



an agency of the
Department of Arts and Culture

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CaseID: 13628

Date: Thursday May 23, 2019

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Interim Comment

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

Attention: Thikho Resources (K2017367227 (Pty) Ltd)

Prospecting activities will comprise of both non-invasive and invasive methods and may include: desktop and literature studies, geophysical surveys, field surveys and drilling. The Prospecting Right process is expected to be undertaken over a period of 3 years with the potential for renewal depending on results and studies undertaken.

Thiko Resources (Pty) Ltd is proposing to prospect for coal over an area of 371.33 ha, using non-invasive and invasive methods. They propose twenty (20) prospecting boreholes and a site camp (0.5 ha) located on remaining extent of the farm Nooitgedacht 37 IS in the eMalahleni Local Municipality, in Mpumalanga Province. There will be no additional roads constructed, will be a 100m buffer zone around watercourses, and the drilling pads will be 10m² in extent.

Sitatunga Resources (Pty) Ltd have submitted a Basic Assessment (BAR) process on behalf of the applicant, Thiko Resources (Pty) Ltd, in respect of listed activities in the EIA Regulations 2017, that require an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) as amended, and a mine right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended). A DBAR has been submitted to the South African Heritage Resources Agency (SAHRA) in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 (NHRA) for commenting.

The SAHRA issued an Interim Comment dated 17/04/2019 requesting an HIA and PIA to be undertaken by a suitably qualified archaeologist and palaeontologist respectively. In response, Sitatunga Resources (Pty) Ltd submitted the following points:

1. That a desktop assessment was undertaken during the DBAR.
2. The proposed activities will not change the landscapes characters.
3. No specialist studies were deemed necessary.
4. The desktop assessment found no impacts to heritage.
5. An assessment of SAHRIS database did not identify any heritage resources that will be impacted.

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The SAHRA Archaeology, Palaeontology and Meteorites Unit found upon assessment of the DBAR submitted to the case that a HIA and PIA must be undertaken to determine the impacts the proposed prospecting activities on heritage resources as per section 38(8) of the NHRA and NEMA section 24(1)c. The letter submitted in response to SAHRA's Interim Comment does not provide any form of assessment of heritage by a heritage specialist to substantiate its claims therefore, it cannot be accepted. The SAHRA's request for an HIA and field based PIA still stands, therefore the reports compiled from the requested studies must be submitted to SAHRA for comment prior to the submission of the FBAR to the competent authority.

The SAHRA strongly recommends that Sitatunga Resources (Pty) Ltd applies for an extension of the EA application in terms of Part 2, section 19(1)b of the 2017 EIA Regulations, as amended, in order to allow for enough time to complete these studies and submit to SAHRA for comment.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

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ADMIN:

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