

Our Ref: 16/5/1 Benicon Park X1 Industrial Development

Enquiries: Jenna Lavin
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CaseID: 4021

Date: Monday November 11, 2013

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Letter

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

Attention: Clean Stream Environmental Services
P.O. Box 647
Witbank
1035

The applicant intends to develop a filling station and industrial erven on a portion of the Remaining Extent of Portion 26 of the farm Naauwpoort 335 JS, eMalahleni, Mpumalanga. The property is 64 ha in extent, of which approximately 19 ha will be utilized for the development. The filling station will comprise of 6 x 23 000 liter underground fuel tanks. The development will be known as Benicon Park X1.

Thank you for submitting the Background Information Document (BID) for the proposed development of a light industrial area, filling station and residential area on the Remaining Extent of Portion 26 of the farm Naauwpoort 335 JS, eMalahleni, Mpumalanga. The property is 64.17ha in extent of which 19ha will be used for the proposed development.

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999), any proposed development that requires an application in terms of NEMA must have an assessment of impacts to heritage resources completed as part of the application process. The relevant heritage authority must determine whether the assessment done in terms of impacts to heritage resources satisfies our requirements and must provide comments or recommendations to the decision-making authority.

Based on the information provided in the submitted BID, the proposed development may impact on heritage resources such as archaeology and palaeontology.

As such, SAHRA requires that a heritage impact assessment be completed that assesses the impact of the proposed development on all heritage resources including, but not limited to, archaeological heritage, rock art, palaeontological heritage, any significant structures and intangible heritage. This assessment must not only assess impacts in terms of the development footprint, but must also assess broader, indirect impacts to heritage that may result from the proposed development.

The quickest process to follow for the archaeological component would be to contract a specialist (see www.asapa.org.za) to provide a **Phase 1 Archaeological Impact Assessment Report**. This must be done before any development takes place. The Phase 1 Impact Assessment Report will identify the archaeological sites and assess their significance. It should also make recommendations (as indicated in section 38 of the NHRA) about the process to be followed. For example, there may need to be a mitigation phase (Phase 2) where the specialist will collect or excavate material and date the site. At the end of the process the heritage authority may give permission for destruction of the sites.

A Palaeontological field assessment study must be undertaken to assess whether or not the development will impact upon significant palaeontological resources. If the area is deemed sensitive, a full Phase 1



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an agency of the
Department of Arts and Culture

Palaeontological Impact Assessment will be required and if necessary a Phase 2 rescue operation might be necessary (see www.palaeontologicalsociety.co.za).

Any other heritage resources that may be impacted such as 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.

This assessment must satisfy SAHRA's minimum requirements for impact assessments and must comply with the requirements in Section 38(3) of the NHRA and as such, this assessment must provide recommendations regarding the mitigation of any identified direct and indirect impacts to heritage resources.

SAHRA looks forward to receiving this assessment before commenting further on this proposed development.

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

Yours faithfully

Jenna Lavin
Heritage Officer
South African Heritage Resources Agency

Colette Scheermeyer
SAHRA Head Archaeologist
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/138186>

Edit view (MDEDET, Ref: 17/2/3 N-280)



The South African Heritage Resources Agency

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