

Debushing of sections on the farm Naude's Rust, Lows Creek, for agricultural purposes

Our Ref:



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town
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Enquiries: Natasha Higgitt
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CaseID: 20380

Date: Tuesday May 23, 2023
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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: Rhengu Environmental Services

P O Box 1046
MALELANE
1320

A Phase 1 AIA & HIA for the proposed Naude's Rust debushing project on portions 17 & 21 of the farm Naude's Rust, Kaapmuiden, Mpumalanga Province

Rhengu Environmental Services has been appointed by Mr. Walter Giurichich to undertake an Environmental Authorisation Application for the proposed clearing of natural and transformed land for Agricultural use and clearance of an area of 60 ha of portions 17 and 21 of the farm Naudes Rust 272 JU, near Louws Creek, Mpumalanga Province.

A Draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed activities will include the clearance of 60 ha to accommodate new orchards.

Adansonia Heritage Consultants were appointed to provide heritage specialist input as part of the EA process as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Van Wyk Rowe, C. 2022. Phase 1 Archaeological / Heritage Impact Assessment for the Proposed Naude's Rust Debushing Project on Portions 17 & 21 of the Farm Naude's Rust 272JU, Kaapmuiden - Lows Creek Area, Mpumalanga Province

A single Iron Age potsherd of low heritage significance was identified within the proposed development area. A Chance Finds Procedure is recommended to be followed.

In an Interim Comment issued on the 27/01/2023, SAHRA noted the submitted of the HIA and requested that

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the Draft EIA inclusive of appendices be submitted so that an informed comment could be issued. The DEIA and appendices have since been submitted (21/04/2023).

Final Comment

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:

- 38(4)a – The SAHRA Development Applications Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/ Ngqabutho Madida 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
- The Final EIA must be submitted to the SAHRIS application for record purposes;
- The decision regarding the EA application must be submitted to the SAHRIS application for record purposes.

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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Natasha Higgitt
Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/611353>

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.