

**WJA BERGH MINING PERMIT APPLICATION AT DELPORTSHOOP THE REMAINING EXTENT OF ERF 28; A PORTION OF ERF 30; ERF 1565; A PORTION OF A GRAVEL ROAD NAMED 'SAAMLOOP STREET'; AND A PORTION OF AN UNNAMED GRAVEL ROAD Extent: 4.9979 Ha**



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: 17595

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

**The applicant will make use of an open cast mining method for alluvial diamonds. The mining method being employed is an open cast mining process with oversize material from the gravel scalping and the tailings from the plant, being used as backfill material prior to final rehabilitation.**

Wadala Mining and Consulting (Pty) Ltd has been appointed by Willem Johannes Andries Bergh to conduct an Environmental Authorisation Application for proposed mining activities on the remaining extent of Erf 28, a portion of Erf 30, Erf 1565, a portion of gravel road named Saamloop Street and a portion of an unnamed gravel road, Barkly West, Northern Cape Province (NC 30/5/1/3/2/10876 MP)

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 mining activities will include open cast mining, haul roads, clearance of 4.9807 of indigenous vegetation, temporary workshop facilities, concrete bund walls and diesel depot, ablution facilities, topsoil and overburden stockpiles.

The DSR states that an assessment of the impact to heritage resources will be completed as part of the EIA phase of the EA application process (page 87), inclusive of a Palaeontological Impact Assessment.

In an Interim Comment issued on the 15/12/2021, SAHRA noted the pending assessment of the impact to heritage resources and stated that the HIA must comply with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). Since the issuing of the Interim Comment, an HIA and PIA along with the EIA has been submitted to the SAHRIS application (04/05/2022).

*Bamford, M. nd. Palaeontological Impact Assessment Right Application near Delportshoop (Remaining Extent of Erf 28, a Portion of Erf 30, Erf 1565, a Portion of a Gravel Road Named Saamloop Street and a Portion of an Unnamed Gravel Road, in extent 4.9979 Ha, at Delportshoop) Dikgatlong Local Municipality Northern Cape Province.*

The proposed development footprint is underlain by moderately sensitive aeolian sands and fluvial Kalahari

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Sands, however, any fossils that may be present would be out-of-context due to erosion. A Fossil Chance Finds Protocol is recommended to be added to the EMPr.

*Matenga, E. 2022. Heritage Impact Assessment for a Mining Permit Application on Remaining Extent of Erf 28, a Portion of Erf 30, Erf 1565, a of a Gravel Road Named Saamloop Street Portion and a Portion of an Unnamed Gravel Road, in extent 4.9979 Ha , at Delportshoop in the Dikgatlong Local Municipality, Northern Cape Province.*

It is noted that no field assessment was undertaken as part of the HIA, however it is noted that the proposed footprint has been highly disturbed by previous alluvial mining activities. The report notes a 75% probability of heritage resources of low heritage significance to be located within the proposed development footprint of which would most likely be out of context. Other heritage resources that may be present include modern buildings of historical value and burial grounds and graves, and human remains. A Chance Finds Procedure is recommended to be followed.

### **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 EIA and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;
- 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;

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- 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

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Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

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

**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/589376>

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**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.