



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: 16684

Date: Friday January 14, 2022
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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: Bertus Bierman
Lebalelo Water User Association
8 Charbury Road, Lynnwood Manor, Pretoria, 0081

Lebalelo Water User Association (LWUA) is proposing upgrades at its Clapham Dam located near Burgersfort, Limpopo Province. The proposed upgrades at LWUA's Clapham Storage Dam is required as several developments have taken place around the dam and LWUA wishes to take precautionary measures should the dam overflow. The purpose of the upgrades will ensure that if the dam overflows, water is handled in a controlled and safe manner to prevent damage to private property and ensure the safety of human lives.

Alta van Dyk Environmental has been appointed by Lebalelo Water User Association (LWUA) to conduct an Environmental Authorisation (EA) Application for the proposed upgrades to the Clapham Storage Dam on Portion 0 of farm Clapham 118KT, near Burgersfort, Limpopo Province (DFFE Reference Number: 14/12/16/3/3/1/2446).

A draft Basic Assessment Report (DBAR) was submitted in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA) and the NEMA EIA Regulations (As amended). The proposed development will include new overflow structure, inlet structure, repair to damage embankment of dam, extension of scour pipes, overflow pipeline to be constructed along existing pipeline, manholes, outlet structure and channel from structure, erosion protection of the riverbank, extension of concrete encasing around existing pipeline and erosion protection of the pipeline crossing the river.

Beyond Heritage was appointed to provide the heritage specialist reports as part of the EA process as required in terms of section 24(4)b(iii) of NEMA and in terms of section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Van der Walt, J. 2021. Heritage Impact Assessment for the Proposed Clapham Dam Upgrades and Associated Infrastructure near Burgersfort, Limpopo Province.

No heritage resources were identified within the proposed development footprint. The existing municipal cemetery is not defined as a heritage resource as per section 36(3) of the NHRA and are therefore not



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protected by the NHRA. The cemetery is protected as per the Human Tissue Act (Act 65 of 1983) as stated on page 17 of the HIA. The development footprint is located in an area of low palaeontological sensitivity as no further assessment of the impact to palaeontological heritage is required

Recommendations provided in the report include the following:

- Implementation of a chance find procedure for the project;
- The existing fenced in municipal cemetery adjacent to the outlet pipeline must be indicated on development plans and avoided. Care must be taken to ensure that access to the cemetery is not restricted for family members during the construction phase.

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 EMP:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) 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/Phillip Hine 021 462 5402) 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/Ngqalabutho 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 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

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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 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

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/576509>

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(DEA, Ref: 14/12/16/3/3/1/2446)

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.