



Enquiries: Nokukhanya Khumalo

Tel: 021 462 4502

Email: nkhumalo@sahra.org.za

CaseID: 14464

Date: Friday November 15, 2019

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Interim Comment

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

Attention: Nkuzi Ya Mananga Group (PTY) LTD

A PROSPECTING RIGHT APPLICATION IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 AS AMENDED BY SECTION 12 OF ACT 49 OF 2008 AND ENVIRONMENTAL AUTHORIZATION IN TERMS OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AS AMENDED, ON UNSURVEYED STATELAND 891LT, WHICH IS LOCATED WITHIN THE GIYANI MAGISTERIAL DISTRICT, LIMPOPO PROVINCE.

Nkuzi Ya Mananga Group (Pty) Ltd are proposing to prospect for gemstones, gold, tungsten and zinc. The total prospecting area will be 3 302.92 ha in extent, located on unsurveyed stateland 891 LT, in the Greater Giyani Local Municipality of the Limpopo Province. The prospecting programme includes rock-chip sample collection, shallow pattern drilling and further drilling. Phase 1 of the drilling will consist of drilling points 5 km apart with a minimum of 20 boreholes drilled at various depths and some trenching.

They have appointed GeoPoint Africa (Pty) Ltd to undertake a Basic Assessment (BAR) application process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 1998 (NEMA), as amended and section 16 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended). For listed activities in the NEMA EIA Regulations 2014, as amended, that require an application for Environmental Authorisation.

A Background Information Document (BID) has been submitted to SAHRA to notify SAHRA of the BAR application process in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999.

Interim Comment

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

**Nkuzi Ya Mananga Group (PTY) LTD Gemstones, Gold, Tungsten and Zinc
Prospecting Right Application**

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Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

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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)a 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.

The HIA must be undertaken by a suitably qualified archaeologist and it must comply with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). Once the report is submitted to the case for commenting, SAHRA will provide further comments on this proposed development.

In addition to the HIA report, SAHRA also requires that a fossil chance finds procedure is developed by a suitably qualified palaeontologist, for inclusion into the EMPr. The HIA and fossil chance finds procedures must be provided to SAHRA prior to the submission of the final BAR to the competent authority. All these documents will be assessed and a comment issued.

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
Manager: Archaeology, Palaeontology and Meteorites Unit

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South African Heritage Resources Agency

ADMIN:

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