

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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[www.sahra.org.za](http://www.sahra.org.za)

Enquiries: Sityhilelo Ngcatsha  
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CaseID: 19221

Date: Monday April 17, 2023  
Page No: 1

## Final Comment

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

Attention: Tetra4 (Pty) Ltd

**The applicant wishes to expand the ir natural gas operations, to be located within the approved production right area. This planned expansion to the existing approved production activities will involve up to 300 new production wells, gas transmission pipelines and associated infrastructure, compressor stations and a new combined Liquid Natural Gas (LNG) and Liquid Helium (LHe) plant (“LNG/LHe Plant”) and associated infrastructure as part of the Cluster 2 expansion of the Project in order to meet the future production requirements. The proposed project falls within the Masilonyana and Matjhabeng Local Municipalities, in the Lejweleputswa District Municipality, Free State Province.**

Tetra4 (Pty) Ltd appointed Environmental Impact Management Services (Pty) Ltd to undertake an Environmental Authorisation (EA) Application for the proposed Cluster 2 expansion of the natural gas operations, to be located within the approved production mining right area within the Matjhabeng Local Municipalities, Free State Province.

A Scoping Report was submitted in terms of the National Environmental Management Act (Act 107 of 1998 – NEMA) and 2014 NEMA EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act (MPRDA) and the National Environmental Management Waste Act (Act 59 of 2008 – NEMWA). The project activities will include about 300 new production wells, gas transmission pipelines and associated infrastructure, compressor stations and a new combined Liquid Natural Gas (LNG) and Liquid Helium (LHe) plant and associated infrastructure.

SAHRA issued an interim comment dated 15/08/2022 which requested the submission of the HIA inclusive of palaeontological studies along with the draft EIA documents and its appendices. The HIA report and the EIA report were submitted to the development application on the 01/02/2023 and the PIA report was submitted to the development application on the 13/03/2023



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PGS Heritage (Pty) Ltd and Banzai Environmental (Pty) Ltd have been 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).

*Mann, N. 2022. The Proposed Tetra4 Cluster 2 Gas Production Project, Between Welkom, Virginia And Theunissen, Free State Province*

A total of 41 heritage sites were identified with the development footprint which include 7 burial grounds and graves, 9 historic to recent sites with possible graves and 25 heritage structures.

#### Mitigation Recommendations:

- The graves should be demarcated and avoided with a 50-meter buffer and be left in situ. A Grave Management Plan should be developed for the graves which also need to be approved by SAHRA BGG.
- If the site is going to be impacted and the graves need to be removed, a grave relocation process as per the Heritage Management Plan for the site is recommended as a mitigation and management measure. This will involve the necessary social consultation and public participation process before grave relocation permits can be applied for with the SAHRA BGG under the NHRA and National Health Act regulations.
- Apply for the test excavation and/or GPR permit to determine if the site contains graves. If human remains are discovered, a grave relocation process is recommended as a mitigation and management measure.
- When graves are discovered/uncovered, they should be demarcated and avoided with a 50-meter buffer and be left in situ grave should be avoided. If no graves are identified during test excavations, no further mitigation will be required.
- It is recommended that a no-go-buffer-zone of at least 30m is kept to the closest infrastructure.
- If development occurs within 30m of the site, the structure will need to be satisfactorily studied and recorded before impact occurs.
- Recording of the site i.e. a map indicating the position and footprint of the structure along with photographic recording of the structure and measured drawings of the floor plans of the structure.
- Submission of permit application to SAHRA to allow for the disturbance to the site. A Phase 2 Heritage

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Report must accompany the permit.

*Butler, E. 2022. Palaeontological Impact Assessment For The Proposed Tetra 4 Gas Gathering Cluster 2 Project, Near Virginia In The Free State*

The study area is underlain by Quaternary deposits as well as the Balfour Formation (Adelaide Subgroup, Beaufort Group, Karoo Supergroup) sandstone and shale. The Daptocephalus Assemblage Zone (AZ) is located in the Balfour Formation therapsids such as Dicynodon and Theriognathus may be recovered from the formation along with genera and species of dicynodonts, biarmosuchians, gorgonopsian, therocephalian and cynodont therapsid Synapsida. Captorhinid Reptilia, eosuchian Reptilia, Amphibia and Pisces, trace fossils of vertebrates and invertebrates as well as Glossopteris flora plants have also been described.

No fossiliferous outcrops were identified during the site survey and thus an overall medium palaeontological significance is allocated to the development footprint. It is therefore considered that 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.

## 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 EIA and EMPr:

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- 38(4)a – The SAHRA 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 buffer-zone of at-least 100m must be established and maintained around the identified burial grounds.
- 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 (Sityhilelo Ngcatsha/Natasha Higgitt 021 202 8660) 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/Ngqabutho 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;
  - The Final EIA report and the 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 above in the case header.

Yours faithfully

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Sityhilelo Ngcatsha  
Archaeology, Palaeontology, Meteorite Assistant  
South African Heritage Resources Agency

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Phillip Hine  
Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/602699>

**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.