

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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CaseID: 16195

Date: Wednesday July 28, 2021
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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: Legacy Box Holdings (Pty) Ltd

Draft Basic Assessment and Environmental Management Programme (BAR/EMPr) Report for the proposed prospecting of Manganese Ore on Portion 1 of Farm Lizbeth 325 in Joe Morolong Local Municipality, Northern Cape Province.

Ndi Geological Consulting Services (Pty) Ltd have been appointed by Legacy Box Holdings (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for proposed prospecting activities on Portion 1 of Farm Lizbeth 325 in Joe Morolong Local Municipality, Northern Cape Province (NC30/5/1/1/2/12658PR).

A draft Basic Assessment Report has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed prospecting right application area will cover 209.859489 ha and will include 13 during phase 2 and a further four boreholes during phase 3.

The DBAR notes that a Heritage Impact Assessment must be undertaken where infrastructure and drilling sites will be located, prior to the commencement of the prospecting activities (page 89).

In an Interim Comment issued on the 26/03/2021, SAHRA requested that a Heritage Impact Assessment be conducted as part of the EA application that complies with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 38(8) of the NHRA and section 24(4)b(iii) of NEMA.

Since the issuing of the Interim Comment, a Heritage Impact Assessment and a Palaeontological Impact Assessment have been submitted for review (29/06/2021).

Durand, F. 2021. Palaeontological Desktop Study for the Proposed Prospecting of Manganese Ore on the farm Lizbeth 325, Joe Morolong Local Municipality, Northern Cape Province.

The proposed development footprint is overlain by aeolian deposits of the Kalahari Group that may contain fossils such as root cases, burrows, and isolated bones. The aeolian deposits are underlain by Tertiary surface limestone which may contain microfossils. A Chance Fossil Finds Procedure is recommended to be

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implemented.

Mlilo, T. 2021. Phase 1 Archaeological and Heritage Impact Assessment Report for the Proposed Prospecting of Manganese Ore, on portion 1 of the farm Lizbeth 325 in Joe Morolong Local Municipality, Northern Cape Province

No heritage resources were identified within the proposed prospecting rights area.

Recommendations provided in the report include the following:

- The proposed prospecting right application may be allowed to proceed since no significant heritage sites were recorded within the prospecting site;
- There is a possibility of encountering unknown burial sites is very low given that the site was never inhabited by past communities, there are also no farm dwellings in the farm;
- It is also advised that the Archaeology, Palaeontology and SAHRA Meteorites Unit is alerted when site work begins;
- Strict and clear reporting procedures for chance findings must be followed by Legacy Box Holdings (Pty) Ltd and its contractors throughout the whole period of prospecting.

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 BAR and EMP:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;
- 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;

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- 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 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 BAR and EMPr must be submitted to SAHRA for record purposes;

The decision regarding the EA 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

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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/561850>
(DMR - NC, Ref: NC30/5/1/1/2/12658PR)

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.