



an agency of the  
Department of Arts and Culture

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CaseID: 12850

Date: Friday September 21, 2018

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## Interim Comment

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

Attention: Limpopo Economic Development Agency

### **Establishment of a township on the border of Musina and Makhado Local Municipalities for the Special Economic Zone. Including a metallurgical plant,, power plant, high density industry etc.**

The Limpopo Economic Development Agency (LEDA) are proposing to re-zone an area to establish a new Special Economic Zone (SEZ) between the towns of Musina and Makhado, in Musina and Makhado Local Municipalities of Limpopo Province. LEDA aims to accelerate industrial diversification within this region by re-zoning to allow for a metallurgical cluster zone for the beneficiation of minerals mined in the Vhembe District Municipality. This includes steel mills, power stations, and metallurgical complexes. This new economic zone will also include new housing developments, retail centres, business uses, community facilities and telecommunication services. The affected farms will be Dreyer 506 MS; Van Der Bul 528 MS; Battle 585 MS; Steenbok 565 MS; Antrouos 566 MS; Somme 611; Joffre 584; Lekkerlag 580 MS.

Delta Built Environment Consultants cc is undertaking a Scoping and Environmental Impact Assessment (S&EIA) process on behalf of LEDA, in respect of listed activities in the EIA Regulations 2017, that require an application for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA EIA Regulations. A Public Participation Notice has been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 (NHRA) for commenting.

In terms of the 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. 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 proposed SEZ is located within a highly sensitive cultural landscape, that gave rise to the southern African



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states of Middle to Late Iron Age, north of the Soutpansberg. This region has significant provincial heritage sites like the Machemma Ruins, Verdun Ruins, Dzata Ruins and the Nzhelele ruins, all capitals that are surrounded by various smaller villages of the time period. Not only that, some rock art sites have been documented in the Soutpansberg along with various Stone Age sites. In addition, the proposed development area is underlain by very highly to moderately significant palaeontological lithostratigraphic units that may be impacted by the proposed future developments.

### Interim Comment

Due to the Highly sensitive nature of the region, SAHRA requires that a detailed HIA is undertaken by a suitably qualified Heritage Specialist in terms section 38(3) of the NHRA. The Heritage Specialist must facilitate the undertaking of the following heritage specialist reports that must be components of the HIA report: An assessment of the Historical Built Environment and a cultural landscape assessment must be undertaken by a historical built environment specialist or a historical architect.

All Visual Impacts to the three (3) declared provincial sites and any sites that form part of the Nzhelele and Dzata cultural landscape must also form part of the HIA.

An Archaeological Impact Assessment must be undertaken by a suitably qualified archaeologist.

A Palaeontological Impact Assessment must also be undertaken by a suitably qualified palaeontologist.

All these reports must be submitted to the relevant case on SAHRIS, and a summary of the reports included in the HIA report along with an assessment of the cumulative impacts to the heritage resources. Furthermore, the HIA must consider the results of the Public Consultation, as well as the Social Impact Assessment relation to the identified heritage resources as per the requirements of section 38(3) of the NHRA. The HIA must consider the results of the Air Quality assessment and the VIA to assess the long term impacts to the surrounding rock art sites within the Soutpansberg.

SAHRA will comment further once all the reports are submitted to the case.

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  
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South African Heritage Resources Agency

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/511537>

(, Ref: )