



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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CaseID: 19799

Date: Thursday November 17, 2022

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## **Final Comment**

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

Attention: SANRAL

Private Bag X 17  
Lynnwood Ridge  
0040

#### **Application for an Environmental Authorisation: for the Proposed Improvements of R33 National Road Section 12: From N1 (Km 77.0) To Section 13 Modimolle (Km 0.6), Located in Modimolle-Mookgopong Local Municipality Within the Waterberg District in the Limpopo Province.**

Environmental Edge (Pty) Ltd have been appointed by South African Roads Agency (SOC) Ltd to undertake an environmental assessment in support of an Environmental Authorisation (EA) in terms of the National Environment Management Act, Act 107 of 1998 (NEMA) for activities that trigger the NEMA EIA 2014 Regulations.

The proposed maintenance of road the R33 National Road, which the proposed improvements will be conducted from section 12 (km 77.0) to section 13 (km 0.6), over 2 river bridges and one railway line bridge. Between these sections there are ramps onto and off the N1, runs adjacent to various properties all the way through the Modimolle town within Modimolle and Mookgopong Local Municipality of Limpopo Province.

A Heritage Impact Assessment (HIA) by PGS Heritage (Pty) Ltd was submitted to the South African Heritage Resources Agency (SAHRA) for commenting in terms of section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). A standalone desktop Palaeontological Impact Assessment by Banzai Environmental (Pty) Ltd.

*Birkeholtz, P. September 2022. Heritage Impact Assessment for the SANRAL R33 Road Upgrade Project located along the R33 between the N1 Highway and the town of Modimolle, Modimolle-Mookgopong Local Municipality, Waterberg District Municipality, Limpopo Province.*

The author undertook a field survey of the proposed road upgrades to R33 near the town of Modimolle and identified 6 heritage resources. These consist of two old bridges (Sites MRUP 1 and 2) that will be directly impacted by road upgrades. 4 historical buildings consisting of the old magistrates court (Site MRUP 3), old



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bioscope (Site MRUP 4), pharmacy (Site MRUP 5) and building used as business premises currently (Site MRUP 6) that will potentially be disturbed or destroyed by the proposed road upgrades. There is potential for disturbance of archaeological remains relating to the town of Modimolle.

The author recommends the following:

Recording of the structural remains. Such recording may include photographic recording, measured drawings and the compilation of a site layout plan. Less recording would be required in cases where the archival research also yielded a building plan or plans;

Compilation of a mitigation report containing all the findings of the archival research as well as the data yielded during the recording of the site; and

Submission of the mitigation report with a destruction permit application to the appropriate heritage authority. Structural remains older than 60 years may only be destroyed once this permit is issued. An archaeological watching brief must be implemented during all construction activities undertaken between Paul Kruger Street and Vos Street.

The SAHRA issued an Interim Comment dated 20/10/2022 requesting the submission of a .kml file, the environmental documents conducted for this application and its appendices. The requested reports by was submitted on 24/10/2022.

*Butler, E. July 2022. PALAEOLOGICAL DESKTOP ASSESSMENT FOR THE PROPOSED IMPROVEMENTS OF THE R33 NATIONAL ROAD SECTION 12: FROM N1 (KM 77.0) TO SECTION 13 MODIMOLLE (KM 0.6), LIMPOPO PROVINCE.*

The study area is underlain by diabase which has negligible palaeontological sensitivity, as well as the Alma and Swaershoek Formations (Nylstroom Subgroup, Waterberg Group) of moderate sensitivity. There is potential for microbial mats and stromatolites to occur in the shales of the main Waterberg Basin; however, there have been none reported in the Nylstroom Subgroup thus far. The author recommends the implementation of Fossil Chance Finds Procedure.

## Final Comment

The SAHRA Archaeology, Palaeontology, and Meteorites (APM) Unit notes and accepts the submission of the draft BAR, PIA and HIA reports. SAHRA has no objections to the proposed development on the following conditions:

38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the



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proposed development;

38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Additional conditions for the development include:

If sites MRUP 3-6 will not be impacted by the development, a 2.5m buffer zone must be adhered to, and demarcated by red danger tape.

If the buffer cannot be maintained then a section 34 of the NHRA permit application must be applied for to Limpopo Heritage Resources Authority (LIHRA).

Site MRUP 3 must be monitored during construction to prevent any potential damage.

An archaeologist must be appointed to monitor the road upgrades through the town of Moodimolle, a monitoring report must be submitted a month after the construction is concluded.

A section 34 permit must be applied for to the LIHRA for the destruction of sites MRUP 1,2 and 6);

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 (Nokukhanya Khumalo/Phillip Hine 021 202 8654) 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(1) of the NHRA;

38(4)e – The following conditions apply with regards to the appointment of specialists:

i) 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 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

**Our Ref: 19799**



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Nokukhanya Khumalo  
Heritage Officer  
South African Heritage Resources Agency

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

**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/606618>

**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.