

Application for prospecting rights over the farm Vlakplaats 283 KP and Lennokskraal 943 KP, magisterial district of Rustenburg, North West Province

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
P.O. Box 4637 | Cape Town | 8001
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Enquiries: Natasha Higgitt
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CaseID: 12134

Date: Friday January 19, 2018
Page No: 1

Interim Comment

In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Bila Civil Contractors (Pty) Ltd

Application for prospecting rights over the farm Vlakplaats 283 KP and Lennokskraal 943 KP, magisterial district of Rustenburg, North West Province

Thank you for notifying SAHRA of the Environmental Authorisation (EA) and Prospecting Right Application on the farm Vlakplaats 283 KP and Lennokskraal 943 KP, magisterial district of Rustenburg, North West Province.

As the proposed development is undergoing an EA Application process in terms of the National Environmental Management Act, No 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, No 28 of 2002 (MPRDA) (As amended), it is incumbent on the developer to ensure that a **Heritage Impact Assessment (HIA)** is done as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). This must include an archaeological component, palaeontological component and any other applicable heritage components. The HIA must be conducted **as part of the** EA Application in terms of NEMA and the NEMA EIA Regulations.

It is noted on page 17 of the Scoping Report, that a graveyard is located within the development area. The HIA, to be conducted as part of the EIA phase of the project as stated on page 36 of the report, must assess the impact to these graves and provide relevant mitigation measures. SAHRA does not accept the section in the Scoping Report regarding heritage resources as it does not comply with section 38(3) of the NHRA.

The quickest process to follow for the archaeological component would be to contract a specialist (see www.asapa.org.za or www.aphp.org.za to provide an Archaeological Impact Assessment (AIA). The AIA must comply with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments.

A Palaeontological Desktop Assessment must be undertaken to assess whether or not the development will impact upon palaeontological resources as the area is located within moderate to highly sensitive geological formations (see www.palaeontologicalsociety.co.za for qualified paleontologists). The PIA must comply with the SAHRA 2012 Minimum Standards: Palaeontological Component of Heritage Impact Assessments.

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Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as maritime archaeology, built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Natasha Higgitt
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/488010>
(, Ref: NW30/5/1/1/2/12236PR)