

**Heritage Impact Assessment in Terms of Section 38(8) of the National
Heritage Resources Act (no 25/1999) for a Mine Prospecting Application on Portion 20 of
the Farm Mamatwan 331 near Hotazel, in the Gamagara Local Municipality,
Northern Cape**

Archaeological and Heritage Chance Finds Procedure

Prepared by
Edward Matenga (PhD)

July 2023

TABLE OF CONTENTS

ABBREVIATIONS 3

1. BACKGROUND 4

2. LEGAL FRAMEWORK..... 4

3. HERITAGE SITES AND OBJECTS THAT MIGHT OCCUR IN THE AREA 4

4. GENERAL 4

5. PROCEDURE FOR ARCHAEOLOGICAL FINDS 5

6. PROCEDURE FOR GRAVES, BURIAL GROUNDS AND HUMAN REMAINS 5

7. SAHRA CONTACT DETAILS..... 6

ABBREVIATIONS

BGG	Burial Grounds and Graves unit of SAHRA
CPF	Chance Finds Procedure
ECO	Environmental Control Officer
ESA	Early Stone Age
LSA	Later Stone Age
MSA	Middle Stone Age
NHRA	National Heritage Resources Act (No 25/1999)
SAPS	South African Police Services
SAHRA	South African Heritage Resources Agency

1. BACKGROUND

Yone STEM Frontiers (Pty) Ltd has applied for a mine prospecting right on Portion 20 of the Farm Mamatwan 331 near Hotazel, in the Gamagara Local Municipality, Northern Cape. When the environmental and heritage approvals have been received prospecting operations will commence at which time the Archaeological and Heritage Chance Find Procedure (CPF) will be applied as a manual for the protection of unidentified heritage resources which may occur in the footprint of the prospecting right.

2. LEGAL FRAMEWORK

The National Heritage Resources Act is the principal law for the protection of heritage resources Act (No 25 / 1999) and for the application of the CPF attention is drawn to the following Sections:

- Section 3 on the definition and types of heritage resources
- Section 4 on the provisional protection of buildings more than 60 years old
- Section 35 on the protection of archaeological and palaeontological resources
- Section 36 on the protection of graves and human remains

3. HERITAGE SITES AND OBJECTS THAT MIGHT OCCUR IN THE AREA

The following site types/objects have been encountered in the broader region and are therefore flagged:

- Surface scatters or concentrations of stone tools of the ESA, MSA, LSA periods
- Substantial subsurface occurrences of stone tools
- Rock paintings and rock engravings (petroglyphs) (MSA to LSA period)
- Buildings and objects associated with modern commercial farming from the 19th century
- Graves, burial grounds and human bones

4. GENERAL

A principal aim of the CFP is to raise awareness of all personnel in the project regarding the prospect of finding archaeological resources that unseen during the Phase 1 scoping heritage assessment and establish a protocol for the protection of these resources. The

appointed Environmental Control Officer (ECO) and Site Manager keep copies of the CPF at the field offices. Training of field personnel on cultural heritage resources that might potentially be found on area should be provided.

5. PROCEDURE FOR ARCHAEOLOGICAL FINDS

If you discover what you suspect may be a possible archaeological site:

- Stop all work in the area to avoid damaging the site.
- Do not disturb any archaeological remains that you may encounter.
- The finds must be reported to the ECO or Site Manager
- The finds must be reported to the heritage authority, i.e., SAHRA and/or the provincial heritage resources agency.
- The heritage authority will send a heritage specialist and /or ask the permit holder to appoint a heritage specialist to make a preliminary assessment of the findings.
- If the potential significance of the finds is deemed to warrant further action and they cannot be avoided, then the heritage specialist will submit a report advising SAHRA accordingly.
- SAHRA will determine the appropriate course of action.

6. PROCEDURE FOR GRAVES, BURIAL GROUNDS AND HUMAN REMAINS

If you discover what you suspect may be possible human remains:

- Stop all work in the area to avoid damaging the site.
- Do not disturb any possible human remains that you may encounter.
- The finds must be reported to ECO or Site Manager.
- The finds must be reported to the local area station of SAPS.
- The finds must be reported to the SAHRA Burial Grounds and Graves (BGG) Unit.
- The BGG Unit will send a heritage specialist and /or ask the permit holder to appoint a heritage specialist to make a preliminary assessment of the findings.
- If the graves/human remains cannot be avoided SAHRA will require that the human remains be re-interred in a formal cemetery.

- Public participation to identify interested and affected parties (if any) will be undertaken in terms of NHRA Regulations 39, 41 and 41 in the Government Notice No R548 (year 2000).
- An application will be lodged to the BGG for the relocation of the human remains in terms of NHRA Regulations 34 in the Government Notice No R548 (year 2000).
- If the graves/ human remains must not be relocated, the BGG Unit may require that any damage done to the site is repaired and a 100m buffer zone is enforced around the site.

7. SAHRA CONTACT DETAILS

SAHRA Head Office	SAHRA BGG Unit
111 Harrington Street Cape Town, 8001 Email: info@sahra.org.za Tel: (021) 462 4502 Fax: (021) 462 4509	Office 101, 1st floor, Sancardia Mall, 541 Madiba Street Pretoria Tel: 012 320 8490/ 4965 Fax: +27 12 320 8486