

Our Ref: 19078



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: 19078

Date: Friday September 09, 2022

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Final Comment

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

Attention: Mr Khathutshelo Sam Ntshauba

Sams Paradise (Pty) Ltd has applied for an Environmental Authorisation for proposed Mining activities in respect of Sand Silica (General) on a 2.1ha of land of the farm Dry Lands 718MS, in the Magisterial District of Vhembe, Limpopo Province, South Africa. The area was previously used by locals for grazing both cattle and goats and also for maize farming. A walk through as part of Basic assessment Report (BAR) was undertaken and no grave or any object of heritage value was identified. Local community was also engaged and they indicated that the area was never used for graves. The equipment that will be used for this project will be a TLB for loading sand into a tipper truck. The project will take place in Limpopo Province.

Thank you for informing SAHRA that Sams Paradise (Pty) Ltd.

They have appointed Tshinamufa Holdings (Pty) Ltd to undertake a Basic Assessment (BAR) application process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 1998 (NEMA), as amended and a Prospecting Right in terms of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended), for listed activities in the NEMA EIA Regulations 2014, as amended.

A Background Information Document (BID) and BAR has been submitted to South African Heritage Resources Agency (SAHRA) in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting. The BAR on page 13 states that a stand alone HIA is not required if an EIA is undertaken. This statement is incorrect.

The SAHRA issued an Interim Comment dated 05/08/2022 requesting the an assessment of impacts to heritage resources by a suitably qualified archaeologist. Although, the Interim Comment requests an assessment of impacts to palaeontological resources the study area is of low palaeontological significance and the palaeomap policy only requires the inclusion of a Fossil Chance Finds Procedures developed for the area, in the EMPr. The HIA report by Integrated Services (Pty) Ltd was submitted on 23/08/2022.

Mlilo, T. August 2022. The Phase 1 Archaeological Impact Assessment is for Sand mining in the

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Limpopo Province.

The author undertook a field assessment of the proposed sand mining area and did not identify any heritage resources that may be impacted during ground clearance and mining activities. The author recommends chance finds procedures.

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 BAR 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 provided by the heritage specialists are supported and must be adhered to.

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 (Nokukhanya Khumalo/Phillip Hine 021 202 8654) must be alerted as per section 35(3) of the NHRA. 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)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqalabutho 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 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 for 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 BAR 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

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above in the case header.

Yours faithfully

Nokukhanya Khumalo
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/601327>
(, Ref: LP 30/5/1/3/2/11763 MP)

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.