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# REPORT ON AN ASSESSMENT OF TWO GRAVE SITES LOCATED AT THE SILVERLAKES COLLIERY NEAR ERMELO IN MPUMALANGA

For:

Silver Lake Trading 447 (Pty) Ltd P.O. Box 1233 Wingatpark 0153

REPORT: APAC017/40

by:

A.J. Pelser Accredited member of ASAPA

May 2017

P.O.BOX 73703 LYNNWOOD RIDGE 0040

Tel: 083 459 3091 Fax: 086 695 7247

Email: apac.heritage@gmail.com

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

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#### **DISCLAIMER:**

Although all efforts are made to identify all sites of cultural heritage (archaeological and historical) significance during an assessment of study areas, the nature of archaeological and historical sites are as such that it is always possible that hidden or subterranean sites, features or objects could be overlooked during the study. APELSER Archaeological Consulting can't be held liable for such oversights or for costs incurred as a result thereof.

Clients & Developers should not continue with any development actions until SAHRA or one of its subsidiary bodies has provided final comments on this report. Submitting the report to SAHRA is the responsibility of the Client unless required of the Heritage Specialist as part of their appointment and Terms of Reference

#### **SUMMARY**

APelser Archaeological Consulting (APAC) was consulted by Steffanutti Stocks Mining Services on behalf of Silver Lakes Colliery to undertake the assessment of two known grave sites located in their mining area in order to recommend on the best practice regarding the protection of these sites against negative impacts by their mining activities.

The two sites contain approximately 15 & 8 graves respectively, all unknown and stone-packed, and located on the farm Uitgevallen 134IT (Portions 15 & 26), in the Ermelo District of Mpumalanga. The grave sites will be protected in situ and there is no need for exhumation and relocation of the graves located on them.

It is recommended that the on-going mining operations in the areas where the graves are located can continue taking cognizance of the mitigation measures recommended at the end of this report.

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#### 1. INTRODUCTION

APelser Archaeological Consulting (APAC) was consulted by Steffanutti Stocks Mining Services on behalf of Silver Lakes Colliery to undertake the assessment of two known grave sites located in their mining area in order to recommend on the best practice regarding the protection of these sites against negative impacts by their mining activities.

The two sites contain approximately 15 & 8 graves respectively, all unknown and stone-packed, and located on the farm Uitgevallen 134IT (Portions 15 & 26), in the Ermelo District of Mpumalanga. The grave sites will be protected in situ and there is no need for exhumation and relocation of the graves located on them.

The client indicated the location and boundaries of the study area, and the assessment focused on the two grave sites under discussion. During the assessment of the grave sites the specialist were accompanied by the client.

#### 2. TERMS OF REFERENCE

The Terms of Reference for the study was to:

- 1. Assess and document the grave sites & graves located on them and provide recommendations on the way forward in terms of their protection against any possible negative impacts by the ongoing mining activities in the area
- 2. Review applicable legislative requirements;

#### 3. LEGISLATIVE REQUIREMENTS

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).

#### 3.1 The National Heritage Resources Act

According to the above-mentioned act the following is protected as cultural heritage resources:

- a. Archaeological artifacts, 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
- 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
- i. Movable objects (e.g. archaeological, palaeontological, meteorites, geological specimens, military, ethnographic, books etc.)

A Heritage Impact Assessment (HIA) is the process to be followed in order to determine whether any heritage resources are located within the area to be developed as well as the possible impact of the proposed development thereon. An Archaeological Impact Assessment (AIA) only looks at archaeological resources. An 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 000m<sup>2</sup> or involve three or more existing erven or subdivisions thereof
- d. Re-zoning of a site exceeding 10 000 m<sup>2</sup>
- e. Any other category provided for in the regulations of SAHRA or a provincial heritage authority

#### **Structures**

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

A 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.

Alter means any action affecting 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 this 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 palaeontological site or any meteorite;

- b. destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological 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 palaeontological material or object, or any meteorite; or
- d. bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and palaeontological 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:

- a. destroy, damage, alter, exhume or remove from its original position of 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 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
- c. 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).

#### 3.2 The National Environmental Management Act

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.

#### 4. METHODOLOGY

#### **4.1** Survey of literature

A survey of available literature is normally undertaken in order to place a development area in an archaeological and historical context. The sources utilized in this regard are then indicated in the bibliography. *In this case only the grave sites were assessed*.

#### **4.2** Field survey

The field assessment section of the study is conducted according to generally accepted HIA practices and is normally aimed at locating all possible objects, sites and features of heritage significance in the area of the proposed development. The location/position of all sites, features and objects is determined by means of a Global Positioning System (GPS) where possible, while detailed photographs are also taken where needed. *Once again, in this case only the grave sites were recorded and documented*.

#### **4.3** Oral histories

People from local communities are sometimes interviewed in order to obtain information relating to the surveyed area. It needs to be stated that this is not applicable under all circumstances. When applicable, the information is included in the text and referred to in the bibliography.

