

Preliminary Heritage Impact Assessment Report

*Proposed Low Income Housing Project Rietfontein, Remainder Farm No.
585, Gordonia Road, Groot Mier Municipality, Northern Cape.*

January 2013

Compiled for:

EnviroAfrica

Bernard De Witt

bernard@enviroafrica.co.za

Tel. 021 851 1616

By



Pro-Active Archaeological Consultants

www.paac.co.za

Dr Liezl van Pletzen-Vos
083 2785 125
liezl@paac.co.za

PostNet Suite 168
Private Bag X15
Somerset West
7129

Dr Reneé Rust
021 844 0949
renee@paac.co.za

Contents

1.Summary of Findings.....	4
2.Impacts in Archaeological Resources.....	5
3.Mitigation Measures.....	5
3.1 Stone Tools.....	5
3.2 Graves.....	5
4.Legislation.....	5
4.1 NHRA 1999 S3(3) – Cultural Significance.....	5
4.2 NHRA 1999 S38(3) – Heritage Assessment.....	6
4.3 NHRA 1999 7(1) - Grading.....	7
4.4 NHRA 1999 S36 – Burial grounds and graves.....	8
4.5 Significance & Grading of Welkom 585/31.....	9
5.Permits & Authorisations.....	10

Glossary

'archaeological' means-

- (a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
- (b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10m of such representation;
- (c) wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic, as defined respectively in sections 3, 4 and 6 of the Maritime Zones Act, 1994 (Act 15 of 1994), and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation; and features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found;

'cultural significance' means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance;

'palaeontological' means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trace [sic];

'structure' means 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. Protected structures are those which are over 60 years old.

Acronyms

ASA: Archaeological Specialist Assessment

APM: Archaeology, Palaeontology and Meteorites

EIA: Environmental Impact Assessment

ESA: Earlier Stone Age (>200 000-2.5 Million years ago)

HIA: Heritage Impact Assessment

HWC: Heritage Western Cape

IAP: Interested and Affected Parties

LSA: Later Stone Age (<35 000 years)

MSA: Middle Stone Age (>30 000 years - <300 000 years ago)

NHRA: National Heritage Resources Act 25 of 1999

SAHRA: South African Heritage Resources Agency

Preliminary Heritage Impact Assessment Report

Proposed Low Income Housing Project on Rietfontein, Remainder Farm No. 585, Gordonia Road, Groot Mier Municipality, Northern Cape.

1. Summary of Findings

The site of the proposed Rietfontein residential development has archaeological remains spanning the Earlier Stone Age (ESA), Middle Stone Age (MSA) and the Later Stone Age (LSA). It is very rare to find all three stone tool technologies on one site. Five possible burials were also located on the property. It is unclear if these are recent or historical burials, and they bare further investigation.

Seven ESA lithics were found, representing the Acheulian Technological period. All Achaean pieces were made on sandstone. The MSA contributed the bulk of the findings. 77 flakes and various descriptions and 38 cores were photographed during the foot survey. Material included: sandstone, quartz, quartzite, jasper and chert. The LSA was not very well represented: only one flake (sandstone) and one core (quartzite) were found.

The burials are all located to the west of the gravel road traversing the property.



2. Impacts in Archaeological Resources

The impact of the development on the archaeological resources will be destructive and permanent.

3. Mitigation Measures

3.1 Stone Tools

The wide dispersal and the relative density of the finds necessitates some measure of mitigation. The wide area covered by the stone tools means that establishing a no-go zone for development is not practical. Further investigation is therefore suggested as a way of conserving a representative sample of archaeological material from this site. Once the site has been sampled it could potentially be destroyed and development could continue without any archaeological constraints. Sampling would entail the following:

- Application for a sampling/excavation permit from SAHRA.
- Development of a sampling strategy to ascertain the dispersal and density of the stone tools and collect a representative sample of the lithics and any other cultural material.
- Test pit sampling to ascertain the depth of the deposits. No more than five would be needed.

An application for destruction of the site could then be obtained from SAHRA, should they deem the sampling satisfactory.

3.2 Graves

The best way forward regarding the graves would be to find out if they are graves. If not, then only the stone tools need be mitigated. Should the graves be viable then further measures must be enacted. The area surrounding the graves must be fenced off, before and after development, with the necessary signage.

