



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto:info@sahra.org.za)  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
[www.sahra.org.za](http://www.sahra.org.za)

Enquiries: Nokukhanya Khumalo  
Tel: 021 462 4502  
Email: [nkhumalo@sahra.org.za](mailto:nkhumalo@sahra.org.za)  
CaseID: 12766

Date: Monday June 10, 2019  
Page No: 1

## **Final Comment**

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

Attention: Sarovic Investments CC

### **Township Establishment on the Remaining Extent of Portion 79 of the farm Blesboklaagte 296 JS and Portion 0 (remaining extent) of the farm Leeuwpoot 283 JS, Mpumalanga**

Sarovic Investments cc is proposing to construct a new township development located in Emalahleni Local Municipality of Mpumalanga Province. The township development will consist of four phases of construction that all include mixed density residential development, commercial units, business parks, government avenues, roads, sewerage, electricity and water pipelines.

Labesh Environmental Consulting (Pty) Ltd is undertaking an Environmental Impact Assessment (EIA) application process on behalf of Sarovic Investments cc, in respect of listed activities in the National Environmental Management Act, 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations 2017, and a Water Use License in terms of the Water Use Licence Regulations, March 2017 in terms of the National Water Act, 36 of 1998. A BID document was been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

An Interim Comment was issued on 14/08/2018, requesting that a Heritage Impact Assessment and a Palaeontological Impact Assessment is undertaken as part of the specialist studies in the EIA application. Another Interim Comment was issued on 24/04/2019, once the specialist studies were uploaded to the case. SAHRA stated that they await the submission of the finalised town plan and the Environmental reports and its appendices before commenting on the case. A Scoping Report has been submitted the case along with its appendices and SAHRA has reviewed the heritage in put into the report.

### **Final Comment**

The SAHRA Archaeology, Palaeontology, and Meteorites Unit accepts the recommendations provided in the PIA and Heritage Impact Assessment. Upon analysis of the finalised township plan, site 1 can be retained in situ with a fence around the graves. This must be included in the mitigation measures in the EMPr and EIA reports.



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A comment in terms of section 34 of the NHRA, for sites 2-4, must be sort from the Mpumalanga Heritage Resources Authority (MPHRA). Please contact Benjamin Moduka at [bmoduka@mpg.gov.za](mailto:bmoduka@mpg.gov.za) or call the offices at 013 766 5196.

The Burial Grounds and Graves (BGG) Unit accepts the recommendations for the burial grounds identified in the HIA report and further recommends that Site 1 must be fenced with an access gate. Before fencing may occur, permission from the family members must be sort. This must be done by undertaking a social consultation process to identify the family members of the site. This must be done in terms of Chapter IX of the NHRA Regulations and section 36(3) of the NHRA.

The following conditions must be included in the EMPr report:

In the event that fossils are uncovered during construction then construction must cease within the immediate vicinity, a buffer of 30 m must be established, and a palaeontologist called in to inspect the finds. The palaeontologist must obtain a section 35(4) permit in terms of NHRA and Chapter IV NHRA Regulations, before any fossils are collected.

If there are any new heritages resources are 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 (Thingahangwi Tshivase/Mimi Seetelo 072 802 1251).

The EIA report and its appendices must be submitted to the case for record purposes and once a Record of Decision from the competent authority is issued, it must also be submitted to the case.



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This comment must be forwarded to the competent authority and proof of submission must be uploaded to the 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

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

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**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/510183>

**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.