

Our Ref:



an agency of the
Department of Arts and Culture

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CaseID: 11522

Date: Tuesday January 16, 2018
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Final Comment

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

Attention: Japies Rus Minerale (Pty) Ltd

Mining Right application for Iron Ore and Manganese Ore over Portion 1 of the Farm Magoloring 668 and Portion 6 (a portion of Portion 2) of the Farm Magoloring 668, Kuruman District, Northern Cape Province.

Ms. R H Oosthuizen was appointed by Japies Rus Minerale (Pty) Ltd to conduct an Environmental Authorisation Application for the proposed mining activities on Portion 1 of the Farm Magoloring 668 and Portion 6 (a portion of Portion 2) of the Farm Magoloring 668, Kuruman District, Northern Cape Province. An Environmental Impact Assessment (EIA) has been conducted in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations 2014 for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended).

The total proposed application area will cover 1 466.6668 ha. Provision is made for a maximum footprint of 10 open excavations at any given time. Association activities and infrastructure will include blasting, boreholes, ablution facilities, brake test ramp, chemical toilets, clean and dirty water system, control room, diesel tanks, explosive magazine, generators, haul roads, office, parking, processing plants, Rapid reloading area, recycling dam, safety berms, salvage yard, stockpile area, storage facility, stormwater dam, topsoil dumps, tyre bay, wash bay, waste storage site, waste rock dumps, water dam, water distribution pipeline, water tanks, weighbridge and control room, and workshop.

G & A Heritage Management Consultants were appointed to provide specialist heritage input as part of the BAR.

Gaigher, S. 2017. Phase 1 Heritage Impact Assessment for the Mining Right application by Japies Rus Minerale (Pty) Ltd on Portion 1 of the Farm Magoloring 668 and Portion 6 (a portion of Portion 2) of the Farm Magoloring 668, near Postmasburg in the Northern Cape Province.

Heritage resources identified within the application area include scatters of stone tools, previous mining activities and bridge, Japies Rust Farm house and outbuildings, stone kraal, and two graveyards. The farm homestead, associated graves and labourer housing were all rated as sites of high heritage value, and the stone tools rated as sites of low value, no significance rating was provided for the previous mining activities, or



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stone kraal.

Recommendations provided in the report include the following:

- Stone tool scatters should be monitored during the excavation period to enable the collection of sub-surface stone tool deposits;
- It has been agreed between the mine and the landowner that the farm homestead, associated graves and labourer housing, all of high heritage value, will form part of an exclusion zone and will not be impacted. If the mine planning changes in the future, these recommendations will have to be reviewed;
- It is recommended that Grave Site 1 and 2 be relocated to a locally administered cemetery;
- No recommendations were provided to mitigate impacts to the previous mining activities; and
- A Chance Finds Procedure was provided.

In an Interim Comment, SAHRA requested clarity regarding the impact and recommendations pertaining to the identified graves. Additionally, a Palaeontological Impact Assessment (PIA) was requested to be completed as the proposed development area is located within an area of moderate PalaeoSensitivity as per the PalaeoSensitivity map on SAHRIS.

Gaigher, S. October 2017. Letter regarding Case ID: 11522.

The letter confirms that the “Marthaspoort” family cemetery has been recommended for relocation, while the Pyl family cemetery will not be directly impacted, and will not need to be relocated.

Almond, J. Palaeontological Heritage Report: Combined Desktop & Field Study for the proposed Mining Right Application on the Farm Magoloring 668 (Japies Rus) near Postmasburg, ZF Mgcawu District, Tsantsabane Municipality, Northern Cape.

The proposed development area is underlain by sediments of the Ghaap Group, Manganore, Gamagara and Roinekke Formations (Elim Group), Makganyene Formation (Postmasburg Group) and of the Kalahari Group. The Ghaap Group and Elim Group sediments are targeted for mining; and the latter two groups underlie the proposed footprint area for associated infrastructure. Important stromatolites are known to occur within the upper Ghaap Group (Koegas Subgroup) and Makganyene Formation elsewhere, and cast/impression fossils, ostrich eggshell, tortoise remains and land snails, freshwater bivalves and gastropods are known to occur within the Gordonia Formation; however, none were identified during the site visit. The proposed development will not pose a threat to significant palaeontological resources.

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Recommendations provided in the report include the following:

- The ECO responsible for the mining project should be aware of the potential for important fossil stromatolite finds within Precambrian carbonate bedrocks and the necessity to conserve them for possible professional mitigation;
- A Chance Fossil Finds Procedure for this development is outlined in tabular form at the end of the report;
- Recommended mitigation of chance fossil finds during the construction and operational phases of the proposed mine involves safeguarding of the fossils (preferably in situ) by the responsible ECO and reporting of all significant finds to SAHRA. Where appropriate, judicious sampling and recording of fossil material and associated geological data by a qualified palaeontologist, appointed by the developer, may be required by the relevant heritage regulatory authorities. Any fossil material collected should be curated within an approved repository (museum / university fossil collection);
- These recommendations should be included within the Environmental Management Programme (EMPr) for the proposed mining project.

Final Comment

The SAHRA Archaeological, Palaeontological and Meteorites (APM) Unit and Burial Grounds and Graves (BGG) Unit has no objections to the development and supports the recommendations of the specialists. The recommendations of the specialists and the following conditions apply to the development and must be included in the final EIA and EMPr:

- A no-go buffer of 30 m must be maintained around the farm homestead and farm labourer housing. The sites must be cornered off during all phases of the mining operations;
- A 100 m no-go buffer must be maintained around the Pyl Family cemetery. This site must be cornered off during all phases of the mining operations with an access gate. For queries regarding burial grounds and graves, please contact the SAHRA BGG Unit Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490;
- A Heritage Management Plan (HMP) must be developed in order to monitor and manage the heritage sites in-situ, including the surface stone tool scatters. The HMP must include monitoring and reporting procedures. The HMP must be submitted to SAHRA for comment. Monitoring reports must be submitted to SAHRA for comment;
- A consultation procedure in terms of section 36 of the National Heritage Resources Act, Act 25 of 1999 (NHRA) and Chapter XI of the NHRA Regulations must be carried out in order to ascertain the future of the graves that are to be directly impacted. Should grave relocation be found feasible, a permit must be

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applied for in terms of section 36 of the NHRA and Chapter II and IX of the NHRA Regulations. The graves may only be relocated once a permit has been issued by SAHRA for this purpose;

- 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 (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted. If unmarked human burials are uncovered, the SAHRA BGG Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately. A professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings. 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 and EMPr must be submitted to SAHRA for record keeping purposes;
- Should the project be granted the Environmental Authorisation, SAHRA must be notified and all relevant documents submitted to the case file.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

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

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ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/406882>
(DMR - NC, Ref: (NC) 30/5/1/2/2/10112 MR)

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.