

Thank you for notifying SAHRA of the proposed backfilling of the historical Jagersfontein open pit situated in Portion 15 of the Farm Jagersfontein in the Free State Province. The pit will be backfilled with fine tailings suspended in water and coarse tailings from its tailings processing operations.

An application for a water use licence from the Department of Water and Sanitation has been made in terms of section 40 of the National Water Act, 1998 (Act No. 36 of 1998) for the undertaking of a water use in terms of Section 21(g) of the NWA. The pit has a surface area of 19.635ha and it has been mined for over 40 years from 1870. It is the largest hand-excavated hole in the world, it is a heritage resource protected under the National Heritage Resources Act (NHRA, Act 25 of 1999).

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Page No: 2

It is noted that the application contains a range of supporting documentation inclusive of a Conservation Management Plan, archaeological and palaeontological assessments; a report of the public consultation process undertaken, and a range of other supporting documents related to the pit stability and the previous permit applications submitted to SAHRA. SAHRA requires sufficient time to assess the application and all supporting documents and will provide its decision in terms of section 38 (4) of the NHRA in due course.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Sityhilelo Ngcatsha
Archaeology, Palaeontology, Meteorite Assistant
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/603332>
(DWS, Ref: WU22362)