



an agency of the
Department of Arts and Culture

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CaseID: 16257

Date: Wednesday June 09, 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 Anton Pelser
A Pelser Archaeological Consulting
P.O. Box 73703
Lynwood Ridge
0040

PHASE 1 HIA REPORT FOR THE LOBOLA FARMING (FORMERLY MCSTRAUSS BOERDERY) PROJECT ON VARIOUS FARMS NEAR BLOEMHOF NORTHWEST PROVINCE - APAC020/112

BioBlue Environmental Sustainability (Pty) Ltd has been appointed by Lobola Farming (Pty) Ltd to undertake an Environmental Authorisation (EA) application for the proposed clearance of indigenous vegetation to expand their crop farming activities on the Farm Satara 1475, Portion 1 of the Farm Glen Dover 886, Portion 2 of the Farm Glen Dover 886 and Farm Daeraad 1486, near Bloemhof Dam, Tswelopele local Municipality in the Free State Province.

A draft Environmental Impact Assessment (dEIA) has been submitted in terms of the National Environmental Management Act 1998 (NEMA, Act No. 107 Of 1998) and the NEMA EIA Regulation 2014 as amended. Specialist assessments estimate that the total area of the proposed development footprint to be around 355ha.

The SAHRA acknowledges receipt of the dEIA and Heritage Impact Assessment (HIA) submitted on the 24/03/2021. SAHRA has taken note of the commenting period on the dEIA between 01/03/2021 to 30/03/2021.

BioBlue Environmental Sustainability. 2020. Screening Report for an Environmental Authorization of a Part Two Amendment of an Environmental Authorisation as Required by the 2014 EIA Regulations – Proposed Site Environmental Sensitivity

APelser Archaeological Consulting was appointed to provide heritage specialist input on the EIA process as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 24(4)b(iii) of NEMA.

Pelser, A.J. 2020. Phase 1 HIA Report For The Lobola Farming (Formerly Mcstrauss Boerdery) Project On



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Various Farms Near Bloemhof Northwes Province

The study area has flat outcrops present, dense vegetation and sand covers most of the development area. A recent historical graveyard containing around 10 graves was identified on the northern border of the proposed development area. There are 2 graves with cement headstones and the rest are stone-packed without any headstones. The graveyard is given a high cultural significance. No other heritage sites or material were identified in the study area during the field survey. The study area has been impacted by previous agricultural activities.

Recommendations:

- Option 1: Proper fencing in of the site to protect it against any accidental or direct impact by any future development. The site should also be cleaned and properly marked as a cemetery.
- Option 2: If the site and graves can't be avoided by the development then the possibility of exhuming & relocating the graves does exist. This option includes detailed social consultation to try and contact any possible descendants of the deceased buried at the site in order to obtain their consent for the exhumations and relocation. Once social consultation has been completed various permits also have to be obtained from local, provincial and National departments and organizations.

SAHRA issued an interim comment dated 22/04/2021 which noted the HIA report along with its recommendations, and a desktop PIA to be submitted to the case before further comments could be made. The PIA report was submitted to the case on SAHRIS on the 04/06/2021.

Fourie, H. 2021. Palaeontological Impact Assessment: Desktop Study - Proposed Clearance of Indigenous Vegetation for Cultivation on Various Farms, Near Bloemhof Dam, Tswelopele Free State Province

The study area is overlain by Quaternary aged aeolian sand and sediments of the Vryheid Formation (Ecca Group, Karoo Supergroup). Both formations are known to contain animal, plant and trace fossils.

Recommendation

- There is no objection to the development as the clearing will be superficial. A Chance Finds Protocol is



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Page No: 3

attached.

- If any palaeontological material is exposed during clearing, digging, excavating, drilling or blasting SAHRA must be notified. All clearing activities must be stopped, a 30 m no-go barrier constructed and a palaeontologist should be called in to determine proper mitigation measures.

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 EIA report 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. 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 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) – A buffer-zone of at least 30m must be established for *in situ* preservation of identified gravesites. A buffer-zone of 5m must be established between the proposed fence and the graves. If it becomes impossible to retain the sites, a social consultation in terms of *Chapter XI* of the NHRA Regulations must be conducted to identify the *next-of-kin* and obtain consent for grave exhumation and relocation. 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;

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

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Page No: 4

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 Report 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 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/565921>

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Page No: 5