

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
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CaseID: 19434

Date: Thursday October 06, 2022

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Letter

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

Attention: GCG Crushers CC

The proposed Mining Permit combined with a Waste Licence application for the mining of Stone aggregate (Gravel) and Stone Aggregate (From waste dump) including associated infrastructure, structure, and earthworks on a certain 5ha portion of Portion 90 of the farm Elandsfontein 34, Registration Division: IP, North West province.

Milnex CC was appointed by GCG Crushers CC to conduct an Environmental Authorisation (EA) Application for the proposed mining permit of Stone Aggregate (Gravel) and Stone Aggregate (from Waste Dump) including associated infrastructure, structure, and earthworks on a certain 5Ha of Portion 90 of the Afm Elandsfontein 34, Registration Division: IP, Ditsobotla Local Municipality, Dr. Ngaka Modori Molemela District Municipality (NW30/5/1/3/2/11013MP).

A Draft Basic Assessment Report (DBAR) was submitted in terms of the National Environmental Management Act, 1998 (NEMA) and NEMA Environmental Impact Assessment (EIA) Regulations, 2014 for activities that trigger the Minerals and Petroleum Resources Development Act, 2002 (As Amended). The scope of work entails mining with associated infrastructure which will include access roads, water pipelines, ablution facilities, storage of dangerous goods, vegetation clearance, blasting etc...

Francois P. Coetzee and Banzai Environemtal were appointed to provide heritage specialist input 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).

Coetzee, F.P. August 2022. Cultural Heritage Impact Assessment: Phase 1 Investigation for a Proposed Mining Permit Combined with a Wadte License Application for Mining of stone Aggregate (Gravel) and Stone Aggregate (from Waste Dump) Including Associated Infrastructure, Structure, and Earthworks on a Portion of Portion 90 of the Farm Elandsfontein 34 IP, Distobotla Local Municipality, Ngaka Modiri Molema District Municipality, North West Province.

The specialist undertook a comprehensive HIA and noted no historical or archaeological (both Stone Age and Iron Age) artefacts, assessemblages, features, structures or settlements were recorded during the survey of

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the project footprint. It is therefore recommended from a cultural heritage perspective that the proposed mining permit application may proceed. It should, however, be noted that archaeological deposits usually occur below ground level. Should archaeological artefacts or skeletal material be revealed in the area during development activities, such activities should be halted, and a university or museum notified in order for an investigation and evaluation of the find(s) to take place.

Butler, E. 2022. Palaeontological Desktop Assessment for the Proposed Mining Permit Combined with a Waste License Application for Mining of Stone Aggregate on Portion of Portion 90 of the Farm Elandsfontein 34, Registration Division: IP, North West Province.

The proposed development is underlain by the Malmani Subgroup (Chuniespoort Group, Transvaal Supergroup), which is allocated both very high (Almond & Pether, 2008) and high Palaeontological Sensitivity (Groenewald and Groenewal, 2014). The latter noted that additionally to the stromatolites, potentially fossiliferous Late Caenozoic Cave breccias within the "Transvaal dolomite" outcrop area could be present. These breccias are not individually mapped on geological maps.

It is thus recommended that a Phase 1 field-based assessment be conducted for the site-specific study area, as well as a comprehensive assessment of the impacts identified during the scoping phase.

It is noted that SAHRA was consulted as part of the EA process (30/08/2022), however the EA was issued on (20/09/2022) within the prescribed consultation period without comments provided by SAHRA in terms of section 38(8) of the NHRA within the commenting period. The EA was granted for the development with specific conditions relating to the management and protection of heritage resources included in EA as follows:

3(f) Cultural Heritage Impact Assessment dated August 2022 compiled by Francois Coetzee recommends that should any heritage artefacts be exposed during excavation work on the area where the artefacts were discovered shall cease immediately and the EO shall be notified as soon as possible.

3(g) Palaeontological Desktop Assessment compiled by Elize Butler recommends that an EIA level palaeontological report must be concluded to assess the value and prominence of fossils in the development area and effect of the proposed development on the palaeontological heritage.

Comment

As the NEMA EA application process has ended, SAHRA cannot provide any objections or agree on the development. While SAHRA cannot provide further conditions on the approved development, condition set out

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in the EA must be adhered to and the applicant is also advised to consider the following:

- The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- A field-based Palaeontological Assessment of the development footprint must be undertaken and a report submitted to SAHRA for commenting. Construction may not commence without feedback on the report from SAHRA.
- 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 (Elijah D Katsetse/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 offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 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;
- See section 51(1) of the NHRA regarding offences;
- The following conditions apply with regards to the appointment of specialists: 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.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Elijah Dumisani Katsetse

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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/604406>
(, Ref: NW30/5/1/3/2/11013MP)

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.