



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: 16819

Date: Monday February 07, 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: Invest In Property 84 Ltd Pty

The applicant currently holds a prospecting right (FS 30/5/1/1/2/449 PR) over the proposed mining right application area, where the prospecting for alluvial diamonds is in progress. Owing to the outcome of the prospecting operation up until now, the applicant wishes to convert the prospecting right into a mining right for the winning of alluvial diamonds, gold and sand.

Greenmined Environmental was appointed by invest in Property 84 (Pty) Ltd to undertake the Environmental Authorisation (EA) application for the mining of alluvial diamonds and gold from a 3 955.7022 ha area that extends over eight properties in the Lejweleputswa Magisterial district, Free State Province (FS 30/5/1/2/2/10067 MR).

A Draft Scoping Report has been submitted in terms of the National Environmental Management Act (NEMA, 1998) and the National Environmental Management Waste Act, 2008, in respect of listed activities that have been triggered by applications in terms of the Mineral And Petroleum Resources Development Act, 2002 (MPRDA) (as amended). About 6ha of the proposed development area will be disturbed by mining activities. Activities associated with mining will include clearing of vegetation, stripping and stockpiling of topsoil, and establishing site infrastructure. Opencast and strip-mining method will be used for the proposed development.

The Draft Scoping Report noted that a Heritage Impact Assessment (HIA) inclusive of a Desktop Palaeontological Impact Assessment was to be undertaken. The SAHRA issued an Interim Comment dated 12/08/2021 which requested the submission of the HIA and the desktop PIA before further comments could be made. The HIA and desktop PIA were submitted to the case on SAHRIS on the 16/08/2021 and the Final Scoping Report was submitted on the 24/08/2021 .

Heritage Contracts and Archaeological Consulting (HCAC) was contracted to conduct a Heritage Impact Assessment (HIA) inclusive of a desktop Palaeontological Impact Assessment as part of the EA process as required by section 24(4)b(iii) of NEMA, and in terms of section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 38(8) of the NHRA.

van de Walt, J. 2019. Heritage Desktop Assessment For the Proposed Mining Right Application on the Farms



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Van Aswegens Hoek 493 Rd and Greylingslyn 355 Rd, Boshoff, Free State Province

Some rock engravings are on record to the North of Boshoff. No gravesites are on record for the study area but graves and informal cemeteries can be expected anywhere on the landscape. Large sections of the study area are impacted on by extensive agricultural activities. Previous Cultural Resource Management studies indicates that heritage sites and a cultural layering dating back to the Stone Age with scatters and sites dating to the ESA, MSA and LSA can be expected in the study area.

Recommendations

It is anticipated that any sites that occur within the project area will have a Generally Protected B (GP. B) or lower field rating, all sites should be mitigatable, and no red flags have been identified. It is therefore recommended that the project is approved with the following conditions of authorisation in the EMPr:

- Before commencing mining activities, the impact areas should be subjected to a heritage walk down.
- A chance find protocol (both archaeology and palaeontology) has been included.

Bamford, M. 2019. Desktop Study: Palaeontological Impact Assessment for the proposed mining rights application for mine "84", near Christiana, Free State Province

The study area is underlain largely by the Quaternary group deposits (sands, alluvium and calcretes) which are unfossiliferous. These could be underlain by the Dwyka Group tilites. Fragments of Glossopteris and Noeggerathiopsis leaves, wood fragments and possible insect wings have been recorded in the Dwyka Group. It is recommended that the development proceed and a Chance Finds Protocol has been attached.

SAHRA issued an interim comment dated 15/09/2021 which requested the submission of the Draft Environmental Impact Assessment (DEIA) documents along with its appendices for further comments to be issued, and the DEIA was submitted to the case on the 10/12/2021.

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 EA and Final EMPr

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- 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:
- A report of the heritage walk-down undertaken by a qualified archaeologist must be submitted to SAHRA prior to the commencing of mining activities;
- 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/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 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;
- As this comment has been issued after the finalisation of the final EIA, this comment must be forwarded directly to the competent authority, and proof of the delivery and receipt thereof must be provided to SAHRA on the SAHRIS application;
- 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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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/578413>