

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: 20372

Date: Friday March 03, 2023
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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: UBIQUE HERITAGE CONSULTANTS

P.O. Box 5022
Weltevredenpark
1715

PHASE 1 HIA FOR THE PROPOSED CONSTRUCTION OF AN AGRI-INDUSTRIAL FACILITY ON PORTION 64 OF VAAL KOPPIES NO 40, UPINGTON, KENHARDT, DAWID KRUIPER LOCAL MUNICIPALITY, ZF MGCAWU DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE

The ECO Balance Planning Co has been appointed by Carpe Diem Landgoed Pty Ltd to conduct an Environmental Authorisation (EA) Application for the proposed construction of an agri-processing facility on Portion 64 of Vaal Koppies No 40, near Upington, Northern Cape Province (DAEARD&LR Reference No: NC/BA/25/ZFM/DAW/KEN2/2022).

A draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA) and the NEMA EIA Regulations (As amended). The proposed development will include the construction of a pecan nut facility with offices, parking areas, loading zones, water evaporation ponds within a development footprint of 5.61 ha.

Ubique Heritage Consultants were appointed to provide the 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).

Fairhurst, S; Fivaz, H; Butler, E and Engelbrecht, J. 2023. Phase 1 HIA for the Proposed construction of an Agri-Industrial Facility on portion 64 of Vaal Koppies No 40, Upington, Kenhardt, Dawid Kruiper Local Municipality, ZF Mgcawu District Municipality, Northern Cape Province Version 2

A total of seven surface occurrences of Middle Stone Age lithics of negligible heritage significance were identified within the proposed development footprint. A cemetery and an isolated unmarked grave of high heritage significance were identified outside of the proposed development footprint and will not be impacted. The development area is underlain by igneous sediments of the Dagbreek Formation that does not contain

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fossils. No further assessment of the impact to palaeontological resources is recommended.

Recommendations provided in the report include the following:

- It is recommended that a no-go 50 m buffer be maintained around the cemetery and unmarked grave. Additionally, due to the poor preservation of the cemetery, it is also recommended that a maintenance plan with the local municipality or the local community and the descendants of the deceased be set up;
- A Chance Finds Procedure is recommended to be followed.

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 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:
 - No-go buffers of 50 m must be maintained around all identified graves;
 - 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 (Natasha Higgitt 021 202 8660) 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;
 - 38(4)d – See section 51 of the NHRA for 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

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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
Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahrissahra.org.za/node/611285>

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.