

Our Ref: Case 14849



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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Date: Wednesday March 18, 2020

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Interim Comment

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

Attention: Bakkos Projects (Pty) Ltd

The applicant intends to develop a light industrial area (for the purpose of e.g. motor showrooms, workshops, etc) on Portion 58 of the farm Vaalbank 289 JS, Middelburg, Mpumalanga. The site is approximately 22ha in extent and located adjacent to the R35 provincial road (Bethal Road) and in close proximity of the N4 national road, about 2.5km south of the Middelburg Mall. A truck stop, take-away and diesel depot are already present on site.

Bakkos Projects (Pty) Ltd is proposing to develop a light industrial area for the purposes of a motor showroom, workshops etc, on the remainder of the farm Portion 58 of the farm Vaalbank 289 JS, in the Steve Tshwete Local Municipality of the Mpumalanga Province. The rezoned area will be 22 ha in extent but the construction area will not cover the entire rezoned area.

They have appointed AdiEnvironmental (Pty) Ltd to undertake a Basic Assessment (BAr) application process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 1998 (NEMA), as amended for listed activities in the NEMA EIA Regulations 2014, as amended.

A Background Information Document was been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

Interim Comment

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)a does not apply. Such a study should follow the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports and section

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38(3) of the NHRA.

The HIA must be undertaken by a suitably qualified archaeologist and if they assess the proposed development scope and determines that an exemption may be submitted. Once the report or letter is submitted to the case for commenting, SAHRA will provide further comments on this proposed development.

In addition to the HIA report, SAHRA also requires an assessment of palaeontological resources by a suitably qualified palaeontologist.

The HIA and the Palaeontology Impact Assessment (PIA) or the respective exemption letters must be provided to SAHRA in the EIA phase of the the NEMA application process.

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

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ADMIN:

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