

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
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Enquiries: Annlin Matabane
Tel: 0123208490
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CaseID: 13987

Date: Friday October 11, 2019
Page No: 1

Final Decision

In terms of Section 36(3) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Mr Aron Senyolo
Eskom - NWOU

The project aims to remove the electrical infrastructure from the graveyard in Magogoe village. The graves were fenced in the year 2015 and thus fencing the Eskom line within the graveyard. The Eskom line was commissioned in 1998 and it currently runs for about 200m within the graveyard. During maintenance it is likely that the graves may be affected as they are encroaching on the poles. The project will take place in Magogoe Village around Mafikeng in the North West province.

Eskom plans to remove the line that was fenced when the graves in Magogoe village were fenced in the year 2015. The Eskom line was commissioned in 1998 and it currently runs for about 200m within the graveyard. During maintenance it is likely that the graves may be affected as they are encroaching on the poles. The poles will be removed by cutting them rather than digging them out and new poles be planted outside the graveyard. The project is also being carried out by Eskom in order to strengthen the supply of electricity as the conductors will be upgraded on the new line. The new line is approximately 250m.

Thank you for informing SAHRA of the proposed power line development in Magogoe village, and the subsequent "dismantling or removal of the poles from within the graveyard area and plant them outside the graveyard" as stated in the EMP submitted to SAHRA.

The power line will be located on the farm Ratshidi 302, Mafikeng Local Municipality, North West Province. The length of the Low voltage power line is intended to be 250m, starting at the substation into the LMV 245 rural feeder to supply Magogoe village, as well as to strengthen the supply of electricity as the conductors will be upgraded on the new line.

It should be noted that this proposed development does not constitutes a linear development of 300m as per Section 38(1) of the National Heritage Resources Act (Act 25 of 1999). In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999), the relevant heritage authority is required to determine whether or not the proposed development is likely to impact on any significant heritage resources. As per Section 36 (3) of the National Heritage Resources Act (Act 25 of 1999) no person may, without a permit issued from SAHRA or a provincial heritage resources authority- destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which

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contains such graves.

Based on the submitted information to this case, the route in which the new power line is intended to outline the existing informal road servitude located in the Magogoe village, where adjacent to the existing substation the land has been modified by the residential areas as well as the installation of the fence around the cemetery.

Final Decision

Due to the low ground clearing and disturbance of a 11kv power line construction and/or development, it is unlikely that the burial ground and any other heritage resources will be disturbed during the installation of the new power line. Regarding the dismantling of the existing poles in the area of proposed power line removal route as it transverses the cemetery, SAHRA BGG supports the recommendation to ensure the poles are cut out at ground level and not excavated. As such no further heritage studies are required as per Section 38(2)b. As per Section 38(3) a, the cemetery is a demarcated highly significant heritage area and SAHRA BGG requires that careful site monitoring to be observed.

SAHRA Burial Grounds and Graves (BGG) Unit has no objection to the proposed development on the condition that:

- strict adherence to the proposal to cut the poles as opposed to digging them out as well as ensuring careful monitoring of any disturbances on site to prevent any damage to burial grounds and graves within the cemetery
- If any evidence of any human remains, archaeological or palaeontological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments and charcoal/ash concentrations), fossils or other categories of heritage resources are found during the proposed activities, SAHRA APM Unit (Natasha Higgitt/Philip Hine 021 462 4502), and any unmarked human burials contact the SAHRA BGG Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately, and a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contacted as soon as possible to inspect the findings. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance a Phase 2 rescue operation might be necessary.
- The applicant is hereby notified to ensure compliance with these conditions as well as the NHRA (Act 25 of 1999) and any other legislation
- human remains at all times are to be handled with respect and graves should not be disturbed as far as possible.

Application for removal of electrical infrastructure within the graveyard

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- SAHRA shall not be held liable for any losses, damages or injuries to persons or properties as a result of any activities in connection with this decision.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Annlin Matabane
Heritage Intern
South African Heritage Resources Agency

Mimi Seetelo
Manager: Burial Grounds & Graves Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/524835>