



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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CaseID: 13937

Date: Monday October 07, 2019

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## Interim Comment

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

Attention: Ms Gloria Mashupye

**Basic Environmental impact assessment process for the proposed prospecting of coal on the remaining extent of the farm Zeeland 526 LQ situated in Lephhalale Local Municipality, Ellisras District in Limpopo Province. The proposed project will be situated 17.3 km south west of Lephhalale town using the R510 towards the Fox Odendaal Street, off ramping onto the Nelson Mandela Drive, on the remaining extent of the farm Zeeland 526 LQ situated within Lephhalale Local Municipality, Ellisras district in Limpopo Province.**

Golden Crest Mining and Mineral Resources (Pty) Ltd is proposing to prospect for coal using core drilling and ore sampling located on the remainder of the farm Zeeland 526 LQ, located in the Lephhalale Local Municipality of the Limpopo Province. The proposed extent of the prospecting right area under application is 387.8 ha. Seven predetermined boreholes that are 5 metre deep will be drilled across the area, each drill site will have an impact area of 100m<sup>2</sup>. There may also be some trenching involved as part of 4 phase prospecting work programme.

TPR mining Resources (Pty) Ltd been appointed to undertake the Basic Assessment (BAR) application process in support of an Environmental Authorisation application, made on behalf of the applicant, Golden Crest Mining and Mineral Resources (Pty) Ltd. The application process is in respect of listed activities in the EIA Regulations 2014, as amended, that require an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) and a prospecting right in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended). A Basic Assessment report (BAR) has been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

In terms of the National Heritage Resources Act, no 25 of 1999 (NHRA), heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are generally protected. They may not be disturbed without a permit from the relevant heritage resources authority. In contexts of development applications, the developer must ensure that no heritage resources will be impacted by the proposed development, by lodging an application to SAHRA and submitting detailed development specifications as a notification of intent to develop. If the application is made in terms of



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s. 38 (8) of the NHRA then it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is undertaken, as s. 38(2) does not apply. Such a study should follow the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports and section 38(3) of the NHRA.

Any earth moving activities pose a threat to palaeontological and heritage resources, particularly in relatively undisturbed areas. Koppies, Mountains and River valleys as well as coal mining areas. Therefore impacts to palaeontological resources should be assessed as part of the HIA in terms of section 38(3) of the NHRA.

The BAR states that no specialist studies have been undertaken as part of the EA application but during prospecting activities, the prospectors will avoid any impacts to heritage resources. A map of the proposed prospecting area is not submitted to the case in the form of a .kml file nor is it contained in the BAR report. SAHRA therefore cannot assess the condition of the proposed prospecting area. Furthermore, a sensitivity analysis has not been undertaken, if the proposed boreholes are pre-determined then the location of the boreholes must be assessed by a suitably qualified archaeologist.

## Interim Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit requires a field based assessment of impacts to both Heritage and Palaeontological resources by suitably qualified archaeologist and palaeontologist respectively. The subsequent Heritage Impact Assessment and Palaeontological Impact Assessment reports must be submitted to SAHRA for commenting before the submission of the Final BAR to the competent authority.

In addition, the BAR appendices must be submitted to the case. SAHRA will comment further on the case once the HIA and PIA are submitted.

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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Nokukhanya Khumalo  
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South African Heritage Resources Agency

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Phillip Hine  
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/524448>