

P.O.BOX73703

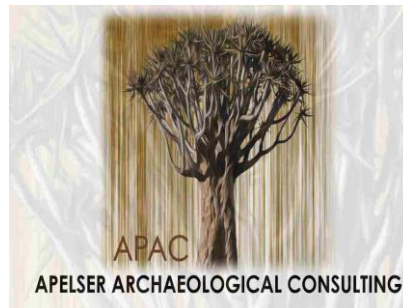
LYNNWOOD RIDGE

0040

Tel: 083 459 3091

Fax: 086 695 7247

Email: apac.heritage@gmail.com



Comprehensive and Professional Solutions for all Heritage Related Matters
CK 2006/014630/23 **VAT NO.: 4360226270**

APAC023/36

2023-04-24

To: Whom it May Concern
South African Heritage Resource Agency
P O Box 4637
Cape Town
8000

RE: Motivation for Exemption from a full Phase I Heritage Impact Assessment – Proposed Development of a Police Station near Ga-Sekororo in the Maruleng Local Municipality of Limpopo

APelser Archaeological Consulting cc (APAC cc) was appointed by Mang Geoenviro Services to provide a motivation for Exemption from a Full Phase 1 HIA for the proposed development of a new Police Station (Ga-Sekororo). The study area and site are located in the Maruleng Local Municipality of the Limpopo Province.

Background to the Project

Mang Geoenviro Services, on behalf of the Maruleng Local Municipality, appointed APelser Archaeological Consulting cc (APAC cc) to undertake a Heritage Impact Assessment for the proposed development of a new Police Station (Ga-Sekororo).

The area/property where the new Police Station will be developed is fairly small and have also been relatively extensively impacted in the recent past through various activities such as ground and vegetation clearance & the development of access roads to the adjacent Thusong Service Centre. Based on this a Motivation for Exemption from a Full Phase 1 HIA was decided upon by the Heritage Specialist.

“In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority. This means that prior to development it is incumbent on the developer to ensure that a Heritage Impact Assessment is done. This must include the archaeological component (Phase 1) and any other applicable heritage components. Appropriate (Phase 2) mitigation, which involves recording, sampling and dating sites that are to be destroyed, must be done as required.”

The quickest process to follow for the archaeological component is to contract an accredited specialist (see the web site of the Association of Southern African Professional Archaeologists www.asapa.org.za)

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

to provide a Phase 1 Archaeological Impact Assessment Report. This must be done before any large development takes place. The Phase 1 Impact Assessment Report will identify the archaeological sites and assess their significance. It should also make recommendations (as indicated in section 38) about the process to be followed. For example, there may need to be a mitigation phase (Phase 2) where the specialist will collect or excavate material and date the site. At the end of the process the heritage authority may give permission for destruction of the sites.

Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in potentially fossiliferous superficial deposits, a Palaeontological Desk Top study must be undertaken to assess whether or not the development will impact upon palaeontological resources - or at least a letter of exemption from a Palaeontologist is needed to indicate that this is unnecessary. If the area is deemed sensitive, a full Phase 1 Palaeontological Impact Assessment will be required and if necessary, a Phase 2 rescue operation might be necessary. Please note that a nationwide fossil sensitivity map is available on SAHRIS to assist applicants with determining the fossil sensitivity of a study area.

If the property is very small or disturbed and there is no significant site the heritage specialist may choose to send a letter to the heritage authority motivating for exemption from having to undertake further heritage assessments. Any other heritage resources that may be impacted such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

Last mentioned option was decided on for this project which entailed desktop research as part of the assessment. Previous work by the author of this Exemption Letter also serves as reference.

Relevant Legislation

Aspects concerning the conservation of cultural resources are dealt with mainly in two Acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

The National Heritage Resources Act (Act 25 of 1999)

According to the 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.).

