

**Our Ref:**



an agency of the  
Department of Arts and Culture

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CaseID: 14294

Date: Friday October 04, 2019  
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## **Interim Comment**

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

Attention: ABS Africa

### **ORION EXPLORATION NO. 5 (PTY) LTD, EXPLORATION PROSPECTING, COPPERTON, SIYATHEMBA LOCAL MUNICIPALITY, NORTHERN CAPE**

ABS Africa has been appointed by Orion Exploration No. 5 (Pty) Ltd to conduct an Environmental Authorisation (EA) Application and Prospecting Right (PR) Application for proposed prospecting activities on portion 5 and remaining extent of farm Graspan 112, and portion 1 of farm Uitspan 115, near Copperton, Northern Cape Province.

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, 28 of 2002 (MPRDA)(As amended). The proposed prospecting activities include 5 boreholes, access tracks and topsoil stockpiles. The DBAR also noted that minor trenching may be conducted in areas of limited outcrops.

Heritage Contracts and Archaeological Consulting (HCAC) CC and Professor Marion Bamford were appointed to provide heritage specialist input as per section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 24(4)b(iii) of NEMA.

*Bamford, M. 2019. Desktop Study: Palaeontological Impact Assessment for the proposed prospecting rights application on farm Graspan 112 near Copperton, North West Province.*

\*It must be noted that the title of the report notes the incorrect province.

The proposed prospecting area is underlain by the Dwyka Group and there may be possibility for early *Glossopteris* flora fossils to be present in the sediments just below the surface. A Fossil Chance Finds Protocol is recommended to be included in the EMPr.

*Van der Walt, J. 2019. Heritage Desktop Report for the proposed Orion No 5 prospecting application on the farms Graspan and Uitspan, Copperton area, Northern Cape Province.*

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It must be noted that the specialist study notes that no invasive activities will occur, however the DBAR noted several invasive activities i.e. 5 boreholes, access tracks and topsoil stockpiles.

The assessment of the impact to heritage resources was conducted at a desktop level and found that Stone Age sites and artefacts, and historical structures may be present within the proposed development area, and that no known graves are located within the development boundaries. A heritage sensitivity map has been provided on page 23 of the report.

- Recommendations provided in the report include the following:
- Before commencing invasive prospecting activities, the impact areas should be subjected to a heritage walk down;
- Inclusion of a chance find protocol(both archaeology and palaeontology) in the EMPr.

### Interim Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit requests that the desktop HIA be revised to correctly reflect the nature of the invasive activities as indicated in the dBAR i.e. 5 boreholes, access tracks and topsoil stockpiles. This must be completed as part of the EA process prior to the submission of the Final BAR for decision making procedures.

SAHRA advises the applicant to extend the EA process in terms of section 19(1)b of the NEMA regulations in order to comply with this comment.

Further comments will be issued upon the receipt of a revised heritage report.

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  
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South African Heritage Resources Agency

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Phillip Hine  
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South African Heritage Resources Agency

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**ADMIN:**  
Direct URL to case: <http://www.sahra.org.za/node/528107>