

Our Ref:



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: 16380

Date: Tuesday October 10, 2023
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Final Comment

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

Attention: Anderbridge Investments (Pty) Ltd

Environmental Consultants International (Pty) Ltd (ECI) was appointed by Anderbridge Investments (Pty) Ltd (Proponent) as Environmental Assessment Practitioner (EAP) for the development of a tourism facility on Portion 58 of the Farm Kromdraai 520 JQ in the Cradle of Humankind, Mogale City Local Municipality, Gauteng.

Anderbridge Investments (Pty) Ltd proposes the development of a tourism facility on Portion 58 of the Farm Kromdraai 520 JQ in the Cradle of Humankind, Mogale City Local Municipality, Gauteng. The development will consist of a hotel, an ashram sanctuary, a healing centre and a farming component with a total footprint of 8.16 hectares. The development is located within the core area of the Cradle of Humankind World Heritage Site (COHWHS) and in close proximity to Kromdraai and Sterkfontein National Heritage Sites. A Draft Basic Assessment Report and a Heritage Impact Assessment were submitted in support of this application. The individual components of the development consist of the following infrastructure:

- Six (6) 275 m² residential villas;
- Sixteen (16) 175 m² residential villas;
- Eighteen (18) 65 m² residential suites;
- Nineteen (19) 40 m² residential rooms;
- Six (6) 10 m² residential pods;
- 200 m² wellbeing facility (incl. hydrotherapy, treatments rooms, and a gym);
- 600 m² 23-room residency;
- 550 m² lounge/event space;
- 200 m² restaurant, and
- 520 m² central facilities.

The field-based heritage impact assessment (HIA) did not identify any surface archaeological material or palaeontological specimens. However, a disused farmhouse was identified as well as a cemetery. The report does not indicate the age of the graves and if it triggers the provisions of section 36 of the NHRA. The farmhouse is considered to be younger than 60 years of age according to the author of the specialist report. The following site-specific recommendations were provided by the specialist for implementation:



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- An accidental fossil find protocol be drafted and endorsed by the responsible official/s at Maropeng;
- Construction project manager and workers are sufficiently briefed to identify fossils and to report accidental findings immediately to the Environmental Control Officer (ECO);
- Individual grave and cemetery must be fenced and maintained;
- Other than the above there are no visible restrictions or negative impacts in terms of heritage associated with the site;
- In terms of heritage the proposed project may continue; and
- The discovery of subsurface archaeological and/or historical material, as well as graves, must be taken into account in the Environmental Management Programme.

In an interim comment issued on 28/05/2021 the SAHRA stated that in order to provide a Final Comment in terms of section 38 (4) of the NHRA the HIA submitted must be supplemented with the following information:

- Due to the heritage sensitivity and its location within the core of the WHS it is likely that archaeological and palaeontological material will be found during excavations and trenching. The chance fossil find procedure must include a detailed monitoring plan. Monitoring must be undertaken by an experienced archaeologist/palaeontologist familiar with the fossil and archaeological heritage of the area;
- The development is situated in an area of high to moderate palaeontological sensitivity. A field-based palaeontological assessment will be required and submitted to SAHRA for comment (<https://sahris.sahra.org.za/map/palaeo>);
- The Visual Impact Assessment (VIA) and Viewshed Analysis mentioned in the BAR must be submitted to SAHRA for comments. It is not possible for SAHRA to know at this stage if the VIA considered Kromdraai (Portion 5) and Sterkfontein (Portion 65 of Swartskrans 172 IQ) NHS as visual receptors. It is noted that the draft BAR indicated a low visual impact on adjacent properties and the R540 and R374;
- Further clarity must be provided on the age of the cemetery and the graves;
- SAHRA will provide a Final Comment on the case as on receipt of the requested information.

Since the issuing of the interim comment on 28/05/2021 an updated Heritage Impact Assessment (HIA) and Field-based Palaeontological Impact Assessment (PIA) have been submitted to the SAHRIS case application for commenting and review by SAHRA.

Environmental Consultants International, Leonie Marais, and Dr. Fourie, H., have appointed to provide the



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heritage specialist reports as part of the EA process as required in terms of section 24(4)b(iii) of NEMA and in terms of section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Marais, L. March 2021. Phase 1 Heritage Impact Assessment (HIA) The Proposed Project Fifty-Eight on Portion 58 of the Farm Kromdraai 520 JQ, Gauteng Province.

