



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: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 16734

Date: Wednesday January 12, 2022
Page No: 1

Final Comment

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

Attention: Kamgab Minerals

Update of existing EMP for Swartberg Mine. Northern Cape

Site Plan Consulting have been appointed by Kamgab Minerale (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for proposed mining activities at the Swartberg Feldspar Mine near Violsdrift, Northern Cape Province (NC30/5/1/2/3/2/1(552)MR).

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 Environmental Impact Assessment (EIA) Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed mining activities will include an amendment to the existing EMP to allow for continued mining and backfill the main (old) excavation with all waste rock material and to explore new section within the 401.7 ha mining right area.

The DSR notes that no heritage assessment should be required as the area is extensively disturbed, however new areas in the Kloof section are to be explored. It is also unclear if any assessment of the impact to heritage resources was conducted as part of the original Mining Right application.

In an Interim Comment issued on the 30/07/2021 (<https://sahris.sahra.org.za/node/579027>), SAHRA requested that an assessment of the impact to heritage resources be completed as it is a requirement in terms of section 24(4)(b)(iii) of NEMA. Additionally, any EA application must comply with section 38(8) and 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Since the issuing of the Interim Comment, a heritage specialist report has been submitted for review (25/11/2021).

Kaplan, J. 2021. Archaeological Heritage: Proposed Letter of Exemption from Further Specialist Studies & Mitigation.

The heritage specialist has noted that heritage resources in the surrounding areas include Stone Age lithics, rock art and burials, stone walls and colonial-era artefacts. However, as the development area is extensively



Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 16734

Date: Wednesday January 12, 2022
Page No: 2

disturbed and future mining will take place in areas that have been mined previously, it is not likely that heritage resources will be present. No recommendations were provided.

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 EIA and EMPr:

- 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 specialist 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;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqalabutho Madida 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 regarding offences;
- 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 EIA 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.

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: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 16734

Date: Wednesday January 12, 2022
Page No: 3

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: <https://sahris.sahra.org.za/node/577186>
(DMR - NC, Ref: NCS30/5/1/2/3/2/1(552)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.