

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: 18317

Date: Tuesday September 20, 2022
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Schamboua Trust

PROPOSED AGRICULTURAL DEVELOPMENT ON THE REMAINDER OF THE FARM STYR-KRAAL NO. 81, KHAI-MA LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE.

EnviroAfrica has been appointed by Schamboua Trust to conduct an Environmental Authorisation (EA) Application for the proposed Styr-Kraal Agricultural Development on the remaining extent of portion 0 of the farm Styr-Kraal, Farm No. 81, Pofadder, Khâi-Ma Local Municipality, Namakwa District Municipality, Northern Cape Province.

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development will include the construction of new seasonal workers housing, new dam, new waste water management for permanent housing and the cultivation of 78 ha of dates. The total development area will cover 83.38 ha.

Banzai Environmental and Ubique Heritage Consultants have been appointed to provide heritage specialist input as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Butler, E. 2020. Palaeontological Desktop Assessment for the Proposed Styr-Kraak Agricultural Development on 81 Styr-Kraal, Namakwa District Municipality, within the Khai-Ma Local Municipality, Northern Cape Province.

The proposed development footprint is underlain by the Daberas Granodiorite and Schuitdrift Gneiss of the Namaqua Natal Metamorphic Province that do not contain fossils, which is overlain by Quaternary to Recent sediments of the Gordonina Formation that do not preserve fossils very well but may contain more recent fossils. A Chance Finds Protocol is recommended to be implemented and is provided in the report.

Fivaz, H and Engelbrecht, J. 2020. Phase 1 HIA Report Agricultural Development Styr-Kraal Northern Cape.

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A total of two heritage resources were identified within the proposed development area. These include two graves of high heritage significance.

Recommendations provided in the report include the following:

- It is recommended that the graves be fenced off within the inclusion of 50 m buffer/safety zone;
- A Chance Finds Procedure is recommended.

In an Interim Comment issued on the 22/04/2022, SAHRA noted the submitted Heritage reports and awaited the pending Draft EIA and appendices before further comments would be issued. Since the issuing of the Interim Comment, the draft EIA and appendices have been submitted (20/08/2022). The results and recommendations of the HIA have been included in the dEIA, however it is noted that the EMPr states that a buffer of 15 m be maintained around the graves.

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:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit and the Burial Grounds and Graves (BGG) 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:
 - BGG Unit conditions:
- 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/ Ngqabutho Madida 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;

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Page No: 3

- 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:
- With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above;
- 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

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

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Page No: 4

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/595276>

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.