



an agency of the  
Department of Arts and Culture

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CaseID: 12116

Date: Monday August 20, 2018  
Page No: 1

## **Interim Comment**

### **In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Mrs Caroline Mashudu Mulaudzi  
SAMIN Group Pty Ltd  
Erf 116, Mphaphuli, Sibasa, Makwarela, 0970

### **Proposed Prospecting Right Application with bulk sampling on unsurveyed state owned land 440MT & 442MT, area of Gumbu/Masisi, Musina Local Municipality, Vhembe District Municipality, Limpopo Province.**

Naledzi Environmental Consultants were appointed by Samin Group Pty Ltd to conduct an Environmental Authorisation (EA) Application and Prospecting Rights Application for proposed prospecting on unsurveyed state-owned land 440MT & 442MT, area of Gumbu/Masisi, Musina Local Municipality, Vhembe District Municipality, Limpopo Province.

A draft Environmental Impact Report (EIR) and Environmental Management Programme (EMPr) has been submitted in terms of the National Environmental Management Act, no 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, No 28 of 2002 (MPRDA)(As amended). The proposed prospecting will include 23 drill holes, 20 trench sites, site camp, site office, equipment storage, access roads, vegetation clearance, exploration pits, water pipelines, decommissioning and rehabilitation covering an area of 42 628 ha.

In an Interim Comment issued on 08/03/2018, SAHRA had requested that a Heritage Impact Assessment (HIA) inclusive of an Archaeological Impact Assessment (AIA) and a Palaeontological Impact Assessment (PIA) as per section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), be conducted as part of the EA application.

Millennium Heritage Group (Pty) Ltd was appointed to provide heritage specialist input into the EIR.

*Chirikure, S and Mathoho, E. 2018. Heritage Impact Assessment relating to Samin Application for Prospecting Rights within Ha-Gumbu, Tshenzhelani, Segonde, Malale and Madimbo Area, Musina Local Municipality of the Vhembe District, Limpopo Province of South Africa.*

A total of 19 heritage resources were identified within the proposed prospecting area. These include stone walls with associated material culture, old army base ruins, historical mine shafts and associated structures,



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three intangible heritage sites, and graves including the Gumbu Royal Family Graveyard.

It is noted that some areas could not be surveyed due to security concerns.

Recommendations provided in the report include the following:

- Because of their high value, graves must be avoided and protected in situ. However, in cases where this is not possible, they must be exhumed by qualified professionals;
- Should the proposed development affect hut floors, great caution is required because previously these were used as burial sites for infants and still born babies by Vha-Venda;
- Consulted historical records showed that the mineshafts and the associated mining remnants are approximately 76 years old and as such are protected by the provisions of the National Heritage Act 25 of 1999. It is recommended that these sites be documented and mapped in the event they are affected by the proposed development. However, permits for such work must be obtained from a competent heritage body;
- Based on the above a full heritage including a Paleontological impact assessment must be conducted should the client proceed to apply for a mining license;
- Should chance finds be recovered in the process of development, work must be stopped immediately. A report must be made to the nearest heritage authority;
- Notwithstanding the limitations of this study, it is recommended that the prospecting be authorized subject to the proviso management plan and monitoring in order to avoid heritage sites where they cannot be avoided, a proper plan must be put in place to mitigate the sites as per the provisions of the National Heritage Resources Act.

It must be noted that the HIA does not provide an assessment of the significance of the identified heritage sites nor does the report state whether the identified sites will be impacted by the proposed prospecting activities and no impact assessment has been completed. Additionally, the identified heritage sites have not been mapped in relation to the proposed development activities.

An Interim Comment issued on 03/07/2018, SAHRA requested that the outstanding PIA inclusive of a field assessment be submitted. Additionally, the HIA required to be amended to address the issues raised above.

In a response to the Interim Comment, Naledzi Environmental Consultants noted that a revised HIA had been submitted and stressed that a PIA would only be necessary if the prospecting resulted in full scale mining. Additionally, it was noted that the activities would not include a water pipeline.

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Page No: 3

*Chirikure, S and Mathoho, E. 2018. Heritage Impact Assessment relating to Samin Application for Prospecting Rights within Ha-Gumbu, Tshenzhelani, Segonde, Malale and Madimbo Area, Musina Local Municipality of the Vhembe District, Limpopo Province of South Africa. (Revised)*

Following additional research, it was found that the mine shafts were abandoned in 1976, and therefore not considered to be older than 60 years, and therefore not protected by the NHRA. These heritage resources are therefore not protected by the NHRA. The significance of, the impact on identified heritage sites has been completed. Recommendations for monitoring have also been supplied.

No map of the heritage sites in relation to the location to the proposed prospecting sites as per page 5 of the EIR and EMPr and no PIA has been submitted as requested in two previous Interim Comments.

## Interim Comment

The graphite mine is older than 60 years (it was established in 1942 as per page 14 of the HIA), and therefore are protected by section 34 of the NHRA. The significance of this mine must be reassessed in the context of other mining activities in the area during the 1940s-late 1970s, and the impact assessment must be redone. The decision regarding the protection of this heritage resources lies with the Limpopo Heritage Resources Authority (LIHRA). The applicant must approach LIHRA once the above is completed for comments regarding the heritage resource.

A palaeontological assessment of the impact of the proposed prospecting activities must be completed as part of the EA and Prospecting Right application as the application footprint is located in areas of moderate to very sensitivity as per the SAHRIS PalaeoSensitivity map.

Further comments will be issued upon the receipt of a revised HIA, with a map, and the requested PIA.

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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Page No: 4

Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

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Phillip Hine  
Acting Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

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**ADMIN:**  
Direct URL to case: <http://www.sahra.org.za/node/487901>  
(, Ref: LP30/5/1/1/2/1 (13050 EM))