

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: 11479

Date: Tuesday February 06, 2018
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Benard Madziwa

PHASE I HERITAGE IMPACT ASSESSMENT STUDY IN RESPECT OF APPLICATION FOR MINING RIGHT (DIAMONDS) ON THE FARM PALMIETFONTEIN 208JP, NEAR PILANESBERG, MOSES KOTANE LOCAL MUNICIPALITY, BOJANALA DISTRICT, NORTHWEST

EnviroSheq Consulting has been appointed to conduct a Heritage Impact Assessment (HIA) for the proposed Mining Right Application on the farm Palmietfontein 208JP near Pilansberg, North West Province. The applicant (Fidulex Pty Ltd) intends to prospect for and mine diamonds and components of the project will include clearance of vegetation, excavation, removal and stockpiling of topsoil cover, a processing plant, clean water storage dam and drains channelling water to the dam, as well as a return water dam, septic tank and associated infrastructure for containment/storage and transportation of sewage waste from the ablution facilities, maintenance workshop, salvage yard for temporal storage and screening of waste miscellaneous material. The HIA is being conducted in terms of section 38 of the National Heritage Resources Act, Act No 25 of 1999 (NHRA) and will form part of a Environmental Authorisation Application in terms of the National Environmental Management Act, 1998 (NEMA) and the Environmental Impact Assessment (EIA) Regulations 2014 for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The application area is 2 314.8552 ha and will entail strip mining, a screening plant, mobile site office, ablution facilities and access roads.

Matenga, E. 2017. Phase 1 Heritage Impact Assessment Study in respect of an application for a mining right (Diamonds) on the farm Palmietfontein 208JP, near Pilansberg, Moses Kotane Local Municipality, Bonjanala District, North West.

A total of seven heritage resources were identified within the proposed development area which includes one Middle Stone Age (MSA) stone tool (Medium B heritage significance), two stone walled features (Medium A heritage significance), two large cemeteries (High heritage significance), a Pioneer Lutheran Church (Medium A heritage significance) and previous mining infrastructure (Low heritage significance).

Recommendations provided in the report include the following:

- The two cemetery sites and the stone walled features must be fenced off;



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- If mining operations require extension, mitigation strategies must be weighed carefully including the option of exhumation and relocation of graves to a formal cemetery. Such a proposal will have to be discussed with local communities and relatives/descendants of the deceased to reach consensus;
- The Lutheran church must also be protected.

In an Interim Comment issued on the 01/09/2017, SAHRA requested that the HIA be amended to include a clear impact assessment of the identified heritage resources. It is not clear how these resources will be affected by the proposed mining activities. A map must be provided that shows the location of the heritage resources in relation to the proposed mining activities.

Additionally, a Palaeontological Impact Assessment (PIA) must be conducted by a qualified palaeontologist for the proposed development. The Environmental Impact Assessment (EIA) and all appendices must be submitted to the SAHRIS Case application in order for an informed comment to be issued. The location of the proposed development must be correctly mapped on the GIS Layer of the SAHRIS application to show the boundaries of the Mining Right Application Area.

Matenga, E. 2017. Phase 1 Heritage Impact Assessment Study in respect of Application for Mining Right (Diamonds) on the Farm Palmietfontein 208jp, near Pilanesberg, Moses Kotane Local Municipality, Bojanala District, North West (Revised).

The revised HIA has rated the historical mining areas to be of low significance. Sites PM2 and PM3 are located 600 m and 90 m from the proposed mining right area, Site PM6 is located within the proposed mining right area, PM7 is located 70 m from the proposed mining right area, the Lutheran Church is located outside of the proposed mining right area

Recommendations provided in the report include the following:

- The cemetery PM3 and historical village PM2 be fenced off and the ECO be made aware of the sacred value of the sites to local people. In addition, the natural woody vegetation should be retained as a buffer around the graves;
- Historical village (PM6) must be mitigated through archaeological excavations;
- The cemetery (PM7) is at risk and mitigation strategies must be weighed carefully including the option of exhumation and relocation of the graves to a formal cemetery. Such a project requires that SAHRA Burial Grounds and Graves (BGG) Unit be notified, full consent must be obtained from the local community and relatives/descendants who must be involved in all stages of the relocation plan;
- The Lutheran Church must be protected with perimeter fencing.

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Page No: 3

Almond, J. 2017. Recommended Exemption from further Palaeontological Studies: Proposed diamond mining on the farm Palmietfontein 208JP near Pilaesberg, Moses Kotane Local Municipality, Bojanala District, Northwest Province.

The proposed mining right area is underlain by Precambrian and Cretaceous rocks that are entirely unfossiliferous. The overlying Caenozoic superficial sediments are of low palaeontological sensitivity. The proposed mining activities will have a very low impact on palaeontological resources.

Recommendations provided in the report include that should significant new fossils –such as vertebrate bones and teeth –be exposed during borrow pit excavation, the responsible Environmental Control Officer should alert SAHRA as soon as possible so that appropriate action can be taken in good time by a professional palaeontologist. Palaeontological mitigation would normally involve the scientific recording and judicious sampling or collection of fossil material as well as of associated geological data (e.g. stratigraphy, sedimentology, taphonomy). The ECO should be guided by the generic Fossil Finds Procedure (FFP) developed by Heritage Western Cape (HWC) that is appended with this report.

In an Interim Comment issued on 19/10/2017, SAHRA requested that the submitted fossil finds procedure be revised to reflect the correct province, and be specific to the geological formation(s) that will be affected by the development. This was completed to the satisfaction of SAHRA.

In an Interim Comment issued on the 19/01/2018, SAHRA requested that the outstanding EIA and appendices be uploaded to the case. This has now been completed.

Final Comment

The SAHRA Archaeological, Palaeontological and Meteorites (APM) Unit has no objection to the development and supports the recommendations of the specialists. The recommendations of the specialists and the following conditions apply to the development and must be included in the EMPr:

- The identified stone walled structures (PM2 and PM6) and Lutheran Church (PM4) must be avoided with a no-go buffer zone of 30 m. A no-go buffer zone of 100 m must be maintained around the burial grounds (PM3 and PM7). A fence with a gate must be installed around the burial ground (For queries regarding Burial Grounds and Graves (BGG), please contact the SAHRA BGG Unit;
- A Heritage Management Plan (HMP) must be developed and implemented as part of the EMPr to provide for the in-situ management of the heritage resources. The HMP must be submitted to SAHRA for comment prior to the construction phase;
- Should it not be possible to avoid the stone walled structures or church, a permit in terms of section 35

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Page No: 4

CaseID: 11479

of the National Heritage Resources Act, Act 25 of 1999 (NHRA) and the 2000 NHRA Regulations Chapter II and IV must be applied for. If a permit is issued by SAHRA for this purpose, the site may be mitigated;

- Should it not be possible to avoid the burial ground, a consultation process in terms of section 36 of the NHRA and the 2000 NHRA Regulations Chapter XI must be conducted. If grave relocation is found feasible, a permit in terms of section 36 of the NHRA and Chapter II and IX must be applied for. If a permit is issued by SAHRA for this purpose, the site may be mitigated;
- If grave relocation is not found feasible, the in-situ management of the burial ground must be incorporated into the above mentioned HMP;
- If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted. If unmarked human burials are uncovered, the BGG Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately. A professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA.
- Should the project be granted Environmental Authorisation, SAHRA must be notified and all relevant documents submitted to the case file.

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

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Page No: 5

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/406599>
(DMR, Ref: REF NW 30/5/1/2/2/2/10115MR)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.