4. Legislation

4.1 NHRA 1999 S3(3) – Cultural Significance

A heritage resources authority may prescribe detailed heritage assessment criteria, consistent with the criteria set out in section 3 (3), for the assessment of Grade II and Grade III heritage resources in a province. (3) Without limiting the generality of subsections (1) and (2), a place or object is to be

considered part of the national estate if it has cultural significance or other special value because of-

- (a) its importance in the community, or pattern of South Africa's history;
- (b) its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- (c) its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- (d) its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- (e) its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- (f) its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- (g) its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- (h) its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and
- (i) sites of significance relating to the history of slavery in South Africa.

4.2 NHRA 1999 S38(3) – Heritage Assessment

(3) The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2) (a) : Provided that the following must be included:

- (a) The identification and mapping of all heritage resources in the area affected;
- (b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6 (2) or prescribed under section 7;
- (c) an assessment of the impact of the development on such heritage resources;
- (d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;
- (e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;
- (f) if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and
- (a) plans for mitigation of any adverse effects during and after the completion of the proposed development.

4.3 NHRA 1999 7(1) - Grading

7(1) SAHRA, in consultation with the Minister and the MEC of every province, must by regulation establish a system of grading of places and objects which form part of the national estate, and which distinguishes between at least the categories-

- a) Grade I: Heritage resources with qualities so exceptional that they are of special national significance;
- b) Grade II: Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and
- c) Grade III: Other heritage resources worthy of conservation, and which prescribes heritage resources assessment criteria, consistent with the criteria set out in section 3(3), which must be used by a heritage resources authority or a local authority to assess the intrinsic, comparative and contextual significance of a heritage resource and the relative benefits and costs of its protection, so that the appropriate level of grading of the resource and the consequent responsibility for its management may be allocated in terms of section 8.

While grading is ultimately the responsibility of the heritage resources authorities, a field rating (proposal for grading) can be awarded.

- a. National: This site is considered to be of Grade I significance and should be nominated as such.
- b. Provincial: This site is considered to be of Grade II significance and should be nominated as such.
- c. Local: this site is of Grade IIIA significance. Mitigation as part of the development process is not advised. The site should be retained as a heritage site (High significance).
- d. Local: this site is of Grade IIIB significance. It should be mitigated and (part) should be retained as a heritage site (High significance).
- e. Generally Protected A: this site should be mitigated before destruction (generally High/Medium significance).
- f. Generally Protected B: this site should be recorded before destruction (generally Medium significance).
- g. Generally Protected C: this site has been sufficiently recorded. It requires no further recording before destruction (generally Low significance).

4.4 NHRA 1999 S36 – Burial grounds and graves

(1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.

(2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated with the grave referred to in subsection (1), and must maintain such memorials.

(3) No person may, without a permit issued by SAHRA or a provincial heritage resources authority—

(a) 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;

(b) destroy, damage, alter, exhume, 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

(c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.

(4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.

(5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection (3)(b) unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority—

(a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and

(b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.

(6) Subject to the provision of any other law, any person who in the course of development or any

other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority—

(a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and

(b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.

(7) (a) SAHRA must, over a period of five years from the commencement of this Act, submit to the Minister for his or her approval lists of graves and burial grounds of persons connected with the liberation struggle and who died in exile or as a result of the action of State security forces or agents provocateur and which, after a process of public consultation, it believes should be included among those protected under this section.

(b) The Minister must publish such lists as he or she approves in the Gazette.

(8) Subject to section 56(2), SAHRA has the power, with respect to the graves of victims of conflict outside the Republic, to perform any function of a provincial heritage resources authority in terms of this section.

(9) SAHRA must assist other State Departments in identifying graves in a foreign country of victims of conflict connected with the liberation struggle and, following negotiations with the next of kin, or relevant authorities, it may re-inter the remains of that person in a prominent place in the capital of the Republic.

4.5 Significance & Grading of Welkom 585/31

The Rietfontein site has a medium to high significance as it has potential to yield information that will contribute to an understanding of South Africa's, and the Kalahari in particular, cultural heritage spanning from 1.5 million years ago, to the recent past.

A field rating of Generally Protected A is awarded. This site should be mitigated before destruction.

5. Permits & Authorisations

A permit for further sampling is required from SAHRA, should this mitigation strategy be followed.

A copy of the final report must be submitted to the SAHRA Burial Grounds & Graves Unit for comment.