

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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Enquiries: Natasha Higgitt
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CaseID: 14933

Date: Friday June 12, 2020
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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: Willie Oosthuizen
Wadala Mining and Consulting Pty Ltd

Amendment of EA to add to listed activities that was added with the water use licence application

Wadala Mining and Consulting (Pty) Ltd has been appointed by Southern Ambition 1549 (Pty) Ltd to conduct an Environmental Authorisation (EA) Application in support of a section 102 Amendment Application for mining activities on remaining extent and portion 1 of the Farm East 270, near Hotazel, Northern Cape Province (NC 30/5/1/1/3/2/1/10137 MR; NC-00173-MR/102).

A draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2014 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed amendments include a pollution control dam (PCD) that exceeds 100 square meters and a flood protection berm on the side of the open cast pit.

SAHRIS Case ID 12592 has reference (<https://sahris.sahra.org.za/cases/phase-i-hia-east-270>). The original EA application on SAHRIS did not include any NEMA documents such as the BAR, only the Heritage Impact Assessment (HIA) was submitted. SAHRA discussed the submitted HIA in the Interim Comment issued on the 10th July 2018 and will not discuss it in this comment. In the Interim Comment, SAHRA requested that a palaeontological desktop study be conducted as part of the project.

The current BAR makes reference to a Palaeontological Impact Assessment (PIA) conducted by Dr Fourie; however, no report has been submitted for review.

In an Interim Comment issued on the 27/03/2020, SAHRA requested that the conducted PIA be submitted for review. Additionally, SAHRA requested a letter from the Heritage Specialist to confirm that the results of the 2018 HIA still apply to the current amendments.

Since the issuing of the comment, the PIA and a letter has been submitted to the SAHRIS Case for review.

Fourie, H. 2018. East Manganese: Phase 1 Palaeontological Impact Assessment on the farm East 270 near



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Hotazel, Gamagara Local Municipalities, John Taolo Gaetsewe District Municipality, Northern Cape Province.

It must be noted that the PIA assessed activities that have already been authorised i.e. open pit, stockpiles, roads etc, as shown on page 6 and 7 of the PIA. The current amendment application covers only the inclusion of two new activities i.e. a PCD and flood protection berm next to the pit.

The proposed development is underlain by the Griqualand West Basin Rocks and the Kalahari Group Rocks. Stromatolites are known to be evident with the Griqualand West Basin rocks, while fossils of Cenozoic aged terrestrial organisms have been recorded in the Kalahari Group rocks. A field assessment did not yield any evidence of fossils. The impact assessment notes that there will be a high impact on the Kalahari Group rocks and a moderate impact on the Griqualand West Basin rocks.

Recommendations provided in the report include the following:

- Monitoring of overburden and inter-burden;
- ECO to survey for fossils before and after blasting;
- A Fossil Finds Procedure must be followed.

The letter supplied by the Heritage Specialist notes that the previously submitted report remains applicable to the current amendment application and that the recommendations of the report be adhered to. The submitted letter failed to note that the PCD is in close proximity to cemetery 1.

The results and recommendations of the previously submitted HIA are reiterated below:

Küsel, U.S and Küsel, S.U. 2018. East Manganese: Phase 1 Heritage Impact Assessment on the farm East 270 (Portion 1 & Re) within the John Taolo Gaetsewe District Municipality, Northern Cape.

Isolated surface occurrences of Stone Age tools including Early Stone Age (ESA), Middle Stone Age (MSA) and Later Stone Age (LSA) occurrences. These sites were rated as resources of low significance. Two cemeteries were identified outside the proposed application area and will not be impacted.

- *The cemeteries must be fenced off;*
- *The new road diversion be done on the northern side of the existing road cutting to mitigate possible impacts to the existing access road that enters the farm;*

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- *In the event that any sub-surface heritage resources or graves are unearthed all work has to be stopped until an assessment as to the significance of the site (or material) in question has been made by a heritage practitioner; and*
- *If human remains are uncovered, or previously unknown graves are discovered, a qualified archaeologist needs to be contacted and an evaluation of the finds made. If the remains are to be exhumed and relocated, the relocation procedures as accepted by SAHRA need to be followed. This includes an extensive social consultation process.*

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 Final Amendment Report and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit and Burial Grounds and Graves (BGG) Unit has no objections to the proposed amendments to the authorised 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 100 m no-go buffer zone must be adhered to around the identified cemeteries, and a Heritage Management Plan (HMP) must be developed to detail how these will be managed;
- 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 (Natasha Higgitt/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/Mimi Seetelo 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;
- 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

**Application for a section 102 for amendment of EA for Southern Ambition 1549
(Pty) Ltd (NC10137MR NC-00173-MR/102)**

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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 Amendment Report and EMPr must be submitted to SAHRA for record purposes;
- The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/534909>

Terms & Conditions:

**Application for a section 102 for amendment of EA for Southern Ambition 1549
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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.