

Our Ref:



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town
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CaseID: 16448

Date: Friday May 21, 2021
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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: Nuco Chrome Bophuthatswana (Pty) Ltd

Nuco Chrome Bophuthatswana (Pty) Ltd is the holder of a Mining Right (NW 525 MR) with an approved EMPr. Nuco Chrome proposes to amend the EMPr through a Section 102 amendment application. As part of this process the EMPr will be updated to reflect layout and operational changes to the proposed mining activities. Thus, a Scoping and EIA process in terms of NEMA and a WULA in terms of the NWA is being undertaken. The project is located on Portions 5, 8, 11 and 19 of the farm Kookfontein 265 JQ, in the Rustenburg Local Municipality and Bojanala District Municipality of the North West Province.

Red Kite Environmental Solutions (Pty) Ltd has been appointed by Nuco Chrome Bophuthatswana (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the amendment of an approved Environmental Management Programme (EMPr) for mining rights (NW 515 MR) on Portions 5, 8, 11 and 19 of the Farm Kookfontein 265 JQ, Rustenburg Local Municipality, Bojanala Platinum District Municipality, North West Province.

A draft Scoping Report has been submitted in terms of the National Environmental Management Act, no 107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed amendment is to include new layouts and operational changes to mining activities.

Section 9.11 of the draft Scoping Reports provides a summary of cultural heritage in the large study area as well as the potential impact of the proposed development on heritage resources. "It is stated that a Phase 1 survey revealed the following types and ranges of heritage resources as outlined in section 3 of the NHRA (No. 25 of 1999) in the project area. Namely: Three stone walled complexes that date from the Late Iron Age to Historical Period"

However, the referenced Phase 1 study has not been provided in the application for SAHRA to review and comment.

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The SAHRA APM Unit acknowledges receipt of the draft Scoping Report application and request that the following is undertaken in terms of section 38(3) of the National Heritage Resources Act (25 of 1999) as part of the EA application process.

As noted in the Scoping Report the project has the potential to impact negatively on heritage resources. Therefore, SAHRA requests that the referenced Phase 1 surveyed be uploaded to the case application on SAHRIS. If such a study has not been undertaken, kindly conduct a field-based assessment of the impact to archaeological resources by a qualified archaeologist. The report must comply with section 38(3) of the NHRA and the SAHRA 2006 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments, and the 2012 Minimum Standards: Archaeological Component of Heritage Impact Assessments. The Minimum Standards provides allowance for a Letter of Recommendation for Exemption that can be submitted by a qualified archaeologist should they deem it appropriate.

The project footprint is largely located in an area of zero palaeontological sensitivity. However, there are patches of high palaeontological sensitivity across the project footprint. Therefore a desktop assessment of the impact to palaeontological resources must be undertaken, a field assessment may be required depending on the outcome. The assessment must be conducted by a qualified palaeontologist. The report must comply with section 38(3) of the NHRA and the SAHRA 2006 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments, and the 2012 Minimum Standards: Palaeontological Component of Heritage Impact Assessments. The Minimum Standards provides allowance for a Letter of Recommendation for Exemption that can be submitted by a qualified palaeontologist should they deem it appropriate.

Further comments will be issued upon receipt of the above and the draft EIA with associated appendices.

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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South African Heritage Resources Agency

ADMIN:
Direct URL to case: <https://sahris.sahra.org.za/node/573972>