

BASIC ENVIRONMENTAL IMPACT ASSESSMENT PROCESS FOR THE PROPOSED CONSTRUCTION OF ADDITIONAL EIGHTEEN BROILER HOUSES.

Our Ref: 15281



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: 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

Enquiries: Nokukhanya Khumalo

Tel: 021 462 4502

Email: nkhumalo@sahra.org.za

CaseID: 15281

Date: Wednesday September 23, 2020

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Interim Comment

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

Attention: Mr Bongani
NKT Consulting

The development is an extension of an existing development of the same nature. An environmental authorisation for the existing development was issued in 2014 for both Portions 17 and 19 of Modderbult 511IR.

Modderbult Broedery cc is proposing to extend their chicken broiler houses on Portion 17 and 19 the farm Modderbult 511 IR, Dipaliseng Local Municipality of Mpumalanga Province. They propose to construct an additional 18 broiler houses (125m x 15m in extent).

They have appointed NKT Consulting Services (Pty) Ltd to undertake a Basic Assessment (BAR) application process in support of an Environmental Authorisation application in terms of the National Environmental Management Act, 1998 (NEMA), as amended for listed activities in the NEMA EIA Regulations 2014, as amended.

A Basic Assessment Report was been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting. The heritage sections of the BAR states that the area is a brownfield site and that the previous agricultural activities.

However, this statement is not made by a heritage expert knowledgeable on the local heritage of the proposed development area. All heritage must be assessed when a development is undergoing a NEMA application as such the above statement is not a sufficient assessment of impacts to heritage and does not comply with section 38(8) and 38(3) of the NHRA.

Interim Comment

In terms of the National Heritage Resources Act, no 25 of 1999 (NHRA), heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are generally protected. They may not be disturbed without a permit from the relevant heritage resources authority. In contexts of development applications, the developer must ensure that no heritage resources will be impacted by the proposed development, by lodging an application to SAHRA and submitting

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detailed development specifications as a notification of intent to develop. If the application is made in terms of s. 38 (8) of the NHRA then it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is undertaken, as s. 38(2)a does not apply. Such a study should follow the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports and section 38(3) of the NHRA.

The HIA or a letter of recommendation for exemption from undertaking a HIA must be undertaken by a suitably qualified archaeologist and it must comply with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). Once the report is submitted to the case for commenting, SAHRA will provide further comments on this proposed development.

In addition, SAHRA also requires an assessment of palaeontological resources by a suitably qualified palaeontologist.

The HIA and PIA must be provided to SAHRA prior to the submission of the final BAR to the competent authority. All these documents will be assessed by SAHRA and the comment issued must be included in the final BAR.

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

Yours faithfully

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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Phillip Hine

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/538120>

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