



an agency of the  
Department of Arts and Culture

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CaseID: 14235

Date: Friday September 27, 2019  
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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: REC Establishers (Pty) Ltd

**GNR 327 of 7 April 2017, Activity 27:** The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation. Portion 62 of the farm Commissiesdrift 327JQ is 28.9193ha in extent. An area of more than 1 hectares but less than 20 hectares will be cleared for the establishment of the school and associated sports fields. An estimated 15 ha area will be cleared. **GNR 327 of 7 April 2017, Activity 28:** Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare. The school with associated sports fields, is an institutional development. The land was previously used for agricultural purposes (cattle farm from 1998 – 2016) and is currently used for equestrian purposes. **GNR 324 of 7 April 2017, Activity 12:** The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. h. North West iv. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority. For the project, vegetation will be cleared to allow space for the establishment of structures and infrastructure. The property is located within a CBA 2 & ESA 1. The project footprint is ±15ha. Water supply will be from boreholes and a package sewage treatment plant will be established. The project includes the following according to the Site Development Plan (SDP):

- Access o Entrance for busses & delivery vehicles at circle on Third Avenue
- o Entrance for administration and residential further along Third Avenue past Fouche Street intersection (existing)
- Sports fields o Full size sports fields and Olympic size for athletics with pavilion and gymnasium (R24 and Third Avenue corner)
- o B sports field along R24
- o Netball & Tennis courts (6)
- Educational o Hall o Classrooms with toilets (9 on ground and 9 on first floor)
- o Study hall
- Residential o Existing staff accommodation (4 houses)
- o Boarding for boys (along Stubb street)
- o Boarding for girls (along Stubb street)
- o Kitchen
- Other o Parking o Administration and offices
- o Sewage Treatment Plan (STP) in south west corner

Hydro Science CC has been appointed by REC Establishers (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed development of a school and sports fields on portion 62 of portion 62 of the farm Commissiesdrift 327JQ, Olifantsnek, Rustenburg Local Municipality, North West



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Province.

A Basic Assessment Report (BAR) 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 development will cover  $\pm 15$  ha.

Dr Durand and Archaetnos Culture and Cultural Resource Consultants have been appointed to provide heritage specialist input as part of the BAR process as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Durand, J. F. 2019. Palaeontological Desktop Study: Proposed development of school and sports grounds on Portion 62 of the Farm Commissiedrift 327JQ Olifantsnek, Rustenburg, Northwest Province.*

The geological unit that is underlying the proposed development area is the Silverton Formation (Pretoria Group, Transvaal Supergroup) that may contain stromatolites. Due to intrusions from formations such as the Bushveld Igneous Complex, the chance that any microbial mats such as stromatolites will be present is small. A Chance Fossil Finds Procedure is recommended and is provided in the report.

*Van Vollenhoven, A. C and Smit, J. 2019. A report on a Cultural Heritage Impact Assessment for a proposed development of a school at Olifantsnek, Rustenburg Local Municipality, North West Province.*

A total of three heritage resources were identified within the proposed project area. These include an Iron Age stone wall of low significance, a stone monolith of medium significance and a second stone walling site of low significance.

Recommendations provided in the report include the following:

- The proposed development may continue only after approval of this report by SAHRA and after mitigation has been done;
- Sites 1 and 3 has low cultural significance. The description in this phase 1 heritage report is seen as sufficient recording and it may be granted destruction at the discretion of the relevant heritage authority without a formal permit application, subjected to the granting of Environmental Authorisation;
- Site 2 is of medium cultural significance. It should be included in the heritage register. Mitigation is subject to a permit application lodged with the relevant heritage authority. This means that the stone



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can be removed if approved by the heritage authority;

- After mitigation had been done, the development may proceed. The necessary authorization can therefore be given;
- It should be noted that the subterranean presence of archaeological and/or historical sites, features or artifacts is always a distinct possibility. Due to the density of vegetation, it also is possible that some sites may only become known later on. Operating controls and monitoring should therefore be aimed at the possible unearthing of such features. Care should therefore be taken when development commences that if any of these are discovered, a qualified archaeologist be called in to investigate the occurrence.

## Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are generally supported and must be adhered to. Additional specific conditions are provided for the development as follows:
  - Site 1 and 3 do not require permits in terms of section 35 of the NHRA to be destroyed;
  - A permit is not required for site 2. There is no need for further mitigations measures for this site;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:

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- i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
- The Final BAR and EMPr must be submitted to SAHRA for record purposes;
- The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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  
Heritage Officer  
South African Heritage Resources Agency

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

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/527647>  
(DEDECT, Ref: NWP/EIA/26/2019)

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**Terms & Conditions:**

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.