



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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Tel: 021 462 4502
Email: nkhumalo@sahra.org.za
CaseID: 10345

Date: Monday March 18, 2019
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Final Comment

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

Attention: Mlangeni Family Trust

Environmental Authorisation and Water Use Licence Applications for the following project: Belfast Mall and Mixed Use Development

APelser Archaeological Consulting cc and Dr Gideon Groenewald were appointed by Labesh (Pty) Ltd on behalf of Mlangeni Family Trust to conduct a Heritage Impact Assessment and a Palaeontological Desktop Study for the proposed Belfast mall and mixed use development. These studies are in support of an Environmental Authorisation application in terms of the National Environmental Management Act, no. 107 of 1998 (NEMA) and NEMA Environmental Impact Assessment (EIA) Regulations, 2014. As well as section 38(8) of the National Heritage Resources Act, (Act 25 of 1999) (NHRA). The proposed development is located on Portion 12 of Wemmershuis 379 JT and the remainder of Berg-en-dal 981 JT, in the Emakhazeni Local Municipality of Mpumalanga Province. The extent of the proposed development footprint will be 53.90 ha a total of 117.57 ha of the project area, construction will consist of medium and high density housing units, access roads, utilities infrastructure and mixed use buildings among other infrastructure plans.

- SAHRA issued an interim comment dated 13/06/2017 whereby, both heritage reports were summarised and the recommendations provided by the specialists were listed as follows:
- *A Phase 2 HIA for the recording and mapping of the old wagon route, the farmstead house and the trenches that may be related to the battle of Berg-en-dal.*
- *The EAP as well as the ECO for this project must be made aware of the fact that the Vryheid Formation of the Ecca Group is Highly significant for fossil remains of plant and trace fossils, albeit mostly where good outcrops are available for inspection.*



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- *In areas that are allocated a Very High Palaeontological sensitivity and specifically where deep excavation into bedrock is envisaged (>1.5m, following the geotechnical investigation), or where fossils are recorded during the geotechnical investigations, a qualified palaeontologist must be appointed to assess and record fossils at specific footprints of infrastructure developments (Phase 1 PIA).*
- *These recommendations should form part of the EMP of the project.*

SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit provided the following additional conditions:

- *A report of the geotechnical investigation must be provided to a palaeontologist to determine whether further monitoring by a palaeontologist should be carried out during construction phase of the development.*
- *If the findings of the palaeontologist supports monitoring by a palaeontologist during construction, then the appointed palaeontologist must apply for a section 35 permit for the collection of any fossils uncovered during construction. The frequency of the monitoring must be agreed upon with Mlangeni Family Trust, the ECO and the palaeontologist.*
- *The Anglo Boer War trenches are older than a 100 years old and require a section 35 permit for Phase 2 HIA for the recording and mapping and mitigation consisting of test pits to find out if there is any archaeological deposit.*
- *An archaeologist must be appointed to monitor all ground clearance and excavation activities during the construction phase. A report of the monitoring must be submitted to the case for comments.*
- *A sign post on the property needs to be erected in terms of section 44(3), which will also be visible to public. The sign post must contain the history of the battle of Berg-en-dal and also a map of the battlefield which the proposed development lies partially on. The signpost must also contain directions to the Berg-en-daal memorial down the road.*
- *All the other identified heritage resources within the HIA report (farmhouse and require comments and permits from the Mpumalanga Provincial Heritage Resources Authority (MPHRA), as they are generally protected under section 34 which it has competency to assess. The contact details of MPHRA are Mr Benjamin Moduka: 013 766 5196 bmoduka@mpg.gov.za.*

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SAHRA requested that both the HIA and PIA recommendations are included in the forthcoming EIA and EMPr.

Within the EIA report and EMPr, the developer undertakes to implement the mitigation measures as set in the HIA and PIA reports, as well as the additional conditions SAHRA has provided. Therefore, SAHRA APM Unit has no objections to this proposed development as assessed in this application.

If there are any new heritage resources discovered during construction and operation phases of the proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer.

If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer. Mitigation will only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). You may contact SAHRA APM Unit for further details: (Nokukhanya Khumalo/Phillip Hine 021 202 8654).

If any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Mimi Seetelo 072 802 1251).

Once a decision on this EA application has been reached by the competent authority, the record of decision must be uploaded to this case.

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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Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/375123>
(DARDLEA, Ref:)

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.