



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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CaseID: 13582

Date: Thursday October 03, 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: Kroon's Gourmet Chickens (Pty) Ltd

**Kroon's Gourmet Chickens proposes the development of a new hatchery: Three (3) potential sites are proposed: Site 1 is located on Portion 107 of the Farm Hartebeestfontein 445 JQ; Site 2 is located on Portion 322 of the Farm Hartebeestfontein 445 JQ; and Site 3 is located on Portion 33 and 168 of the Farm Hartebeestfontein 445 JQ.**

Bokamos Landscape Architects and Environmental Consultants CC have been appointed by Kroon's Gourmet Chickens (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed hatchery on Portion 107 of the Farm Hartebeestfontein 445 JQ; Portion 322 of the Farm Hartebeestfontein 445 JQ; and Portion 33 and 168 of the Farm Hartebeestfontein 445 JQ, near Hartebeespoort, North West Province.

A Basic Assessment Report (BAR) process will be completed in terms of the National Environmental Management Act, no 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations. A project notification has been submitted noting that the development triggers section 38(1) of the National Heritage Resources Act, No 25 of 1999 (NHRA) and that an Heritage Impact Assessment (HIA) will be submitted to the Provincial Heritage Resources Authority of Gauteng (PHRA-G).

An HIA has been submitted to the case in terms of section 38 of the NHRA has been conducted as part of the EA process by APelser Archaeological Consulting.

*Pelser, A. 2019. Phase 1 HIA Report for the Proposed Kroon's Gourmet Chicken Hatchery on various Portions of the Farm Hartebeestfontein 445JQ Madibeng Local Municipality, Northwest Province.*

A total of two (2) heritage sites were identified within the first and third areas of the proposed development. No heritage sites were identified within the second area under applications. The heritage site in the first area is a historical homestead rating as having a Grade IVc grading and is not worthy of conservation, though no assessment of the impact is provided. The second site identified within the third area for proposed development comprised a cemetery of between 30 – 50 graves. The site has been given a significance rating of Grade III and is worthy of conservation. It is noted that the burial ground is located outside of the direct



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development footprint, however indirect impacts may occur.

Recommendations provided in the report include the following:

- No mitigation is required for the historical homestead;
- Clean site (burial ground) and document graves. Fence-in and protect and include in a Graves Management Plan. Normally if graves cannot be protected in situ and is to be negatively impacted then they could be exhumed and relocated after detailed consultation with possible descendants have been concluded and permits have been obtained from various local, provincial and National government departments;
- From a Cultural Heritage Point of View Sites 1 and 2 would be the most preferred for the proposed development, as there would be no impacts on any archaeological and/or historical sites, features or material. Site 3, with the Grave Site in close proximity, would be the least preferred. However, if the development is to take place on Site 3 then the graves can be exhumed and relocated after all due processes have been followed and the relevant permits have been obtained.

In an Interim Comment issued on the 09/04/2019, SAHRA requested that the HIA be revised to comply with section 38(3)a, c, d, e and f of the NHRA. The identified sites must be provided with unique site names and the impact to the sites must be adequately assessed.

Since the issuing of the Interim Comment, a revised HIA has been submitted including the BAR with appendices.

*Pelser, A. 2019. Phase 1 HIA Report for the Proposed Kroon's Gourmet Chicken Hatchery on various Portions of the Farm Hartebeestfontein 445JQ Madibeng Local Municipality, Northwest Province.*

The revised HIA noted that the preferred location of the proposed development has been moved to Site alternative 2. No heritage resources were identified within this alternative site location. A Chance Finds Procedure is recommended.

### 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:

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- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No additional specific conditions are provided for the development;
- 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:
  - 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

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**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/521556>  
(, Ref: )

**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.