The Heritage Impact Assessment (HIA) process is done to determine whether there are any heritage resources located within the area to be developed as well as to determine the possible impacts of the proposed development. An Archaeological Impact Assessment (AIA) only looks at archaeological resources, such as material remains of human life or activities which are at least 100 years of age, and which are of archaeological interest. A 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 SAHRA or a provincial heritage authority

Structures

Section 34(1) of the Act states that no person may demolish any structure or part thereof that is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

A structure refers to any building, works, device or other facility made by people, and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith.

To alter means any action taken that affects the structure, appearance or physical properties of a place or object, whether by way of structural or other works, by painting, plastering or the decoration or any other means.

Archaeology, palaeontology, and Meteorites

Section 35(4) of the Act deals with archaeology, palaeontology, and meteorites. The Act states that no person may, without a permit issued by the responsible heritage resources authority (national or provincial)

- a. destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or paleontological site or any meteorite;
- b. destroy, damage, excavate, remove from its original position, collect or own any archaeological or paleontological material or object or any meteorite;
- c. trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or paleontological material or object, or any meteorite; or
- d. bring onto or use at an archaeological or paleontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and paleontological material or objects, or use such equipment for the recovery of meteorites.
- e. alter or demolish any structure or part of a structure which is older than 60 years as protected.

The above mentioned may only be disturbed or moved by an archaeologist, after receiving a permit from the South African Heritage Resources Agency (SAHRA). In order to demolish such a site or structure, a destruction permit from SAHRA will also be needed.

Human remains

Graves and burial grounds are divided into the following:

- a. ancestral graves
- b. royal graves and graves of traditional leaders
- c. graves of victims of conflict
- d. graves designated by the Minister
- e. historical graves and cemeteries
- f. human remains

In terms of Section 36(3) of the National Heritage Resources Act, no person may, without a permit issued by the relevant heritage resources authority:

- i. 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 contains such graves;
- ii. destroy, damage, alter, exhume, or remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- iii. bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation, or any equipment which assists in the detection or recovery of metals.

Human remains that are less than 60 years old are subject to provisions of the Human Tissue Act (Act 65 of 1983) and to local regulations. Exhumation of graves must conform to the standards set out in the Ordinance on Excavations (Ordinance no. 12 of 1980) (replacing the old Transvaal Ordinance no. 7 of 1925).

Permission must also be gained from the descendants (where known), the National Department of Health, Provincial Department of Health, Premier of the Province, and local police. Furthermore, permission must also be gained from the various landowners (i.e., where the graves are located and where they are to be relocated to) before exhumation can take place.

Human remains can only be handled by a registered undertaker, or an institution declared under the Human Tissues Act (Act 65 of 1983 as amended).

The National Environmental Management Act (No. 107 of 1998)

This Act states that a survey and evaluation of cultural resources must be done in areas where development projects, that will change the face of the environment, will be undertaken. The impact of the development on these resources should be determined and proposals for the mitigation thereof are made.

Environmental management should also take the cultural and social needs of people into account. Any disturbance of landscapes and sites that constitute the nation's cultural heritage should be avoided as far as possible and where this is not possible the disturbance should be minimized and remedied.

The specific requirements that specialist studies and reports must adhere to are contained in Appendix 6 of the EIA Regulations.

Results of Desktop Heritage Assessment: Proposed Ga-Sekororo Police Station Development

The study and proposed development area is located near Ga-Sekororo in the Maruleng Local Municipal area of the Limpopo Province. The development of a new Police Station, adjacent to the existing Thusong Service Centre, is being planned.

The study area itself has been fairly extensively disturbed in the recent past by various activities including the clearance of vegetation, ground clearance and levelling and the development of access roads to the Thusong Service Centre from the Morupo Mmola Road towards the Service Centre. Aerial images (Google Earth) of the study area, and proposed development footprint, show the fairly heavily disturbed nature of the area since 2012, with no remains of cultural heritage (archaeological and/or historical) origin or significance visible on these images. If any cultural sites, features or material did exist here in the past it would have been extensively disturbed or destroyed as a result of recent activities.

