

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
P.O. Box 4637 | Cape Town | 8001
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Enquiries: Natasha Higgitt
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CaseID: 17477

Date: Friday September 22, 2023
Page No: 1

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

The initial prospecting activities for Kieselgurh will be non-invasive and restricted to a desktop study which included a literature survey, plus aerial photograph and satellite image interpretation, and ground validation of targets in the first year. Subsequent phases will be of the invasive-type, typically pitting, or trenching aimed at recovering suitably representative samples to determine grade and quality. Bulk sample test work will be undertaken to test the grade and quality and ultimately the economic viability of the potential deposit.

Wadala Mining and Consulting (Pty) Ltd has been appointed by Alet Maritz Mynbou (Pty) Ltd to conduct an Environmental Authorisation Application for proposed prospecting activities on the remaining extent and portion 3 of the farm Erith and the remaining extent and portion 2 of the farm Walton, District of Kuruman, Northern Cape Province (Ref: NC 30/5/1/1/2/12908PR).

A draft Scoping Report (DSR) 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 prospecting right application area will cover 3 247.4671 ha and include water distribution pipelines, clean and dirty water system, diesel tanks, 20 pits (2 m x 3 m x 0.5 – 1 m deep), 10 trenches (100 m x 50 m x 0.5 – 1 m deep), office complex, temporary workshop facilities, storage facilities, topsoil and overburden stockpiles and waste disposal site.

Prof Marion Bamford and Archaeological and Heritage Services Africa (Pty) Ltd (AHSA) have been appointed to provide heritage specialist input into the EA process as per section 24(4)b(iii) of the NEMA and section 38(3) and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Bamford, M. 2021. Palaeontological Impact Assessment for the Prospecting Rights Application on Farms Walton 390 and Erith 389, north of Kathu, Northern Cape Province.

The proposed development area is underlain by non-fossiliferous strata of the Transvaal Supergroup and Quaternary aeolian sands that are potentially fossiliferous. A Fossil Chance Finds Protocol for the Quaternary Sands has been included in the report.

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Matenga, E. 2021. Heritage Impact Assessment in terms of Section 38(8) of the National Heritage Resources Act (No 25/1999) for Mine Prospecting on the Farm Walton and two portions of the Farm Erith near Kathu under the Gamagara Local Municipality, Northern Cape.

It is noted that a portion of the application could not be physically surveyed and a desktop assessment was conducted for that section. A total of four (4) heritage resources of medium significance were identified on the western section of the farm Erith. These include surface scatters of Stone Age lithics (formal and informal tools). As the terrain of the unsurveyed portion of the application area is similar to that of the surveyed portion, it is assumed that similar heritage resources of similar significance ratings would be present. Other heritage resources that may be present include buildings and objects associated with 19th century modern commercial farming and graves and burial grounds. A Chance Finds Procedure is recommended to be followed.

In an Interim Comment issued on the 19/11/2023, SAHRA stated that further comments would be issued upon receipt of the draft EIA report and appendices. Since the issuing of the Interim Comment, the draft EIA and a letter of withdrawal have been submitted to the case (31/08/2023). The letter of withdrawal notes the removal of the remaining extent and portion 3 of the Farm Erith 389 from the application. The results and recommendations of the heritage reports have been included in the DEIA.

Final Comment

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMP:

- 38(4)a – The SAHRA Development Applications Unit (DAU) 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:
- 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 DAU (Natasha Higgitt 021 462 5402 / nhiggitt@sahra.org.za) 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 DAU (Natasha Higgitt 021 462 5402 / nhiggitt@sahra.org.za) must be alerted immediately as per section 36(6) of the NHRA.

PROSPECTING RIGHT APPLICATION FOR ALET MARITZ MYNBOU ERITH AND WALTON

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Non-compliance with section of the NHRA is an offence 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 permits issued by SAHRA;
- The Final EIA must be submitted to the SAHRIS application for record purposes;
- The decision regarding the EA application must be submitted to the SAHRIS application for record purposes.

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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/588466>

[Terms & Conditions:](#)

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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.