

Our Ref:



an agency of the  
Department of Arts and Culture

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CaseID: 22301

Date: Monday September 18, 2023  
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## Interim Comment

### In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Mr Munyadziwa Magoma  
Vhubvo Archaeo-Heritage Consultants  
P.O. Box 696  
Sibasa  
0970 Makwarela

### Upgrade of University of Venda access road and construction of a bridge connecting to the R524 Road on portion 0 of the Fram Beuster 253 MT and Palmerville 254 MT within Thulamela Local Municipality of Vhembe District Municipality, Limpopo Province

Mawedza Geo-Environmental Consulting (Pty) Ltd were appointed by the University of Venda to conduct an Environmental Authorisation (EA) Application for the proposed upgrading of University of Venda access road from R524 and a bridge in Thulamela Local Municipality of Vhembe District, Limpopo Province (LEDET Ref: 12/1/9/3-V49).

A Basic Assessment process was conducted in 2019-2022, in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The development will include a 1.1 km road within the current road servitude and bridge across a wetland.

Vhubo Archaeo-Heritage Consultance CC was appointed to provide specialist heritage input as part of the EA process 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).

*Magoma, M. 2019. Phase I Archaeological and Cultural Heritage Impact Assessment Specialist Report for the Proposed University of Venda access road and a bridge on portion of farm Beuster 253 MT and Palmerville 254 MT in Thulamela Local Municipality of Vhembe District Municipality, Limpopo Province*

The HIA did not identify any heritage resources within the development area. It must be noted that no tracklog of the surveyed area was submitted as part of the report, and there is no evidence of consultation as required by section 38(3)e of the NHRA. However, the EA did include a Public Participation component and no comments or concerns regarding heritage resources were submitted by the public as part of the NEMA EA application.

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It is noted that the Limpopo Heritage Resources Authority (LIHRA) provided comments as part of the EA application, however, it must be stated that LIHRA is not competent to provide comments in this regard.

The EA was granted on the 07/07/2020. It must be stated that no application was submitted to SAHRA, and as the competent authority in terms of section 38(8) of the NHRA, SAHRA was not afforded the opportunity to provide comments as part of the EA application.

As part of a complaint received regarding possible destruction of alleged graves within the development area. A Ground Penetrating Radar (GPR) scan was conducted for the area where the alleged graves were located. Through the complaint, SAHRA was made aware that an EA had been issued for the development. SAHRA has subsequently appealed the granting of the EA.

The current application created on 4 September 2023 (all documents were provided on 11 September 2023) on SAHRIS seeks to rectify the process that was not followed as part of the EA application.

## Interim Comment

SAHRA requests that the HIA be revised to include a tracklog of the surveyed development by the heritage consultant. Additionally, as the development is located in an area of moderate sensitivity as per the SAHRIS PalaeoSensitivity map, a desktop assessment of the impact to palaeontological resources by a qualified palaeontologist must be conducted. The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments. The GPR report reviewed by an archaeologist, must be submitted as part of the application.

Further comments will be issued upon receipt of the above reports.

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://sahris.sahra.org.za/node/624336>