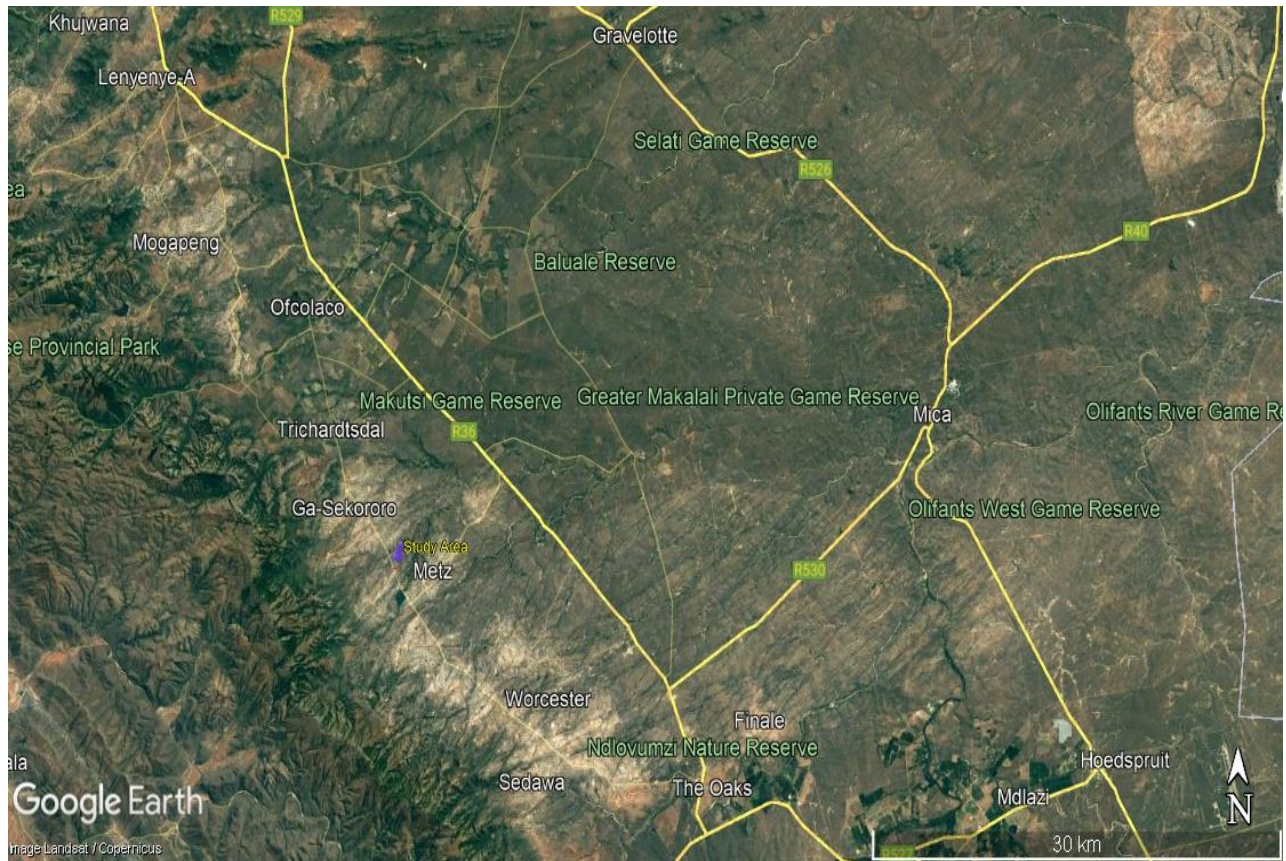


Figure 1: General location of the study and development area indicated by the blue pin (Google Earth 2023).



Figure 2: Closer view of the study & proposed development area footprint (Google Earth 2023).

The Stone Age is the period in human history when lithic (stone) material was mainly used to produce tools. In South Africa the Stone Age can be divided in basically into three periods. It is however important to note that dates are relative and only provide a broad framework for interpretation. A basic sequence for the South African Stone Age (Lombard et.al 2012) is as follows:

- Earlier Stone Age (ESA) up to 2 million – more than 200 000 years ago
- Middle Stone Age (MSA) less than 300 000 – 20 000 years ago
- Later Stone Age (LSA) 40 000 years ago – 2000 years ago

It should also be noted that these dates are not a neat fit because of variability and overlapping ages between sites (Lombard et.al 2012: 125).

