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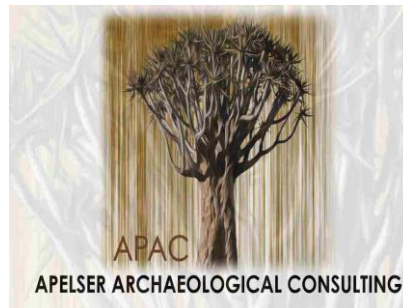
LYNNWOOD RIDGE

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Tel: 083 459 3091

Fax: 086 695 7247

Email: apac.heritage@gmail.com



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CK 2006/014630/23 **VAT NO.: 4360226270**

APAC021/06

2021-01-26

Your Reference: Case ID's #11989; 11990 & 11991

To: Me. Natasha Higgitt

South African Heritage Resources Agency
P.O. Box 4637
CAPE TOWN
8001

RE: CHANCE FINDS PROCEDURE FOR THE BLOEMHOF EXTENSIONS 11-13 TOWNSHIP DEVELOPMENTS ON VARIOUS PORTIONS OF KLIPFONTEIN 344HO, LEKWA-TEEMANE LOCAL MUNICIPALITY, NORTHWEST PROVINCE

APelser Archaeological Consulting cc (APAC cc) was appointed by Maxim Planning Solutions Proprietary Limited to undertake the Phase 2 Archaeological Mitigation of a number of Stone Age open-air surface sites that will be impacted by the development of the above Townships. Part of this appointment includes the development and submission of a Chance Finds Procedure.

Background

In 2017 Lekwa-Teemane Local Municipality appointed Maxim to conduct an application process for the establishment of the proposed townships Bloemhof Extension 11, 12 & 13 on various portions of the farm Klipfontein 344HO in the Northwest Province. As part of this process APelser Archaeological Consulting cc (APAC cc) was appointed by Maxim to undertake the Phase 1 HIA's for these proposed township establishments.

During these assessments APAC cc recorded a number of sites that included open-air Stone Age surface sites and recommended that Phase 2 mitigation should be undertaken before any development commences. The recommendations included the detailed mapping of the areas, as well as sampling of representative material from these sites to determine exactly the time-frame of Stone Age presence in and the utilization of the area. It was also recommended that should any previously unknown or invisible sites, features or materials be uncovered during any development actions, then an expert should be contacted to investigate and provide recommendations for the way forward.

AJ Pelser BA (UNISA), BA (Hons) (Archaeology) [WITS], MA (Archaeology) [WITS]

Beatrix Bed & Breakfast Trading as A Pelser Archaeological Consulting

SAHRA approved these recommendations in their Final Comments Letters dated to 18th July 2018 on the township establishments and as part of their requirements included the development and submission of a Chance Finds Procedure for their review and comment prior to construction commencing.

This document therefore represents the requested Chance Finds Procedure as indicated.

Relevant Legislation

Aspects concerning the conservation of cultural resources are dealt with mainly in two acts. These are the National Heritage Resources Act (Act No. 25 of 1999) and the National Environmental Management Act (Act No.107 of 1998), as amended.

The National Heritage Resources Act

According to the above-mentioned act the following is protected as cultural heritage resources:

- a. Archaeological artefacts, structures and sites older than 100 years;
- b. Ethnographic art objects (e.g. prehistoric rock art) and ethnography;
- c. Objects of decorative and visual arts;
- d. Military objects, structures and sites older than 75 years;
- e. Historical objects, structures and sites older than 60 years;
- f. Proclaimed heritage sites;
- g. Grave yards and graves older than 60 years;
- h. Meteorites and fossils; and
- i. Objects, structures and sites of scientific or technological value.

The National Estate includes the following:

- a. Places, buildings, structures and equipment of cultural significance;
- b. Places to which oral traditions are attached or which are associated with living heritage;
- c. Historical settlements and townscapes;
- d. Landscapes and features of cultural significance;
- e. Geological sites of scientific or cultural importance;
- f. Sites of Archaeological and palaeontological importance;
- g. Graves and burial grounds;
- h. Sites of significance relating to the history of slavery; and
- i. Movable objects (e.g. archaeological, palaeontological, meteorites, geological specimens, military, ethnographic, books etc.).

