



an agency of the  
Department of Arts and Culture

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CaseID: 20760

Date: Wednesday March 29, 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: Mr Bafana Tshepo Mavundla

**The project entails a development of a burial site an associated infrastructure on the Remaining Extent of Portion 10 (a portion of Portion 9) of the Farm Doornrug 302 JS. Emalahleni, Mpumalanga Province.**

Eaglesage has been appointed by Su Casa Burial Estate (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed Su Casa Private Burial Estate and associated activities on portion 10 of the farm Doornrug 302, near Witbank, Mpumalanga Province (DARDLEA REF: 1/3/1/16/1N-345).

A draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development ( $\pm 26$  ha) will include the construction of a chapel, dining hall, ablution facilities with septic tanks, offices, parking, roads, walkways, landscaping, ash scattering garden, upgrade to boreholes, electrification of the facilities, fencing and excavations of grave sites to a depth of 2m when required.

Prof Marion Bamford and Dr Xander Antonites were appointed to provide heritage specialist input as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Bamford, M. 2022. Palaeontological Impact Assessment for the proposed Sukasa Cemetery, Witbank area, Mpumalanga Province*

The proposed development area is underlain by moderately fossiliferous rocks of the Dwyka Group that may contain *Glossopteris* flora fossils, although there are no mudstone facies in the area that may contain them. A Fossil Chance Finds Protocol is recommended to be implemented.

*Antonites, X. 2022. Heritage Impact Assessment Report: Proposed Cemetery on Doornrug 302, Portion 10, Emalahleni, Mpumalanga Province.*

A total of seven (7) heritage resources were identified within the proposed development boundary. These



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include historical/recent buildings, stone features and stone and brick ruins of low heritage significance. No mitigation measures have been provided.

### Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMPr:

- 38(4)a – The SAHRA has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
  - A tracklog of the completed survey must be submitted;
  - As Sites 02 – 07 are most likely not older than 60 years old, they are not considered to be heritage resources, however, demolition and ground clearance around sites 02, 03, 04, 06 and 07 must be monitored, as human remains may be present. These human remains would most likely be younger than 60 years and not protected by the NHRA, but will still be protected by other legislation;
  - Should site 01 be older than 60 years, a permit must be applied for the destruction of the site in terms of section 34 of the NHRA from the Mpumalanga Provincial Heritage Resources Authority;
- 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 (Natasha Higgitt 021 202 8660/ [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense 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 offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51 of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
  - With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above;
  - 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

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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 BAR and EMPr must be submitted to SAHRA for record purposes;
- The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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

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**ADMIN:**

Direct URL to case: <https://sahrissahra.org.za/node/613610>

**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.