No known Stone Age sites or artifacts are present in the specific study area, while some sites are known from the larger geographical area (Pistorius 2008; Coetzee 2017; Pelsers et.al 2010; Pelsers 2017 & 2019). Most of these sites are however open-air surface sites located in and around erosion dongas. These tools date to between the Early and Middle Stone Ages mainly.

There are no known Stone Age sites or material in the specific study and development area. If any does exist here it would more than likely be single, out of context artefacts, or small scatters of surface material.

The Iron Age is the name given to the period of human history when metal was mainly used to produce metal artefacts. In South Africa it can be divided in two separate phases (Bergh 1999: 96-98), namely:

- Early Iron Age (EIA) 200 – 1000 A.D.
- Late Iron Age (LIA) 1000 – 1850 A.D.

Huffman (2007: xiii) however indicates that a Middle Iron Age should be included. His dates, which now seem to be widely accepted in archaeological circles, are:

Early Iron Age (EIA) 250 – 900 A.D.
Middle Iron Age (MIA) 900 – 1300 A.D.
Late Iron Age (LIA) 1300 – 1840 A.D.

There are a number of known Iron Age sites in the larger area geographical area, identified and recorded during previous surveys (Roodt 2002 & 2003; Pistorius 2008; Karodia 2013; Coetzee 2017). These sites were located mostly around the foothills of the mountain ranges and hills in the larger area.

No Iron Age sites or features are known to occur in the study and development area, although this could just point to a lack of detailed research. However, no sites or features normally associated with Late Iron Age stone-walled settlements for instance were evident on aerial images of the specific property where the development is planned.

The historical age started with the first recorded oral histories in the area. It includes the moving into the area of people that were able to read and write. The first European group to pass close by the area was that of Schoon in 1836, followed by the Voortrekkers from the 1840's onwards (Bergh 1999: 13-14).

No historical sites, features or material are known to exist in the study and development area.

Aerial images (Google Earth) between 2012 and 2023 show the impacts of recent activities, as well as the existing Thusong Service Centre developments, on the study & development footprint area. This includes the clearance of vegetation and levelling of ground, as well as entrance roads to the Thusong Service Road from the main road passing by the area. From these it is clear that should any archaeological and/or historical sites, features or material have occurred here in the past, it would have been extensively disturbed or destroyed as a result of these activities. The chances of finding any intact or significant cultural heritage resources here is therefore highly unlikely.



Figure 3: An aerial view of the area in 2012. By then the Thusong Service Centre already existed, but the natural vegetation had not been disturbed to a large degree as yet (Google Earth 2023).



Figure 4: By 2018 the area's vegetation had largely been cleared, some ground levelling had occurred and the existing access roads to the Service Centre had increased in size as well. If any cultural heritage sites and features did exist here prior it would have been disturbed or destroyed to a large degree as a result (Google Earth 2023).

To conclude, based on the aerial images of the area, and the heritage desktop study, it is therefore deemed unlikely that any significant sites, features or material of cultural heritage (archaeological and/or historical) origin and/or significance will exist in the study & proposed Ga-Sekororo Police Station development area footprint. Recent development and other activities (mainly vegetation clearance and ground levelling) would have impacted on any if they did exist here in the past and would have disturbed or destroyed these to a large degree. Known archaeological and historical sites, features and material have been identified in the larger geographical area and this needs to be taken into consideration during actions related to the proposed development.

It is therefore recommended that Exemption from a Full Phase 1 Heritage Impact Assessment (HIA) for the proposed new Police Station development in the Maruleng Local Municipality of the Limpopo Province, be granted to the applicants taking into consideration the following:

The subterranean nature of cultural heritage (archaeological and/or historical) resources must always be kept in mind. Should any previously unknown or invisible sites, features or material be uncovered during any development actions then an expert should be contacted to investigate and provide recommendations on the way forward. This could include previously unknown and unmarked graves and/or cemeteries.