A Heritage Impact Assessment (HIA) is the process to be followed in order to determine whether any heritage resources are located within the area to be developed as well as the possible impact of the proposed development thereon. An Archaeological Impact Assessment (AIA) only looks at archaeological resources.

According to Section 38 (1) of the Act, an HIA must be done under the following circumstances:

- a. The construction of a linear development (road, wall, power line, canal etc.) exceeding 300m in length.
- b. The construction of a bridge or similar structure exceeding 50m in length.
- c. Any development or other activity that will change the character of a site and exceed 5 000m² or involve three or more existing erven or subdivisions thereof.
- d. Re-zoning of a site exceeding 10 000m².
- e. Any other category provided for in the regulations of the SAHRA or a provincial heritage authority.

Description of the Development Area

Bloemhof Extensions 11-13 is located on a portion of the Remaining Extent of Portion 1 and a portion of the Remaining Extent of Portion 15 (Extension 11); Remaining Extent of Portion 1 and the Remaining Extent of Portion 26 (Extension 12) and Remaining Extent of Portion 1 (Extension 13) of the farm Klipfontein 344HO. These developments are located in the Lekwa-Teemane Local Municipality (Bloemhof) of the Northwest Province.

The proposed development area is underlain by mostly igneous rocks of the Allanridge Formation (Ventersdorp Supergroup), which is highly unlikely to contain fossils. Recommendations provided in the related PIA reports included that in the unlikely event that fossils are exposed in overlying Quaternary sediments, which may be present in the area, in the course of the proposed development, a qualified palaeontologist must be contacted to assess the exposure so that the necessary rescue operations are implemented.

Chance Finds Procedure

The following procedure needs to be followed should any previously unknown archaeological sites, features or material is accidentally discovered during any development activities:

- (a) All construction activities in the vicinity of the accidental find/feature/site must stop immediately to avoid further damage to the find site.
- (b) the discovery should be reported to the site supervisor and/or project ECO who will provide further instructions.
- (c) the Site Supervisor/ECO needs to report the find to the Site Manager who needs to notify the project archaeologist/heritage specialist and SAHRA.
- (d) barricade the discovered find/ feature/ site and provide a buffer zone of at least 20m around the find within which no work is allowed. This is to prevent any further damage to or removal of material
- (e) record the GPS location of the find if able to do so and take detailed photographs.
- (f) once the project archaeologist/heritage specialist has been informed of the find a site visit will be scheduled as a matter of urgency and he/she will undertake the inspection process as required.
- (g) In the case of human remains, in addition to the above, the SAHRA Burial Ground Unit will be contacted and the guidelines for the treatment of human remains will be adhered to. If skeletal remains are identified, the archaeologist/heritage specialist needs to investigate examine the remains to determine if it is indeed human in origin and what the possible age of the remains are.
- (h) After the site inspection the project archaeologist/heritage specialist will complete a report on the findings as part of the possible required permit application process.
- (i) Once final authorisation has been provided by SAHRA, the developer/client will be informed when construction activities may resume in the area of the accidental discovery.

Should the archaeologist/heritage specialist conclude that the find is a heritage resource protected in terms of the NRHA (1999) Sections 34, 36, 37 and NHRA (1999) Regulations (Regulation 38, 39, 40) he/she will notify SAHRA on behalf of the developer/client. SAHRA may require that a rescue exercise be conducted in terms of NHRA Section 38, this may include rescue excavations, for which the archaeologist/heritage specialist will submit a rescue permit application having fulfilled all requirements of the permit application process.

