



an agency of the
Department of Arts and Culture

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CaseID: 11688

Date: Wednesday November 08, 2017

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Interim Comment

In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Mrs Anette Basson

De Beers Consolidated Mines - Kimberley Mines

36 Stockdale street

Kimberley

8300

LP 12987 PR Mokopane/ Potgietersrus District

The De Beers Consolidated Mines (Pty) Ltd is proposing to prospect for Kimberlite pipes on the farm Springbokfontein 155 MR and Portions 1, 2 and the remainder of the farm Doornfontein 156 MR, located within the Blouberg Local Municipality of the Limpopo Province. The proposed invasive prospecting activities consist of only 2 drilling pads that will be in extent of 0.64 ha, whereby 8 boreholes will be drilled at depths of 400 to 600 metres. The De Beers in-house environmental specialist has submitted a Basic Assessment report in support of a prospecting right application and an environmental authorisation application in terms of the Minerals and Petroleum Development Resources Act, Act 28 of 2002 (MPRDA) section 16 (as amended) and National Environmental Management Act, 107 of 1998, as amended (NEMA) for listed activities in the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 as amended.

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 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) does not apply. Such a study should follow the SAHRA 2007 impact assessment guidelines and section 38(3).

It is noted that the BAR and EMPR have stated that De Beers will undertake a Heritage Impact Assessment prior to the invasive prospecting phase. The Heritage Impact Assessment must be conducted following section 38(3) of the National Heritage Resources Act, no 25 of 1999 (NHRA), this entails an assessment of historical resources, archaeological resources and palaeontological resources. The field assessment must assess not just the drill pad areas but the access roads.

Our Ref: 11689



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The BAR does not mention whether the adjacent prospecting right area is in which phase, as some of the farm portions in the application area overlap with prospect right area LP 30/5/1/1/2/12813 PR.

SAHRA awaits the submission of the HIA for commenting, however De Beers must be made aware of the possibilities of long delays or obstructions in the prospecting work programme by leaving the assessment of heritage resources to the last minute.

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/408255>
(DMR, Ref: LP 12987 PR)