

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: 16345

Date: Tuesday May 04, 2021
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Interim Comment

In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: TMS Moloi Enterprise (Pty) Ltd

TMS Moloi Enterprise (Pty) Ltd proposes to establish a small-scale sand mining operation. The total development area will be approximately 4.9 hectares and will have a lifespan of 5 years. Sand will be excavated or removed from the delineated area as part of the process, within the 4.9-hectare site, the sand will be stored in stockpiles.

TMS Moloi Enterprise (Pty) Ltd appointed Azatitrax (Pty) Ltd to undertake an Environmental Authorisation (EA) application for the establishment of a small-scale sand mining operation on farm De Put No 298 in Senekal, Free State (FS 30/5/1/3/2/ 10316 MP).

A Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) has been submitted in terms of the National Environmental Management Act, (NEMA, 1998) and the NEMA Environmental Management Waste Act, (NEMWA, 2008) in respect of listed activities that have been triggered in terms of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As Amended). The total development area will be approximately 4.9 hectares and will have a lifespan of 5 years. Sand will be excavated from the delineated area as part of the process and the sand will be stored in stockpiles.

No heritage resources were found on-site, if any are found they will be reported to SAHRA. The site is of very low significance in terms of heritage resources and would not require any further studies or mitigation work prior to the commencement of development.

Interim Comment

As the proposed development is undergoing an EA Application process in terms of the National Environmental Management Act, 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, No 28 of 2002 (MPRDA)(As amended), it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is done as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). This must include an archaeological component, palaeontological component and any other applicable heritage components. The

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HIA must be conducted as part of the EA Application in terms of NEMA and the NEMA EIA Regulations.

The archaeological component of the HIA should follow the SAHRA 2007 Minimum Standards: Archaeological Component of Impact Assessment Report. The quickest process to follow for the archaeological component would be to contract a qualified archaeologist (see www.asapa.co.za or www.aphp.org.za).

The proposed development area is located within an area of moderate sensitivity in terms of palaeontological resources as per the SAHRIS PalaeoSensitivity map. As such, a desktop Palaeontological Impact Assessment (PIA) must be undertaken by a qualified palaeontologist (See <https://www.palaeosa.org/heritage-practitioners.html> for a list of qualified palaeontologists). The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.

Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

Further comments will be issued once the HIA is submitted for review. SAHRA advises the EAP to make an application to the competent authority in terms of section 19(1)b of the NEMA EIA Regulations to extend the EA process to comply with the comment.

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

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

ADMIN:
Direct URL to case: <https://sahris.sahra.org.za/node/569806>
(, Ref:)