

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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[www.sahra.org.za](http://www.sahra.org.za)

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CaseID: 13272

Date: Thursday January 31, 2019  
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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: ABS Africa

### **The proposed No 5 Prospecting project (Area 1) close to Prieska and Copperton, Northern Cape Province**

ABS Africa (Pty) Ltd has been appointed by Orion Exploration No 5 (Pty) Ltd to conduct an Environmental Authorisation (EA) Application and Prospecting Right Application for proposed prospecting activities on several properties near Copperton, Northern Cape (NC30/5/1/1/2/12258PR).

A draft Basic Assessment Report (BAR) 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 an initial 15 drill boreholes to a depth of 400 m, possible minor trenching with 30 to 40 diamond core boreholes to a depth of 800 m, and access tracks. It is noted that the location of the drill holes is not yet known.

Heritage Contracts and Archaeological Consulting and Prof Marion Bamford were appointed to provide the heritage specialist component as part of the EA in terms of section 24(4)b(iii) of the NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Van der Walt, J. 2018. Heritage Desktop Report for the proposed Orion No 5 Prospecting Application (Area 1) on the farms Klipgatspan, Humansrus, Kaffirs Kolk (sic) and Hoekplaas.*

The desktop study identified 127 heritage resources within the proposed prospecting rights area which include Early, Middle and Late Stone Age surface scatters all of low heritage significance. Other potential heritage resources in the area include historical middens, structural remains, and burial grounds and graves.

Recommendations provided in the report include the following:

- Known heritage sites should be avoided during the planning stages for intrusive exploration;
- Permits must be applied for any impact/destruction of structures older than 60 years;

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- Burial grounds and graves are generally recommended to be preserved in situ. Grave relocation must be seen as a last resort;
- Before commencing invasive prospecting activities, the impact areas should be subjected to a heritage walk-down;
- A Chance Finds Protocol must be included in the Environmental Management Programme (EMPr).

*Bamford, M. 2018. Palaeontological Desktop Impact Assessment for the proposed prospecting rights application on farm Klipgats Pan near Copperton, North West Province (sic).*

The executive summary notes the prospecting right application, however, then makes reference to sand mining.

The underlying geology of the proposed development area includes of the Keimos Suite, the Uitdraai and Dagbreek Formations (all of which do not contain fossils), which are overlain by the Dwyka Group and the Prince Albert Formations. Fossils from the Dwyka and Prince Albert formation include rare occurrences of Glossopteris leaves, seeds and wood, and other plants such as lycopods, sphenophytes and ferns.

The report notes that surface activities may impact upon the fossil heritage, however, later the report makes note that the “material to be mined is loose sand”.

A Chance Finds Protocol is recommended once drilling and prospecting commences.

In an Interim Comment issued on the 11/01/2019, SAHRA requested that the desktop PIA be amended to correctly assess the impact of the prospecting right application. Since the issuing of the Interim Comment, the report has been amended to correctly assess the impact of the prospecting activities. A Chance Finds Protocol is recommended for the project.

### Final Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development and supports the recommendations of the specialists. The recommendations of the specialists and the following conditions must be included in the Environmental Management Programme (EMPr) to be included in the conditions of the EA:

- A no-go buffer zone of 10 m must be adhered to around all 127 identified heritage sites;

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- A walk-down of the finalised locations for invasive prospecting must be conducted prior to the commencement of the invasive activities (this includes any ground clearance activities). A report detailing the results of the walk-down including an assessment of the impact to any identified heritage resources with the corresponding mitigation measures must be submitted to SAHRA for comment prior to invasive activities occurring. No invasive activities may occur without comment from SAHRA in this regard;
- The Final BAR and EMPr must be submitted to SAHRA for record purposes;
- 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. 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 35(3) and 36(6) of the NHRA. A professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings. 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 decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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

## The proposed No 5 Prospecting project (Area 1)

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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/518862>

### 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.