

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: Sityhilelo Ngcatsha
Tel: 0212028663
Email: sngcatsha@sahra.org.za
CaseID: 17240

Date: Wednesday December 08, 2021
Page No: 1

Final Comment

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

Attention: Mr Kelehile Motlhale
Tokologo Local Municipality

Proposed Hertzogville township establishment of 124 - 150 residential stands on Erf 1315 and Erf 1316, Malebogo Ext 3, Hertzogville, Free State.

Lefatse Environmental Planning Services was appointed to undertake the Environmental Authorisation (EA) Application for the proposed Hertzogville township establishment on Malebogo Erf 1315 and Erf 1316 located within Tokologo Local Municipality, Free State Province.

The Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (No. 107 of 1998) (NEMA) and the NEMA EIA Regulations 2014 (as amended). The proposed development will provide a total of 2 000 formal residential stands with related linear services (i.e. electricity, sewer line, water line, internal roads).

Ubique Heritage Consultants and Banzai Environmental (Pty) Ltd were appointed to provide heritage specialist input as part of the EA process as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Butler, E. 2021. Palaeontological Desktop Assessments For The Proposed Township Developments On Erven 1315 And 1316

The development area is underlain by the unfossiliferous Jurassic dolerite, and an overall low palaeontological impact significance is allocated to the properties. The proposed development will not lead to detrimental impacts on the palaeontological reserves of the area and construction of the development may be authorised in its whole extent.

Engelbrecht, J., Fivaz, H. and Fairhurst, S. 2021. Phase 1 Archaeological Desktop Study For The Proposed Development Of Malebogo Township (Malebogo Ext 3): Erf 1315 & 1316; Erf 1316 (Park), Hertzogville, Tokologo Local Municipality, Lejweleputswa District Municipality, Free State

The proposed development areas have been subjected to surface disturbance namely, rubbish dumping and

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footpaths, as well as informal settlements. It is unlikely that any significant archaeological material on the surface relating to the Stone Ages, Iron Ages and Historical/Colonial era would be identified. A range of heritage sites occurs in the wider region and a Chance Find Protocol is attached to be implemented in the event of discovering heritage resources.

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 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 (Sityhilelo Ngcatsha/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/Mimi Seetelo 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 permits issued by SAHRA;
 - The Final BAR and EMPr 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

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above in the case header.

Yours faithfully

Sityhilelo Ngcatsha
Archaeology, Palaeontology, Meteorite Assistant
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/584953>
(DETEA, Ref: EMB/12/21/24)