The updated HIA study confirms that the identified Burial Ground and Graves are older than 60 years.

Fourie, H. June 2021. The Proposed Project Fifty-Eight on Portion 58 of the Farm Kromdraai 520 JG Mogale City Local Municipality, West Rand District Municipality, Gauteng Province: Palaeontological Impact Assessment Phase 1.

The study area is underlain by the Kameeldoorns formation, Black Reef Formation and the Malmani Dolomites which are known to preserve stromatolites. Dolomite was observed at a stream present in the study area and the crop area, and no fossils were observed.

The following recommendations are made:

- The protocol for Chance Finds and Management Plan is recommended and attached to the report.
- It is recommended that a plio-pleistocene palaeoanthropologist monitors the site during excavations.
- The ECO must survey for fossils before and/or after clearing, blasting, drilling or excavation.
- The ECO must familiarise him or herself with the formation present and fossils and receive pre-construction training.
- Care must be taken during dolomite risk assessment as stromatolites may be present.

The following studies and clarity as previously requested have not been submitted along with the updated HIA and Field-based PIA to SAHRA for review and commenting:

- The Visual Impact Assessment (VIA) and Viewshed Analysis mentioned in the BAR must be submitted to SAHRA for comments. It is not possible for SAHRA to know at this stage if the VIA considered Kromdraai (Portion 5) and Sterkfontein (Portion 65 of Swartskrans 172 IQ) NHS as visual receptors. It is noted that the draft BAR indicated a low visual impact on adjacent properties and the R540 and R374.

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Since the issuing of the above Interim Comment, SAHRA has been notified that the EA was initially issued and subsequently appealed, to which the EA has now been reissued. SAHRA must state this process is not inline with the provisions of section 38(8) of the NHRA, as no Final Comment issued by SAHRA was considered in the granting of the EA. Condition 33 and 34 of the reissued EA state that the full VIA must be submitted to SAHRA for approval prior to commencement of the project and the findings of the VIA and SAHRAs approval must be incorporated into the final EMP. The VIA has been submitted for review (01/08/2023).

Van Greunen, H. 2022. The Proposed Project 58 Development on Portion 58 of the Farm Kromdraai 520 JQ: Visual Impact Assessment Report

The report states that the majority of the facility will be concealed by the high VAC of the landscape and will not be visible to residents or motorists, including tourists. The VIA did not include Kromdraai and Sterkfontein as visual receptors as noted in previous comments and therefore the visual impact to these sites is unknown.

In an Interim Comment issued on the 08/09/2023, SAHRA requested that the VIA be amended to provide specific results regarding the possible visual impact of the development on Kromdraai and Sterkfontein National Heritage Sites. This must include a viewshed analysis and photomontage from the two sites showing the position of the proposed development and the expected finished development appearance.

Since the issuing of the Interim Comment, and updated VIA and EMP have been submitted (18/09/2023). The updated VIA states that no components of the proposed development will be visible from Kromdraai and Sterkfontein.

Final Comment

The following comments are made as a requirement in terms of condition 33 of the reissued EA in terms of 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 EIA and EMP:

- 38(4)a – The SAHRA Development Applications Unit (DAU) and Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- Monitoring by an archaeologist and plio-pleistocene palaeontologist must be conducted during the entire construction phase. Monitoring reports must be submitted to SAHRA upon completion of the

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construction phase;

- A Chance Fossil Finds Protocol must be drafted and submitted to the responsible officials at Maropeng, and thereafter with comments from Maropeng, to SAHRA for endorsement;
- The grave and cemetery must be avoided by 30 m and must be fenced and maintained;
- A Heritage Management Plan must be developed and submitted to SAHRA prior to the commencement of construction phase for approval. The HMP must include access protocols for the burials for any next of kin and educational materials for construction workers and project managers regarding fossils;
- 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 DAU (Natasha Higgitt 021 202 8660 / nhiggitt@sahra.org.za) must be alerted as per section 35(3) of the NHRA. Non-compliance with this section of the NHRA is an offence 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 DAU (Natasha Higgitt 021 202 8660 / nhiggitt@sahra.org.za) must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with this section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51 of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
- 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 EMPr must be submitted to SAHRA for record purposes.

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
Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/571932>
(DEA, Ref: 14/12/16/3/3/1/2325)

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.