



an agency of the
Department of Arts and Culture

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CaseID: 18255

Date: Tuesday July 26, 2022

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Final Comment

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

Attention: SANRAL

Private Bag X 17
Lynnwood Ridge
0040

SANRAL is proposing road upgrades and improvements to the existing Schoemanskloof Route (R539) in order to improve traffic flow speeds and improve safety. This will be undertaken by lengthening existing overtaking lanes, introducing new overtaking lanes, re-aligning certain sections, introducing road safety upgrades and introducing formal and safer intersections to reduce the high number of informal access roads of the R539. These activities will take place along the existing Schoemanskloof R539 road is situated between eNtokozweni (Machadodorp) and Mbombela (Nelspruit) in the Mpumalanga Province of South Africa.

SANRAL (SOC) Ltd have appointed Prism Environmental Management Services (Pty) Ltd to undertake a Basic Assessment application process in support for an Environmental Authorisation (EA) application for the upgrade of the Schoemanskloof Route (539) between eNtokozweni and a T-Junction between the N4 and R539.

A Basic Assessment Report has been submitted to SAHRA for commenting 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 project consists of the widening of the existing R539 road to make it a two lane road, widening the intersections and to improve road signage and road shoulders.

A Heritage Impact Assessment (HIA) by Beyond Heritage Cultural Resources Consultants cc has been submitted to SAHRA for commenting in terms of section 38 of the National Heritage Resources Act, no. 25 of 1999 (NHRA).

Van der Walt, J. March 2022. Heritage Impact Assessment required under Section 38(8) of the NHRA, 1999 (Act 25 of 1999) for the Proposed Schoemanskloof Route R539 Improvement Project, Mpumalanga.



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The author undertook a field assessment of the proposed development area and identified various disturbed stone walled sites in the road reserve. The access routes will impact on several similar Iron Age stone walled settlements and Iron Age sites as well as burial sites and ruins. Sites SCH001-SCH004 marks a cluster of packed stone walled features running along the proposed line, they are also seen on historical maps. These sites are of medium significance. Sites SCH003-SCH004, and SCH022 are a concrete bridge and concrete slab of unknown ages, sites SCH025, SCH030, and SCH032 are remains of homestead buildings, they are all of low significance. Sites SCH007-SCH011, Sites SCH015-SCH017, SCH021, SCH027, SCH029 and SCH033 are ephemeral stone walled sites and pottery of low significance. Site SCH0012 is an Early Iron Age stone walled and site SCH031 is a densely packed LIA stone walled sites, both sites are of medium significance. Sites SCH018-SCH020, and SCH024 are stone packed burials, a small cemetery with recent graves and another small cemetery in a bamboo thicket; all these sites are of high significance.

The author recommends the following:

The project can commence provided that the recommendations in this report (including the site-specific mitigation measures in Table 2) are adhered to and based on the South African Heritage Resource Authority (SAHRA) 's approval:

Preservation of recorded heritage features in-situ if this is not possible mitigation measures for these sites are outlined in Table 2;

If the recorded grave sites are to be retained in-situ without a 30 m buffer zone then a social consultation process in terms of Chapter XI of the NHRA Regulations, must be carried out to identify the descendants of the burials and to obtain permission to encroach on the identified graves;

Should final adjustments be made to the preliminary access route alignments due to heritage sensitivities already found, a final heritage walkdown must be conducted for these sections where changes are made;

Should additional heritage constraints be identified through the Public Participation Process of the BAR, these must be included in the Final EMP for implementation during and after construction;

Compilation of a Development Heritage Management Plan (DHMP) to ensure ongoing protection and management of recorded heritage resources; and

Implementation of a chance find procedure for the project.

The study area is located in a region with Very High, High and Low palaeontological sensitivity and according to the palaeo-sensitivity map policy, a Palaeontological Impact Assessment must be undertaken. The PIA report was submitted on 21/07/2022 along with an amended HIA report.



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Bamford, M. July 2022. Palaeontological Impact Assessment for the proposed N4 Schoemanskloof R539 road upgrade, Mpumalanga Province. Desktop Study.

The eastern section of the road upgrades are located in an area underlain by rocks of the Transvaal Basin overlying the ancient igneous rocks of the Nelspruit suite. The valleys are capped by Quarternary aged sediments. A short section (about 800m near Koedoeshoek and Crocgrove) occurs on the very highly sensitive Malmani Subgroup that could have stromatolites. The route is already very disturbed from the road and servitude, as are the minor roads that join the R539. The author recommends the implementation of chance finds procedures included under section 8 of the PIA desktop report.

Van der Walt, J. July 2022. Heritage Impact Assessment required under Section 38(8) of the NHRA, 1999 (Act 25 of 1999) for the Proposed Schoemanskloof Route R539 Improvement Project, Mpumalanga.

The report was amended to include the recommendations provided in the PIA desktop report and to provide an overall mitigation and management plan.

Final Comment

The SAHRA Archaeology, Palaeontology, and Meteorites (APM) Unit notes and accepts the submission of the draft BAR, HIA and PIA desktop reports, and accepts the recommendations provided by the Heritage Specialists. SAHRA has no objections to the proposed development on the following conditions:

A Heritage Management Plan (HMP) that includes the HIA mitigation measures must be developed and used throughout the duration of construction activities. The HMP must include the Fossil Chance Finds procedure in the PIA desktop report under section 8.

If the alignment of the road is changed or final adjustments are made then a walk down assessment must be undertaken by a suitably qualified archaeologist and a report of the assessment must be submitted to SAHRA. The identified Later and Early Iron Age (LIA and EIA) Stone walled settlements (SCH001-SCH004, SCH007-SCH012, Sites SCH015-SCH017, SCH021, SCH027, SCH029, SCH031 and SCH033) must be conserved *in situ* and a buffer zone of 30m must be maintained throughout construction of the road.

However, if the sites will be impacted by construction activities related to this development then a section 35(4)



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permit application must be applied for by a suitably qualified archaeologist as defined in the NHRA and Chapter IV NHRA Regulations.

The construction manager must receive training in identifying all heritage remains and types that occur in the area including stromatolites, Iron Age burials, and stonewalled sites.

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 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).

The Burial Grounds and Graves (BGG) Unit accepts the recommendations for the burial grounds (SCH018-SCH020, SCH024) identified in the HIA report and the SAHRA BGG supports the conservation of the burials *in situ*, with a buffer zone of at-least 30m. If the buffer zone becomes impossible to maintain, then the graves must be relocated if the descendant families agree to the relocation. Before relocation of any burials may occur, permission from the family members must be sought. 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. Permission for the exhumation and relocation of younger graves must be obtained from the relevant authority in terms of the Human Tissue Act and related legislation(s).

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/Ngqalabutho Madida 012 320 8490).

Proposed Upgrade of the Schoemanskloof Route R539, Mpumalanga, South Africa

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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

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/594673>
(DEA, Ref: TBC)

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.