

Our Ref: 15317



an agency of the  
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

Enquiries: Nokukhanya Khumalo

Tel: 021 462 4502

Email: nkhumalo@sahra.org.za

CaseID: 15317

Date: Monday August 17, 2020

Page No: 1

## Interim Comment

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

Attention: Miss yvonne guтона

#### **Gold underground and surface mining right application on Un-Surveyed State land of Greater Giyani 891 LT and a portion of portion 0 of the farm 246 located in the Greater Giyani Municipality, within Mopani District Municipality in Limpopo Province.**

Kusile Invest 133 (Pty) Ltd is proposing to establish an underground and surface gold mine located on unsurveyed state land of the farm Greater Giyani 891 LT and a portion of Portion 0 of the farm 246 LT in the town of Giyani. In the Greater Giyani Local Municipality of the Limpopo Province. They will install a processing plant, open pit, shaft headgear and winders, compressed air and power supply, service water, and surface ventilation fan. The extent of the proposed surface mining area will be 1000 hectares, of which 150 hectares for admin area and road infrastructure.

They have appointed Archean Resources (Pty) Ltd to undertake a Scoping and Environmental Impact Assessment (EIA) application process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 1998 (NEMA), as amended and a Mining Right in terms of section 22 of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (As amended), for listed activities in the NEMA EIA Regulations 2014, as amended.

A Scoping Report and the Environmental Screening Report was submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

The reports state that a Heritage Impact Assessment and Palaeontological Impact Assessment Reports will be conducted for this EIA application.

#### **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

Our Ref: 15317



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Nokukhanya Khumalo

Tel: 021 462 4502

Email: [nkhumalo@sahra.org.za](mailto:nkhumalo@sahra.org.za)

CaseID: 15317

Date: Monday August 17, 2020

Page No: 2

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 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 a detailed palaeontological fossil finds procedure to be written for the specific region because the mine is located in a low palaeontologically sensitive zone. This procedure must be written by a suitably qualified palaeontologist for inclusion into the EMPr. The HIA and the fossil chance finds procedure must be provided to SAHRA prior to the submission of the final EIAR to the competent authority. All these documents will be assessed by SAHRA and the comment issued must be included in the final BAR.

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

Our Ref: 15317



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Nokukhanya Khumalo

Tel: 021 462 4502

Email: [nkhumalo@sahra.org.za](mailto:nkhumalo@sahra.org.za)

CaseID: 15317

Date: Monday August 17, 2020

Page No: 3

---

Phillip Hine

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

---

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/538349>  
(, Ref: LP 30/5/1/2/2 10188MR)