

Our Ref:



an agency of the  
Department of Arts and Culture

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CaseID: 20493

Date: Friday March 24, 2023  
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## Final Comment

**In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Miss yvonne gutoona

### **Proposed Elengabadi Construction & Projects Prospecting Right Application on Portion 1 and the Remaining Extent of the Farm Lymington 423, Kathu, Northern Cape**

NRK Resources have been appointed by Elengabadi Construction and Projects (Pty) Ltd to undertake an Environmental Authorisation Application for proposed prospecting activities on Portion 1 and the Remaining Extent of the Farm Lymington 423, Kathu, Northern Cape (NC 30/5/1/1/2/12963PR).

A Final Basic Assessment Report (FBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). It must be noted that the Draft BAR was not submitted to SAHRA for review. The proposed prospecting activities will include 10 boreholes, temporary access roads, ablution facilities, and temporary office area within an application area 3 086 ha.

Agri Civils Geo-Tech & Heritage have been appointed to provide heritage specialist input as part of the EA process as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) that complies with section 38(3) of the NHRA.

*Coetzee, T. 2023. Archaeological Desktop Study for the Proposed Elengabadi Construction & Projects Prospecting Right Application on Portion 1 and the Remaining Extent of the Farm Lymington 423, Kathu, Northern Cape*

The archaeological desktop assessment indicated that five (5) heritage resources are located in the proposed development area. These were identified from aerial imagery and historical maps.

Recommendations provided in the report include the following:

- Sites B01 & B02 are considered sensitive and should therefore be avoided by the proposed prospecting activities. Should this not be possible, the sites should first be inspected by a qualified archaeologist;

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- The demarcated areas associated with contemporary Sites B03 – B05 are unlikely to be significant from a heritage perspective. However, should impact to the sites be unavoidable, it is recommended that a qualified archaeologist first inspect the sites;
- A Chance Finds Procedure is recommended to be implemented;
- A full Phase 1 Archaeological Impact Assessment must be conducted should any development that triggers an Archaeological Impact Assessment result from the prospecting project, including if the cumulative impact of the proposed prospecting exceeds 0.5 ha.

The proposed development area is located in an area of moderate sensitivity for palaeontological resources and a desktop Palaeontological Assessment is required as per the SAHRIS PalaeoSensitivity map. No such report has been submitted for review.

### Final Comment

The SAHRA cannot endorse this proposed development and advises the Department of Mineral Resources and Energy (DMRE) to reject the application for prospecting activities on Portion 1 and the Remaining Extent of the Farm Lymington 423, Kathu, Northern Cape (NC 30/5/1/1/2/12963PR) as the impact to heritage resources as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the NHRA has not been fully assessed due to the lack of a desktop PIA.

This comment must be forwarded directly to the competent authorities and proof of the submission and receipt thereof must be provided to SAHRA.

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  
Manager: Development Applications Unit  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/611810>  
(DMR - NC, Ref: NC 30/5/1/1/2/12963PR)