

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
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 202 8660
Email: nhiggitt@sahra.org.za
CaseID: 22301

Date: Wednesday October 04, 2023
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Interim Comment

In terms of Section 38(3) 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 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.

In an Interim Comment issued on the 18/09/2023, SAHRA requested that the HIA be revised to include a tracklog of the surveyed development by the heritage consultant. Additionally, desktop assessment of the impact to palaeontological resources by a qualified palaeontologist must be conducted. The GPR report reviewed by an archaeologist, must be submitted as part of the application. Since the issuing of the Interim Comment, the above reports have been submitted for review (26/09/2023)

The submitted kml of the tracklog shows the road servitude was surveyed thoroughly by the heritage specialist.

Bamford, M. 2023. Palaeontological Impact Assessment for the proposed construction of a road and bridge for the University of Venda, Thohoyandou, Limpopo Province

The development area is underlain by non-fossiliferous granites and moderately sensitive Sibasa Formation that may contain trace fossils, however, none have been reported in this region. A Fossil Chance Finds Procedure is recommended to be implemented.

Magoma, M. 2023. UNIVEN Gate 3 - GPR Review Report

The review of the GPR report by the duly appointed archaeologist of the University expressed fatal flaws with

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said GPR process and that the results of the GPR could not be accepted.

Recommendations provided in the report include the following:

- The area assumed to be a grave must be demarcated by a danger tape and treated as a burial ground until such time that it has been assessed. No construction activity must transpire on the said area, and the ECO must ensure that construction activities don't impinge on this area;
- A customized investigation on the people who resided in the area prior 1980 must be initiated to authenticate the validity of all assertions regarding grave(s). This consultation must involve interviews and consultation with indigenous groups. Some of these families who resided in the area before it became the property of the University, can still be found in neighbouring villages.

Interim Comment

SAHRA notes the review of the GPR report by the University appointed archaeologist. The following must be adhered to:

- The assumed grave site must be clearly demarcated and avoided with a 30 m buffer;
- The recommended investigation and consultation of residents must be completed;
- A permit for a test excavation must be applied for with the above proof of consultation;
- No work may occur within the assumed grave site until the above actions have been completed.

Alternatively, the road must be re-designed to avoid the assumed grave site with a 30 m buffer.

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

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Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/624336>