

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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Enquiries: Natasha Higgitt
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CaseID: 21320

Date: Tuesday October 17, 2023
Page No: 1

Final Comment

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

Attention: MaCarthy Zama Mining Resources

Zama Mining Resources (Pty) Ltd (Zama Mining) is applying for a mining right for iron ore, manganese, and other minerals on the properties listed in the expanded motivation below. The application area is located approximately 24 km south of Kathu, immediately east of Olifantshoek and 35 km north of Postmasburg, Northern Cape in the Gamagara and Tsantsabane Local Municipal areas.

EXM Advisory Services (Pty) Ltd have been appointed by Zama Mining Resources (Pty) Ltd to undertake an Environmental Authorisation Application for proposed mining activities on various properties, near Kathu, Northern Cape Province (NC30/5/1/2/2/10219MR).

A Draft Environmental Impact Assessment (EIA) Report 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). It must be noted that while the draft Scoping had been uploaded to the SAHRIS Case, the status of the case had not been changed to SUBMITTED, and therefore SAHRA did not provide comments during the Scoping Phase. The proposed activities include open pit mining, waste rock dumps, workshops, administrative areas, roads, pipelines, sewage treatment and PV solar facilities with prospecting in the western section of the development.

Dr Van Schalkwyk has been appointed to provide specialist heritage input into the EA application in terms of section 24(4)b(iii) of the NEMA EIA Regulations and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Van Schalkwyk, J. A. 2022. Phase I Heritage Impact Assessment: The Proposed Macarthy-Zama Mining Project to be located on the Remainder of the Farm Macarthy 559, in the Siyanda District Municipality, Northern Cape Province

Three heritage resources were identified within the proposed development area. These include a low-density Stone Age lithic scatter of low heritage significance, an old farmstead and features of medium heritage significance and a burial ground of high heritage significance.

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Recommendations provided in the report include the following:

- A 100 m buffer must be maintained around the farmhouse and burial ground;
- A Chance Finds Procedure is recommended to be implemented;
- A Palaeontological Assessment must be completed.

Van Schalkwyk, J. A. 2023. Phase I Heritage Impact Assessment: Application for Environmental Authorisation for Open Pit Mining and Prospecting Activities in the Siyanda District Municipality, Northern Cape Province

A total of 21 heritage resources were identified within the proposed development area. These include Stone Age lithic scatters of low heritage significance, historical structures of medium heritage significance, and burial grounds of high heritage significance. Two modern structures such as a chapel and memorial of medium heritage significance were also identified.

Recommendations provided in the report include the following:

- A 100 m buffer must be maintained around the burial grounds;
- The historical and modern structures must be avoided, or if not possible, the sites should be mitigated with a permit;
- A Chance Finds Procedure is recommended to be implemented;
- A Palaeontological Assessment must be completed.

In an Interim Comment issued on 25/08/2023, SAHRA requested that a field-based Palaeontological Impact Assessment be conducted for the McCarthy project and a desktop PIA for the Western Project. Since the issuing of the Interim Comment, a PIA has been submitted along with the Final EIA (20/09/2023).

Almond, J. E. 2023. Palaeontological Heritage Report: Combined Desktop & Field Study Proposed Mining Right Application for the Farm MaCarthy 559 RE near Kathu, John Taolo Gaetsewe District Municipality Northern Cape Province

The proposed development area is underlain by the Marename Dome, Campbellrand Subgroup, Wolhaarkop Breccia and Manganore Iron Formation. No fossils were identified during the field assessment. A Chance Finds Procedure is recommended to be implemented.

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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 EMPr:

- 38(4)a – The SAHRA Development Applications Unit (DAU) 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 buffer of 30 m must be adhered to around the historical structures and features of medium significance. If this is not possible, appropriate permits must be applied for the mitigation of these heritage resources;
- 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 DAU (Natasha Higgitt 021 202 8660/ nhiggitt@sahra.org.za) must be alerted as per section 35(3) of the NHRA. Non-compliance with this 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 DAU (Natasha Higgitt 021 202 8660/ nhiggitt@sahra.org.za) must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with this 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;
- As the final EIA has been finalised without incorporating SAHRA comments, this comment must be forwarded directly to the competent authority for their consideration as per section 38(8) of the NHRA. Proof of delivery and receipt thereof must be provided to SAHRA;
- The decision regarding the EA application and MR 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.

Environmental Authorisation for Open Pit Mining and Prospecting Activities- Zama Mining Resources

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Yours faithfully

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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/617332>
(DMR - NC, Ref: NC30/5/1/2/2/10219MR)

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.