

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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[www.sahra.org.za](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
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CaseID: 21330

Date: Monday October 23, 2023  
Page No: 1

## Final Comment

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

Attention: Xhariep Plant and Mining (Pty) Ltd

### **Prospecting Right application over Farm Stofbakkies Public Outspan 30, Prieska District, Northern Cape Province**

M & S Consulting has been appointed by Xhariep Plant and Mining (Pty) Ltd to undertake an Environmental Authorisation Application for proposed prospecting activities on Farm Stofbakkies Public Outspan 30, Prieska District, Northern Cape Province (NC 30/5/1/1/2/13476 PR).

A Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed prospecting activities include 20 percussion boreholes (20 m<sup>2</sup> each) and 20 RC boreholes (20m<sup>2</sup> each), two spoor access roads and chemical toilets. It is noted that the location of the boreholes has not yet been determined.

Pulafel 4D Consulting (Pty) Ltd was appointed to provide heritage specialist input into the EA process in terms of section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Chikumbirike, J and Jirah, S. 2023. Desktop & Field Palaeontological Impact Assessment for a Diamond Prospecting Right on the Farm Stofbakkies 30 in the administrative district of Prieska, Northern Cape Province, South Africa*

The proposed development footprint is underlain by the Campbell Rand Supergroup, Asbestos Hills Subgroup, Precambrian bedrocks, which are overlain by aeolian sands of the Gordonia Formation. Stromatolites may be present. No adverse impacts on palaeontological heritage are expected. A Fossil Chance Finds Procedure is recommended to be added to the EMPr.

*Chikumbirike, J. 2023. Desktop & Field Heritage Impact Assessment for a Diamond Prospecting Right on the Farm Stofbakkies 30 in the administrative district of Prieska, Northern Cape Province, South Africa*

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A total of 15 heritage resources were identified within the proposed development area. These include Stone Age lithic scatters, circular stone structures, a stone cairn, building foundations, old farmhouses, old mine site and a shooting range.

Recommendations provided in the report include the following:

- Avoid all sites noted in Table 4
- Grave sites 1 and 2 should be indicated on development plans and avoided with a 30 m buffer;
- A Chance Finds Procedure must be implemented.

In an Interim Comment issued on the 21/09/2023, SAHRA requested that the HIA be revised to provide a significance assessment for all the identified sites and an impact assessment for the sites identified in table 4. Since the issuing of the Interim Comment, a revised HIA and PIA has been submitted, along with the FBAR (28/09/2023).

The identified graves have been assigned as heritage resources of high heritage significance, while all remaining identified heritage resources are noted to be of low/moderate heritage significance.

### Final Comment

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EMP:

- 38(4)a – The SAHRA Development Applications Unit (DAU) has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further 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 DAU (Natasha Higgitt 021 202 8660/ [nhiggitt@sahra.org.za](mailto: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 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 DAU (Natasha Higgitt 021 202 8660/ [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)) must be alerted immediately as per section 36(6) of the NHRA.

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Non-compliance with this 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 regarding offences;
- 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;
- As the Final BAR has been finalised without incorporating SAHRA comments, this comment must be forwarded directly to the competent authority for their consideration during the decision-making process as per section 38(8) of the NHRA. Proof of delivery and receipt thereof must be provided to SAHRA;
- The decision regarding the EA application and PR application must be submitted to the SAHRIS application 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

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/617422>  
(DMR - NC, Ref: NC 30/5/1/1/2/13476 PR)

**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.