



an agency of the  
Department of Arts and Culture

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CaseID: 16333

Date: Friday October 22, 2021

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## Final Comment

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

Attention: Mr Ngonidzashe Chimusoro

Mpumalanga Department of Public Works, Roads and Transport

### **The Proposed Construction Of 1.19km Of New Road From New Junction Of D4409 And D4416 And Ends At A Proposed Location On The R531 (P194) Bushbuckridge Local Municipality, Mpumalanga**

Department of Public Works has appointed NCC Environmental Services (Pty) Ltd to undertake a Section 24G application, a Basic Assessment application process and a EMPr in support for an Environmental Authorisation (EA) in terms of the National Environmental Management Act, Act no 107 of 1998 (NEMA) as amended, for activities that trigger the NEMA Environmental Impact Assessment (EIA) 2014 Regulations, as amended.

The Department of Public Works has commenced with the upgrading of several public roads and wishes to continue road upgrades amounting to 15.89 km in length, in the Bohlabela region of the Bushbuckridge Local Municipality of Mpumalanga Province. Construction will also include 2 burrow pits for the material to use on the road.

A Heritage Impact Assessment (HIA) report by PGS Heritage (Pty) Ltd has been submitted to SAHRA for commenting in terms of section 38 of the National Heritage Resources Act, no. 25 of 1999 (NHRA).

*De Bruyn, C. February 2021. Upgrade Of Road D4407 Between Hluvukani And Timbavati, Road D4409 At Welverdiend And Road D4416/2 Between Welverdiend And Road P194/1 In The Bohlabela Region Of The Mpumalanga Province.*

The author undertook a field assessment of the proposed road upgrades and identified 21 heritage resources/sites consisting of local churches, burial grounds, historical buildings and ruins. Sites HR-03 to HR-05 are historical houses of low heritage significance. HR-06 and HR-07 combined are the remains of farmstead infrastructure of very low heritage significance. Sites HR-08 to HR-21 are burial grounds and graves. The author recommends the following:

Sites HR-08, HR-09 and HR-15 are unknown graves that were partially impacted by the road construction that forms part of the 24G application. The authors recommend fencing of the site to prevent further damage and



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for social consultation process to be undertaken so the grave can be relocated.

Site HR-16 is an unknown infant grave located within 10m of the proposed construction activities. The author recommends that the entire area that the location of the grave may be must be fenced off and considered a No-go area.

The remaining graves (HR-10 to 14 and HR-16 to 21) are located from 40m to 100m depending on the cemetery and the authors recommend a 30m no-go area around them.

The existing fences around the historical buildings are a sufficient to protect against damage and provides no further mitigation measures.

The SAHRA issued an Interim Comment dated 03/06/2021 requesting the submission of a .kml file to the palaeosensitivity map to determine whether a palaeontological impact assessment is required, and the submission of the environmental documents.

The .kml file was submitted on 07/10/2021 and the road diversion is located in a region that has very low palaeontological significance. The palaeomap policy states that there is no requirement for a palaeontological assessment.

However, SAHRA notes that the BAR incorrectly states that there is no heritages identified, this is incorrect. There are a number of heritage resources that have been identified and they should be mentioned along with the proposed mitigation measures in the HIA, or as summarised in this comment.

## Final Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) accepts the HIA report and recommendations contained therein. The SAHRA has no objection to the development going ahead on the following conditions:

The comments that SAHRA provides must be included in the Final BAR.

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.

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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).

The Burial Grounds and Graves (BGG) Unit has noted the recommendations provided in the HIA report. The proposed buffer zone for sites HR-10 to 14 and 16 to 21 must be increased to at least 30m. A social consultation process in terms of Chapter XI of the NHRA Regulations, must be carried out to identify the descendants of the burials at sites HR-08, HR-09, HR-15 and HR-16. If the family agrees to the fencing of site HR-016, then a section 36 NHRA permit application must be logged on SAHRIS for the fencing of the grave site.

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 Tshivhase/Mimi Seetelo 072 802 1251).

The Final BAR and its appendices must be submitted to the case and once a Record of Decision from the competent authority is issued, it must also be submitted 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  
Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/569504>  
(DARDLEA, Ref: 1/3/1/16/1E-345)

**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.