

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
P.O. Box 4637 | Cape Town | 8001
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Enquiries: Natasha Higgitt
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CaseID: 21185

Date: Tuesday May 23, 2023
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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: Northern Cape Lithium and Tungsten Pty Ltd

32 Joseph Ave, Northcliff, Johannesburg 2195, Gauteng

PROPOSED PROSPECTING ON PLOT 226 VIOOLSDRIFT SETTLEMENT, NAMAKWALAND MAGISTERIAL DISTRICT, NORTHERN CAPE PROVINCE

N J Van Zyl has been appointed by Northern Cape Lithium and Tungsten (Pty) Ltd to undertake an Environmental Authorisation Application for proposed prospecting activities on Plot 226, near Vioolsdrift Settlement, Northern Cape Province (NC30/5/1/1/2/13317PR).

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 activities will include an unknown number of drill holes within an application area of 14 976 ha. No other infrastructure or activities will be part of the development application.

Prof Marion Bamford and ASHA Consulting (Pty) Ltd were 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).

Bamford, M. 2023. Palaeontological Impact Assessment for the proposed Prospecting Right application for Kaalbeen, near Vioolsdrif, Northern Cape Province

The proposed development area is underlain by non-fossiliferous Namaqualand Metamorphic Belt rock and overlain by fluvial sands and alluvium. A Fossil Chance Finds Procedure is recommended.

Orton, J. 2023. Heritage Impact Assessment: Proposed Prospecting on Plot 226 Vioolsdrift Settlement, Namakwaland Magisterial District, Northern Cape Province

No physical survey was conducted as part of the HIA. The desktop study shows that heritage resources such as isolated Stone Age lithic scatters, historical stock posts, threshing floors, possible mining structures and rock art.

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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 Chance Finds Procedure is recommended.

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 EMP:

- 38(4)a – The SAHRA has no objections to the proposed development;
- 38(4)b – Further additional specific conditions are provided for the development as follows:
- Once the drilling locations are known, a qualified archaeologist must inspect each location and a report with the results of the inspection must be submitted to SAHRA for review. No clearance or drilling may occur without comment from SAHRA in this regard;
- SAHRA reserves the right to provide additional conditions or object to the development based on the result of the above requested report;
- 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 (Natasha Higgitt 012 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offence 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 offence 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:

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- 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 the SAHRIS application for record purposes;
- This comment must be submitted directly to the competent authority for their consideration during the decision-making process. Proof of the submission and receipt thereof must be provided to SAHRA;
- 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

Natasha Higgitt
Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/616690>
(DMR - NC, Ref: NC30/5/1/1/2/13317PR)

Terms & Conditions:

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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.