



**SOUTH AFRICAN HERITAGE RESOURCES AGENCY**  
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FOR ATTENTION: **PHRA: Northern Cape**

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SAHRA File No: **9/2/025/0001**  
 Date Received: **7 July 2010**  
 Date of Comment: **24 August 2010**  
 Sent to Peer Review: .....  
 Date to Peer Review: .....  
 SAHRA Contact Person: **Mariagrazia Galimberti**  
 DME Ref No: .....

## REVIEW COMMENT ON ARCHAEOLOGICAL IMPACT ASSESSMENT

BY ARCHAEOLOGY/ PALAEOLOGY UNIT OF THE HERITAGE RESOURCES AGENCY

*South Africa has a unique and non-renewable archaeological and palaeontological heritage. Archaeological and palaeontological sites are protected in terms of the National Heritage Resources Act (Act No 25 of 1999) and may not be disturbed without a permit. Archaeological Impact Assessments (AIAs) and Palaeontological Impact Assessments (PIAs) identify and assess the significance of the sites, assess the potential impact of developments upon such sites, and make recommendations concerning mitigation and management of these sites. On the basis of satisfactory specialist reports SAHRA or the relevant heritage resources agency can assess whether or not it has objection to a development and indicate the conditions upon which such development might proceed and assess whether or not to issue permission to destroy such sites.*

*AIAs and PIAs often form part of the heritage component of an Environmental Impact Assessment or Environmental Management Plan. They may also form part of a Heritage Impact Assessment called for in terms of section 38 of the National Heritage Resources Act, Act No. 25, 1999. They may have other origins. In any event they should comply with basic minimum standards of reporting as indicated in SAHRA Regulations and Guidelines.*

*This form provides review comment from the Archaeologist of the relevant heritage resources authority for use by Heritage Managers, for example, when informing authorities that have applied to SAHRA for comment and for inclusion in documentation sent to environmental authorities. It may be used in conjunction with Form B, which provides relevant peer review comment.*

- A. PROVINCIAL HERITAGE RESOURCES AUTHORITY: **Northern Cape** .....
- B. AUTHOR(S) OF REPORT: **Mr Jonathan Kaplan**
- C. ARCHAEOLOGY CONTRACT GROUP: **Agency for Cultural Resource Management**
- D. CONTACT DETAILS: **5 Stuart Rd, Rondebosch, Tel: 021 685 7589, Cel: 082 321 0172, acrm@waccess.co.za**
- E. DATE OF REPORT: **April 2010**
- F. TITLE OF REPORT: **Archaeological Scoping Study of A Proposed Wind Energy Facility on the Maanhaarberge & Kombuisfonteinberge, De Aar, Northern Cape Province.**
- G. Please circle as relevant: Archaeological component of **EIA** / EMP / HIA / CMP  
 Other (Specify) .....
- H. REPORT COMMISSIONED BY (CONSULTANT OR DEVELOPER): **DJ Environmental Consultants**
- I. CONTACT DETAILS: **Mr Junaid Moosajee, Postnet Suite 66, Private Bag X15, Somerset West 7130, junaid@djec.co.za**
- J. COMMENTS: .....  
*Please see comment on next page* .....

## **REVIEW COMMENT ON ARCHAEOLOGICAL IMPACT ASSESSMENT**

**Mr Jonathan Kaplan on behalf of Agency for Cultural Resource Management**

**Dated: May 2010, received: July 2010**

### **Archaeological Scoping Study of A Proposed Wind Energy Facility on the Maanhaarberge & Kombuisfonteinberge, De Aar, Northern Cape Province.**

#### **INTRODUCTION**

Mulilo Renewable Energy proposed the construction of a 300 MW wind energy farm in the Northern Cape. 150 turbines are expected to be erected over 25 000 ha of extension. A transmission line, access roads and underground cables between turbines are part of the facilities for this project.

The aim of this scoping study was to try to predict which impact a wind farm would have on an undeveloped portion of land. For this reason, only portions of the total areas were surveyed, most in particular those which are part of the first phase of the project, namely portions of Farm Zwartkoppies and Farm Smouspoort, where the first 23 turbines are expected to be erected.

The overhead powerline and the new access roads on virgin landscape were not surveyed during this Scoping Phase and they will require an Archaeological Impact Assessment before construction.

No archaeological resources of significance were identified on the study area.

A series of Middle and Later Stone Age stone tools scatters occur within the surveyed area, but very few of them were *in-situ*, and only one site carried some evidence of human settlement (a possible stone circle on Farm Zwartkoppies).

A water pit from the South African War and a stone walling were identified and might need protection.

#### **SAHRA RECOMMENDATIONS**

SAHRA supports the recommendations of the author and requires that:

- A Phase 1 Archaeological Impact Assessment will be required for:
  - o all proposed transmission lines
  - o all proposed access roads.
- A minimum of an Archaeological Scoping Report (but even better an Archaeological Impact Assessment) should be compiled for the Phase 2 of the project.
- The final position of the proposed camp site should be assessed by an archaeologist.

#### **CONCLUSION**

SAHRA is looking forward to receiving the Palaeontological Impact Assessment for this project and the Archaeological Impact Assessments requested above. Besides this, if the other recommendations made by the specialist and in this comment are adhered to, the SAHRA Archaeology, Palaeontology and Meteorite Unit has no objection to the development (in terms of the archaeological component of the heritage resources). If any new evidence of archaeological sites or artefacts, palaeontological fossils, graves or other heritage resources are

found during development, construction or mining, SAHRA (Mariagrazia Galimberti/Nonofho Ndobochani, 0214624502) and a professional archaeologist must be alerted immediately.

