



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: 17227

Date: Wednesday December 15, 2021  
Page No: 1

## Final Comment

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

Attention: Orion Exploration No. 6 (Pty) Ltd

DUNKELD COURT, 16 NORTH ROAD, DUNKELD WEST, GAUTENG, 2196

P O BOX 41490, CRAIGHALL, JOHANNESBURG, 2024

### **Proposed 7689.6514 hectare prospecting right on farm Ezelsfontein 214 portion 0, 3, 4, 5, 6, 7, 8, and 10 in the Northern Cape Namakwaland District.**

N. J van Zyl has been appointed as the Environmental Assessment Practitioner (EAP) by Orion Exploration No. 6 (Pty) Ltd to conduct an Environmental Authorisation Application for proposed prospecting activities on farm Ezelsfontein 214 portion 0, 3, 4, 5, 6, 7, 8, and 10 in the Northern Cape Namakwaland District, Northern Cape Province (NC30/5/1/1/2/12852PR).

A draft Basic Assessment Report (DBAR) 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 prospecting right application area will cover 7 689.651 ha and include activities such as geochemical soil sampling, RC drilling, diamond drilling and a temporary equipment laydown area.

ASHA Consulting (Pty) Ltd has been appointed to provide heritage specialist input into the EA process as per section 24(4)b(iii) of the NEMA and section 38(3) and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Orton, J. 2021. Heritage Impact Assessment: Proposed Prospecting on the Remainder and Portions 3, 4, 5, 6, 7, 8 & 10 of Farm Ezelsfontein 214, Namakwaland Magisterial District, Northern Cape.*

It is noted that no site visit was conducted as the location of the drill sites is not yet known. The desktop study revealed that the surrounding areas contain heritage resources such as low density scatters of Stone Age lithics, rock art, historical features such as stone-walled kraals, threshing floors and foundations of houses, surface scatters of historical artefacts such as glass, porcelain and metal fragments, a possibility of graves and living heritage.



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: 17227

Date: Wednesday December 15, 2021  
Page No: 2

The SAHRIS PalaeoSensitivity map indicates that the prospecting footprint is located in an area of low to negligible sensitivity for palaeontological resources.

Recommendations provided in the report include the following:

- Once the drilling locations are known, a map should be provided to an archaeologist for desktop analysis. If any potentially sensitive areas cannot be avoided then a brief site visit should be carried out to confirm sensitivity and, in consultation with the prospecting geologists, propose alternative nearby drill sites. An opinion should then be expressed in a letter that should be submitted to SAHRA confirming whether or not drilling may proceed;
- Regardless of the above archaeological opinion, all drill sites should be carefully inspected by project staff to ensure that no heritage features are present;
- A fossil Chance Finds Procedure must be included in the project EMPr and implemented in the event of any chance finds of fossils, and
- If any archaeological material or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

In an Interim Comment issued on the 11/11/2021, SAHRA requested that a desktop Palaeontological Impact Assessment must be undertaken by a qualified palaeontologist due to a large area of unknown palaeontological sensitivity. Since the issuing of the Interim Comment, a desktop PIA has been submitted for review (16/11/2021).

*Bamford, M. 2021. Palaeontological Impact Assessment for the proposed Prospecting on the Remainder and Portions 3, 4, 5, 6, 7, 8 & 10 of Farm Ezelsfontein 214, Namakwaland Magisterial District, Northern Cape Province.*

The proposed development area is underlain by non-fossiliferous granites of the Kamieskroon Ridge and possibly fossiliferous rocks of the Nama Group that is known to contain trace fossils, stromatolites and Ediacaran marine faunal remains. No fossils have been recorded in the assessment area, but there is a small chance they may be present. A Fossil Chance Finds Protocol should be added to the EMPr and is provided in the report.

## Final Comment

## 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](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: 17227

Date: Wednesday December 15, 2021  
Page No: 3

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:
- Once the location of the drill sites are established, an archaeologist must survey each drill location and compile an HIA to be submitted to SAHRA for review and comment prior to construction. No construction activities may occur without comment from SAHRA;
- 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 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 submitted to the SAHRIS application for record purposes;
  - The decision regarding the EA application and PR 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

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](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: 17227

Date: Wednesday December 15, 2021  
Page No: 4

---

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/584872>  
(DMR - NC, Ref: 12852PR)

**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.