In the event that human remains are accidentally discovered, SAHRA's Burial Ground & Graves Unit or the archaeologists/heritage specialist must immediately be notified of the discovery so that the necessary processes can be followed:

- a. the inspection, evaluation and documentation of the exposed burial or skeletal remains in order to determine further action in consultation with the SAPS and other authorities (local Traditional Authorities if required)
- b. determining the age of the accidental discovery in order to determine whether the burial or human remains are older than 60 years of age (therefore falling under the jurisdiction of SAHRA) or if it is younger than 60 years (under the jurisdiction of the Department of Health in terms of the Human Tissue Act).
- c. The local SAPS needs to be notified to inspect the accidental discovery in order to determine whether the site represents a recent/previously unknown crime scene or not.
- d. Once the accidental discovery has been inspected and evaluated the archaeologist/heritage specialist then needs to track and consult any potential descendants or custodians of the affected burial/human remains.
- e. Consultation with any possible traditional authorities, COGTA Local Municipality, Dept. of Health and SAPS must also be undertaken in order to get permission for the rescue of the remains. Consultation must be done in terms of NHRA (1999) Regulations 39, 40, 42;
- f. Once consent from possible affected families and all other stakeholders have been obtained a Rescue Permit application will be completed and submitted to the SAHRA Burial Ground and Graves Unit.
- g. As soon as the rescue permit is issued by SAHRA the archaeologist/heritage specialist will in conjunction with the developer/client schedule and plan the exhumation and relocation process in terms of logistics and the appointment of an experienced & registered undertaker to conduct the relocation process.
- h. The rescue process needs to be done under the supervision of the archaeologist/heritage specialist, the developer/client representative and possible affected family members.
- i. In fulfilled the requirements of the rescue permit a mitigation report which details the whole process from discovery to relocation will be submitted to SAHRA and to the developer/client.

The following procedure needs be followed in the event of a previously unknown fossils or fossil sites being exposed or found during any development activities:

1. Surface excavations should continuously be monitored by the ECO and should any fossil material be unearthed all development activities in the area must be halted.
2. Should any fossiliferous material be disturbed during the development process it should be put aside to prevent it from being destroyed.
3. A GPS reading of the site and photographs of the material and the site from which it came needs to be taken.
4. The Site Supervisor/ECO needs to contact a palaeontologist and supply the palaeontologist with the information (locality and pictures) so that the palaeontologist can assess the importance of the find and make recommendations.
5. If the palaeontologist is of the opinion that this is a major find an inspection of the site must be scheduled as soon as possible in order to minimise any delays to the development.

The palaeontologist will then make one of the following recommendations:

- a. The material is of no value so development can proceed, or:
 - b. Fossil material is of some interest and a representative sample should be collected and put aside for further study and to be incorporated into a recognised fossil repository after a permit was obtained from SAHRA for the removal of the fossils, after which the development may proceed, or:
 - c. The fossils are scientifically important and the palaeontologist must obtain a SAHRA permit to excavate the fossils and take them to a recognised fossil repository, after which the development may proceed.
7. Should any fossils be found then a monitoring schedule needs to be set up between the developer/client and palaeontologist in case of further discoveries.

This Chance Finds Procedure needs to be accepted and implemented prior to any development activities for the Bloemhof Extensions 11-13 Townships establishments commencing. SAHRA needs to review and comment on this document and should any amendments be required this will be affected prior to final implementation.

Conclusions & Recommendations

APelser Archaeological Consulting cc (APAC cc) was appointed by Maxim Planning Solutions Proprietary Limited to undertake the Phase 2 Archaeological Mitigation of a number of Stone Age open-air surface sites that will be impacted by the development of the above Townships. Part of this appointment includes the development and submission of a Chance Finds Procedure.

Should there be any questions or comments on the contents of this document please contact the author as soon as possible.

Kind regards



Anton Pelser

References

1. Republic of South Africa. 1999. National Heritage Resources Act (No 25 of 1999). Pretoria: the Government Printer.
2. Republic of South Africa. 1998. National Environmental Management Act (no 107 of 1998). Pretoria: The Government Printer.
3. Sativa Travel and Environmental Consultants (Pty) Ltd. **Chance Finds Procedure for Sedibeng Regional Sanitation Scheme:Pipe line to Pump Station 2 running in the vicinity of Vereeniging Concentration Camp Cemetery (Beaconsfield Cemetery) in Vereening Gauteng Province.** November 2019.