Decisions on Built Environment (e.g. structures over 60 years) and Cultural Landscapes and associated Living Heritage (e.g. sacred sites) must be made by the Northern Cape Heritage Resources Authority of the Northern Cape (Mr. Joas Sinthumule jsinthumule@ncpg.gov.za ) to whom this Archaeological Review Comment will be copied.

SIGNATURE OF ARCHAEOLOGIST PROCESSING REPORT: \_\_\_\_\_

EMAIL: mgalimberti@sahra.org.za.....

SIGNATURE OF SAHRA HEAD ARCHAEOLOGIST: \_\_\_\_\_

EMAIL: nndobochani@sahra.org.za.....

NAME OF HERITAGE RESOURCES AGENCY: SAHRA.....

PLEASE NOTE THAT THE COMMENT (ABOVE OR APPENDED) CONSTITUTES THE COMMENT OF THE HERITAGE RESOURCES AGENCY ARCHAEOLOGIST AND THAT ANY DEVELOPMENT THAT INVOLVES DESTRUCTION OF ANY ARCHAEOLOGICAL/PALAEONTOLOGICAL SITE IS STILL SUBJECT TO A PERMIT/PERMISSION FOR DESTRUCTION OF SUCH SITE GIVEN TO THE DEVELOPER BY THE RELEVANT HERITAGE RESOURCES AGENCY ARCHAEOLOGICAL AND PALAEONTOLOGICAL PERMIT COMMITTEE (THIS WILL BE SUBJECT TO APPROVAL OF THE PHASE 2 OR ARCHAEOLOGICAL/ PALAEONTOLOGICAL MITIGATION AS NECESSARY). THIS REPORT MAY BE TAKEN ONLY AS APPROVAL IN TERMS OF SECTION 35 OF THE NATIONAL HERITAGE RESOURCES ACT. THE PROVINCIAL MANAGER OF THE HERITAGE RESOURCES AUTHORITY MUST ADVISE AS TO APPROVAL IN TERMS OF HERITAGE ISSUES ENCOMPASSED BY OTHER ASPECTS OF THE LEGISLATION, SUCH AS ISSUES OF THE BUILT ENVIRONMENT (STRUCTURES (E.G. FARM HOUSES), OVER 60 YEARS), INDIGENOUS KNOWLEDGE SYSTEMS OR OF CULTURAL LANDSCAPES AS THIS IS NOT WITHIN THE SCOPE OF THE ARCHAEOLOGIST.

PLEASE NOTE THAT SAHRA IS NOW RESPONSIBLE FOR GRADE I HERITAGE RESOURCES (AND EXPORT) AND THE PROVINCIAL HERITAGE RESOURCES ARE RESPONSIBLE FOR GRADE II AND GRADE III HERITAGE RESOURCES, EXCEPT WHERE THERE IS AN AGENCY ARRANGEMENT WITH THE PROVINCIAL HERITAGE RESOURCES AUTHORITY.

## APPENDIX 1

### Protection of Graves

In terms of the National Heritage Resources Act (No. 25 of 1999) graves older than 60 years (not in a municipal graveyard) are protected. Human remains younger than 60 years should be handled only by a registered undertaker or an institution declared under the Human Tissues Act.

Anyone who wishes to develop an area where there are graves older than 60 years is required to follow the process described in the legislation (section 36 and associated regulations). The specialist will require a permit from the heritage resources authority:

1. Determine/ confirm the presence of the graves on the property. Normally the quickest way to proceed is to obtain the service of a professional archaeologist accredited to undertake burial relocations (see attached list). The archaeologist will provide an estimate of the age of the graves. There may be a need for archival research and possibly test excavations (permit required).
2. The preferred decision is to move the development so that the graves may remain undisturbed. If this is done, the developer must satisfy SAHRA that adequate arrangements have been made to protect the graves on site from the impact of the development. This usually involves fencing the grave(yard) and setting up a small site management plan indicating who will be responsible for maintaining the graves and how this is legally tied into the development. It is recommended that a distance of 10-20 m is left undisturbed between the grave and the fence around the graves.
3. If the developer wishes to relocate or disturb the graves:
  - a. A 60-day public participation (social consultation) process as required by section 36 (and regulations - see attachment), must be undertaken to identify any direct descendants of those buried on the property. This allows for a period of consultation with any family members or community to ascertain what their wishes are for the burials. It involves notices to the public on site and through representative media. This may be done by the

archaeologist, who can explain the process, but for large or sensitive sites a social consultant should be employed. Archaeologists often work with undertakers, who rebury the human remains.

- b. If as a result of the public participation, the family (where descendants are identified) or the community agree to the relocation process then the graves may be relocated.
- c. The archaeologist must submit a permit application to SAHRA for the disinterment of the burials. This must include written approval of the descendants or, if there has not been success in identifying direct descendants, written documentation of the social consultation process, which must indicate to SAHRA's satisfaction, the efforts that have been made to locate them. It must also include details of the exhumation process and the place to which the burials are to be relocated. (There are regulations regarding creating new cemeteries and so this usually means that relocation must be to an established communal rural or formal municipal cemetery.)
- d. Permission must be obtained before exhumation takes place from the landowner where the graves are located, and from the owners/managers of the graveyard to which the remains will be relocated.
- e. Other relevant legislation must be complied with, including the Human Tissues Act (National Department of Health) and any ordinances of the Provincial Department of Health). The archaeologist can usually advise about this.