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

Kind regards

A handwritten signature in black ink, appearing to read 'Anton Pelser', located in the upper left quadrant of the page.

Anton Pelser

References

1. General & Closer Views of Study & Proposed Development Area footprint: Google Earth 2023.
2. Bergh, J.S. (red.). 1999. **Geskiedenisatlas van Suid-Afrika. Die vier noordelike provinsies.** Pretoria: J.L. van Schaik.
3. Coetzee, T. 2017. **Phase 1 Heritage Impact Assessment for the proposed expansion of the Moeijelyk Chrome Mine on the remaining extent of the farm Moeijelyk 412KS, Sekhukhune, Limpopo.** Unpublished Report Moeijelyk 17-328-HIA-PRP. For: Eco Elementum (Pty) Ltd. November 2017.
4. Huffman, T.N. 2007. **Handbook to the Iron Age: The Archaeology of Pre-Colonial Farming Societies in Southern Africa.** Scottsville: University of KwaZulu-Natal Press.
5. Lombard, M., L. Wadley, J. Deacon, S. Wurz, I. Parsons, M. Mohapi, J. Swart & P. Mitchell. 2012. South African and Lesotho Stone Age Sequence Updated (I). **South African Archaeological Bulletin 67 (195): 120–144, 2012.**
5. Pelsler, A.J. & Van Vollenhoven, A.C. **A Report on a Heritage Impact Assessment for the Sylvania Lannex Tailings Dam on the farm Grootboom Annex 335KT, near Steelpoort, Mpumalanga Province.** Unpublished Report Archaeos cc AE1013. For: Prescali Environmental Consultants (Pty) Ltd. February 2010.
6. Pelsler, A.J. 2017. **Report on a Phase 1 HIA for the Smokey Hills-Black Chrome Mine Pipeline Servitudes located on Portions of Portion 1 & 2 of the farm Mooihoek 255KT, Sekhukhune Magisterial District Limpopo.** Unpublished Report APelsler Archaeological Consulting cc APAC017/55. For: Prescali Environmental Consultants (Pty) Ltd. August 2017.
7. Pelsler, A.J. 2019. **A 1st Report on a Phase 1 Heritage Impact Assessment for the Eskom Jagdlust Project between Burgersfort & Polokwane in the Limpopo Province.** Unpublished Report APelsler Archaeological Consulting cc APAC019/23. For: Eco Partners. December 2019.
8. Pistorius, J.C.C. 2008. **A Phase 1 Heritage Impact Assessment (HIA) Study for the Proposed New Zwartkoppies/Waterkop Chrome Mine on the farms Moeijelik 412, Zwartkoppies 413 and Waterkop 112 in the Steelpoort Valley in the Limpopo Province of South Africa.** Unpublished Report. For: Clean Stream Environmental Services. April 2008.
9. Roodt, F., 2002. **Statement in Respect of Heritage Resources at the UG2 TSF, s.l.:** A Statement of Respect prepared for the Lebowa Platinum Mines.
10. Roodt, F., 2003. **Lebowa Platinum Mines: Atok Brakfontein Shaft and Association Infrastructure, Limpopo Province, s.l.:** A Heritage Impact Assessment prepared for the Lebowa Platinum Mines.
11. Shahzaadee, Karodia. 2013. **Heritage Impact Assessment for the Proposed Bokoni Klipfontein Opencast Mine Project, Klipfontein 465 KS, Sekhukhune, Limpopo Province.** Unpublished Report BOK 1630. Digby Wells Environmental. For: Bokoni Platinum (Pty) Ltd. June 2013.
12. Republic of South Africa. 1999. National Heritage Resources Act (No 25 of 1999). Pretoria: The Government Printer.
13. Republic of South Africa. 1998. National Environmental Management Act (no 107 of 1998). Pretoria: The Government Printer.

