

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: 14932

Date: Wednesday June 01, 2022
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Final Comment

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

Attention: Willie Oosthuizen
Wadala Mining and Consulting Pty Ltd

Drilling and Bulk sampling

Wadala Mining and Consulting Pty Ltd has been appointed by Wahero Minerals (Pty) Ltd to conduct an Environmental Authorisation Application for proposed prospecting activities on various properties near Groblershoop, Northern Cape Province (NC) 30/5/1/1/2/12423 PR).

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2014 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed prospecting right application area will cover approximately 5 007.3954 ha and will include activities such as vegetation clearance, 20 trenches (100 m x 200 m), 40 pits and 5 bulk samples (200 m x 200 m x 0.5 m deep), access roads, water distribution pipelines, clean water dam or return water dam, office complexes, temporary workshop facilities, storage facilities, diesel depot, stock piles, and ablution facilities.

The DSR notes that an assessment of heritage resources will be conducted during the EIA phase of the process.

In an Interim Comment issued on the 13/03/2020, SAHRA noted the pending assessment of heritage resources and requested that the assessment comply with 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.

Since the issuing of the Interim Comment, the assessment of the impact to heritage resources has been conducted by Prof Marion Bamford, and Archaeological and Heritage Services Africa (Pty) Ltd. The draft EIA has also been submitted.

Bamford, M. 2020. Palaeontological Impact Assessment for the proposed Prospecting Rights Application on Remaining Extent of the Consolidated farm 290 and Portion 1 of the Farm 294 and Portion 1 (Jakkalsdans) of the Farm Duineveld 582 northeast of Groblershoop, Northern Cape Province.



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The proposed development area is underlain by aeolian sands of the Kalahari Group that do not preserve fossils in context. A Fossil Chance Protocol is recommended and is provided in the report.

Matenga, E. 2020. Heritage Impact Assessment & Palaeontological Desk Assessment on Remaining Extent of the consolidated Farm 290 and Portion 1 of the Farm 294 and Portion 1 (Jakkalsdans) of the Farm Duineveld 582, near Groblershoop, Northern Cape.

A total of 14 surface scatters of Middle/Late Stone Age lithics of medium B heritage significance were identified. One burial ground comprising three burials of high heritage significance was identified.

Recommendations provided in the report include the following:

- A 100 m buffer must be applied around the burial ground;
- A Chance Finds Procedure must be implemented.

It must be noted that there are several inconsistencies and possible editing errors in the submitted HIA. Section 5.5 a) of the report notes that 35 heritage sites were identified, which is contrary to the list provided on page 29 of the report. Additionally, the description of the burial ground notes that the site is from the MSA/LSA period. The burial ground is not included in the list of heritage sites located in Table 1.

In an Interim Comment issued on the 16/10/2020, SAHRA requested that the HIA be revised to correct several inconsistencies and gaps in the report. Since the issuing of the Interim Comment, a revised HIA has been submitted for review (22/03/2022).

Matenga, E. 2020. REVISED. Heritage Impact Assessment & Palaeontological Desk Assessment on Remaining Extent of the consolidated Farm 290 and Portion 1 of the Farm 294 and Portion 1 (Jakkalsdans) of the Farm Duineveld 582, near Groblershoop, Northern Cape.

The revised HIA corrected several gaps and inconsistencies. Recommendations provided in the report include the need for a Chance Finds Procedure.

In an Interim Comment issued on the 08/04/2022, SAHRA requested clarity on the current state of the EA application process before comments can be issued as the EIA was submitted in 2020. In a letter submitted on the 29/04/2022, the applicant provided a letter from the DMRE dated 15/03/2022 requesting further comments

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from SAHRA.

Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit and Burial Grounds and Graves (BGG) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- BGG Unit conditions: A fence with an access gate must be erected for *in-situ* preservation of the identified burial ground and a Heritage Management Plan (HMP) must be developed for long term preservation of the site and the HMP must be submitted to SAHRA prior to the construction phase;
- If it becomes impossible to retain the burial ground with the proposed 100m buffer, a grave relocation process which includes a full public consultation process as outlined in the NHRA Regulations of 2000 must be initiated to obtain a SAHRA permit;
- Development activities must be monitored for possible unknown graves.
- 38(4)c(i) – 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 as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqabutho Madida 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to

Prospecting Right for diamonds by Wahero Minerals (Pty) Ltd with drilling and bulk sampling (NC12423PR)

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- permits issued by SAHRA;
- The Final EIA and EMPr must be submitted to SAHRA for record purposes;
 - The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/534906>

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.

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3. SAHRA reserves the right to request additional information as required.