

Our Ref:

Enquiries: Jenna Lavin
Tel: 021 462 4502
Email: jlavin@sahra.org.za
CaseID: 1489

Date: Tuesday February 05, 2013

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Interim Comment

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

Attention: Department of Public Works, Roads & Transport
Private Bag x 1313
Thulamahashe
1290

Rehabilitation of Provincial Road P127/2 (25.5km) between National Road N4 (Middelburg west) and Provincial Road D914 (Van Wyksvlei), Nkangala District Municipality, Mpumalanga Province.

Thank you for your indication that development is to take place in this area.

In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years and structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority.

In terms of Section 38(8) of the NHRA, before any development proposed in terms of NEMA (Act 107 of 1998) is approved, it is incumbent on the developer to ensure that a **Heritage Impact Assessment** is done that satisfies Section 38(3) of the NHRA. Appropriate mitigation, which involves recording, sampling and dating sites that are to be destroyed, may be required depending on the nature and significance of the resources identified.

In your letter received by SAHRA, no assessment of the impact of the proposed mining on heritage resources is provided. The proposed rehabilitation of the Provincial Road P127/2 and its associated temporary bypass may impact on significant heritage resources.

SAHRA therefore requires that a Heritage Impact Assessment report be completed and submitted to SAHRA for assessment. This report should be inclusive of an assessment of impacts to archaeological resources and an assessment of impacts to palaeontological resources by suitably qualified practitioners. This assessment of heritage resources must satisfy Section 38(3) of the NHRA.

The requested Archaeological Report must identify all archaeological resources and assess their significance and make recommendations (as indicated in section 38(3) of the NHRA) about what mitigation may be required.

A Palaeontological study must be undertaken to assess whether or not the development will impact upon significant palaeontological resources. Alternatively, a letter of exemption from a Palaeontologist is required to indicate that this is unnecessary. If the area is deemed sensitive or if significant heritage is identified, a full Palaeontological Report may be required.

The impacts of the proposed development on any other heritage resources such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of



The South African Heritage Resources Agency

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victims of conflict, and significant cultural landscapes or viewscapes must also be assessed.

SAHRA looks forward to receiving this heritage report and will provide comment before the project can commence.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Jenna Lavin
Heritage Officer
South African Heritage Resources Agency

Colette Scheermeyer
SAHRA Head Archaeologist
South African Heritage Resources Agency

ADMIN:
(MDEDET, Ref: 17/2/3N-210)

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.



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