



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 17033

Date: Tuesday March 29, 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: Sishen Iron Ore Company (Pty) Ltd

Private Bag X 506  
KATHU  
8446

**Sishen Iron Ore Company (Pty) Ltd (“SIOC”) is in the process of applying for a Waste Management Licence (WML) for the closure of four (4) historic Borrow Pits which were developed in support of the Sishen Western Expansion Project (SWEP). The borrow pits are located on Portions 1 and 2 of the farm Fritz 540; Portion 1 and Remaining Extent (RE) of the farm Gamagara 541 and the Remaining Extent of the farm Nooitgedacht 469 in the Gamagara Local Municipality. The borrow pits were developed to source material for the construction of relocated infrastructure due to the SWEP. The borrow pits were also used for the disposal of construction (inert) waste post excavation. All four borrow pit sites have since been decommissioned and disposal activities have ceased**

EXM Environmental Science has been appointed by Anglo American to undertake an Environmental Authorisation Application for the proposed closure of four historic borrow pits on the farms Fritz 540, Gamagara 541 and Woon 469, near Kathu, Northern Cape Province.

A Basic Assessment Report (FBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed closure will include moving the calcrete stockpiles into the pits and consolidated with the high walls of the borrow pit. Top soil will be spread along the borrow pit floor whereafter revegetation will be undertaken.

Banzai Environmental and PGS Heritage (Pty) Ltd have been appointed to provide heritage specialist input as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) that complies with section 38(3) of the NHRA.

*Butler, E. 2022. Palaeontological Desktop Study for the Rehabilitation of Four Borrow pits near Sishen Mine, Gamagara Local Municipality, Taolo Gaetsewe District of the Northern Cape.*



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The borrow pits are underlain by the Griqualand West rocks of the Transvaal Supergroup, Kalahari Group and surface limestones. The overall impact significance of the closure will be low, and a Chance Finds Protocol is recommended to be implemented, which is provided in the report.

*Mann, N. 2021. Heritage Screening Report for the Proposed Rehabilitation of Four Borrow Pits for Sishen Mine, Gamagara Local Municipality, John Taolo Gaetsewe District, Northern Cape Province.*

One Stone Age site of medium significance was identified at the Fritz 02 borrow pit and isolated Stone Age lithics were identified across the study area. Recommendations provided in the report include the following:

- Phase 2 archaeological mitigation in the form of sampling must take place at the site before rehabilitation of the borrow pit commences. This will require a permit issued by the SAHRA;
- A buffer of 10 meters from the delineated areas as shown in Figure 39 must be kept during the infill of the borrow pit;
- Any slopping or levelling activities closer than 10 meters must be monitored by an archaeologist;
- Disturbance of the delineated areas will require full mitigation as in the case of the mitigation measures recommended for the original disturbance of the subsurface archaeological site during the use of the borrow pit; and
- It will then also require a destruction permit application with the backing of the mitigation report;
- A Chance Find Procedure (refer Section 8 of the HIA) must be implemented and adhered to.

### Final Comment

The following comments are made as a requirement in terms of 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 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 specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- A permit in terms of section 35(4) of the NHRA and Chapter II and IV of the 2000 NHRA Regulations must be applied for from SAHRA in order to mitigate the identified site prior to the construction phase;
- Should monitoring occur as recommended in the HIA, monitoring reports conducted by an archaeologist must be submitted upon completion of the construction phase;

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- 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/Ngqabutho 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 BAR must be revised to include the results of the heritage studies and submitted to the SAHRIS application for record purposes;
  - The decision regarding the EA application and Closure application must be submitted to the SAHRIS application for record purposes.

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

Yours faithfully

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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

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/581068>  
(DENC, Ref: )

**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.