



an agency of the
Department of Arts and Culture

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CaseID: 14229

Date: Thursday November 07, 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: Phokwane Local Municipality

Private Bag X3 Hartswater 8570

Proposed 6.30 hectares infill development on Portion 42 Farm Guldenskat No. 36 Jan Kempdorp, Phokwane Local Municipality, Northern Cape

NSVT Consultants have been appointed by the Phokwane Local Municipality to conduct an Environmental Authorisation (EA) Application for the proposed infill housing development in Jan Kempdorp, Northern Cape Province (NC/BA/25/FB/PHO/JAN1/2019).

A draft Basic Assessment Report (dBAR) will be 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 6.3 ha.

Banzai Environmental and The McGregor Museum Archaeology Department 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).

Butler, E. 2019. Palaeontological Desktop Assessment of the Proposed Residential Development on Portion 42 of Farm Geldunskat No 36 in Jan Kempdorp, Phokwane Local Municipality, Northern Cape Province.

The proposed development is underlain by the Rietgat Formation of a low palaeontological significance. No further palaeontological studies are recommended. A Chance Finds Protocol has been recommended.

Morris, D and Msawula, K. 2019. Heritage Impact Assessment (Archaeology) for the proposed Guldenskat Residential Development, Jan Kempdorp, Northern Cape.

No heritage sites were identified within the proposed development footprint as the area had already been disturbed. A single Stone Age flake and an Early Stone Age biface were identified within the proposed development area.



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Recommendations provided in the report include the following:

- The biface embedded in a calcrete block should be salvaged and sent to the McGregor Museum for curation;
- Provision for on-going heritage monitoring in an environmental management plan which also provides guidelines on what to do in the event of any major heritage feature being encountered during any phase of construction/maintenance;
- Should unexpected finds be made (e.g. precolonial burials; ostrich eggshell container cache; or localised Stone Age sites with stone tools, pottery, ash midden with bone/pottery; military remains), the relevant Heritage Authority should be contacted.

In an Interim Comment issued on the 16/09/2019, SAHRA requested that the PIA be revised to correctly assess the geological formations to be impacted by proposed development. Since the issuing of the Interim Comment, a revised PIA has been submitted.

Butler, E. 2019. Palaeontological Desktop Assessment of the proposed residential development on portion 42 of farm Geldunskat No 36 in Jan Kempdorp, Phokwane Local Municipality, Northern Cape Province.

The revised PIA notes that the Rietgat formation is of moderate sensitivity and that stromatolites are known to occur within the formation. No further palaeontological studies are recommended. A Chance Finds Protocol has been appended.

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 EMP:

- 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. Additional specific conditions are provided for the development as follows;
- A permit in terms of section 35 of the NHRA and Chapter II and IV of the NHRA Regulations must be applied for from SAHRA in order to collect the biface embedded in the calcrete block;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures,

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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

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/527614>
(DENC, Ref: NC/BA/25/FB/PHO/JAN1/2019)

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.