#### **4.4** Documentation

All sites, objects, features and structures identified are documented according to a general set of minimum standards. Co-ordinates of individual localities are determined by means of the Global Positioning System (GPS). The information is added to the description in order to facilitate the identification of each locality.

#### 5. DESCRIPTION OF THE AREA

APelser Archaeological Consulting (APAC) was consulted by Steffanutti Stocks Mining Services on behalf of Silver Lakes Colliery to undertake the assessment of two known grave sites located in their mining area in order to recommend on the best practice regarding the protection of these sites against negative impacts by their mining activities.

The two sites (Site 1 & Site 2) are located on the farm Uitgevallen 134IT (Portions 15 & 26), in the Ermelo District of Mpumalanga. Mining operations in the areas where the sites are located are currently being undertaken, with Restriction Zones around the graves in order to prevent possible direct negative impacts on the sites and graves located here. The grave sites will therefore be left intact during the mining operations and the areas around them rehabilitated once mining has been completed. The graves are unknown.

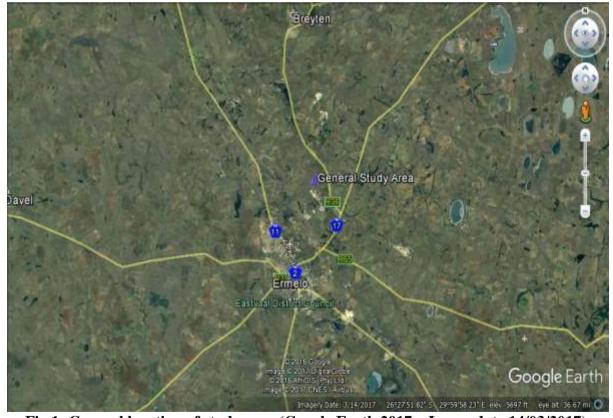


Fig.1: General location of study area (Google Earth 2017 – Image date 14/03/2017).





Fig.3: Plan showing location of grave site at Silver Lakes Colliery.

The two sites assessed are marked as Site 1 and Site 2 (plan courtesy Steffanutti Stocks).

#### 6. **DISCUSSION**

The two grave sites are located on the farm Uitgevallen 134IT, with Site 1 on Portion 15 & Site 2 on Portion 26. The land parcel is situated close to Ermelo in Mpumalanga.

The oldest map for the study area that could be obtained from the Chief Surveyor General's database (<a href="www.csg.dla.gov.za">www.csg.dla.gov.za</a>) dates to 1909. This is for Portion 1 of the farm and indicates that the whole of the farm was originally granted to one H.T.Buhrman in July 1870 and was surveyed in January 1890. Portion 1 was surveyed in May 1909 (CSG document 10HSZ201). Portion 15's map dates to 1942. It indicates it as being a Portion of Portion 11 of the farm and that it was surveyed in September 1942 (Document 10HT0Y01), while Portion 26 was surveyed in May 1951 (Document 10HT2H01). No grave sites or cemeteries are visible on any of these maps and it is therefore possible that the grave sites date to after these dates or that they were not included during any of the surveys conducted at the time.

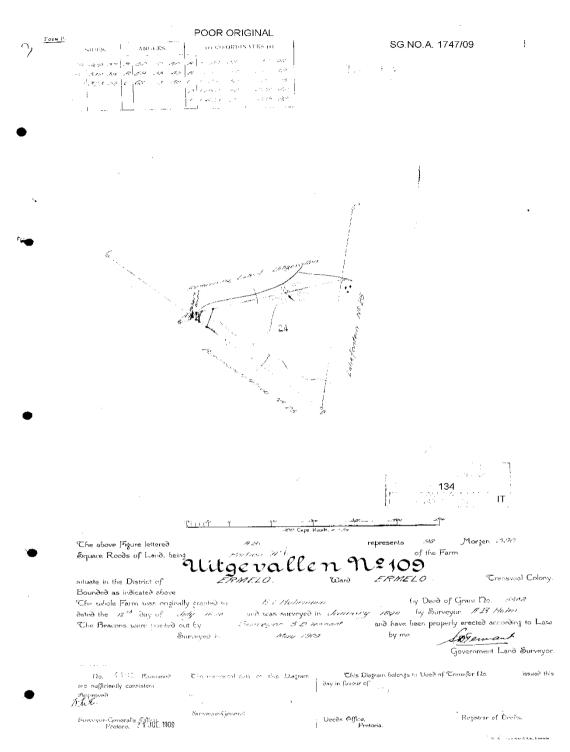


Fig.4: 1909 map of Portion 1 (www.csg.dla.gov.za).

DESCRIPTION OF BEACONS SIDES Cape Feet SYSTEM Lo 310 ANGLES OF DIRECTION A: Iron pin at intersection of fences E,B,H,J: Iron pins under cairns C,G: No beacons D,F: Sections of iron rails K: Stone straining-post CONSTANTS
+ 300000.0 + 9288000.0

A + 17684.6 + 312.8
B + 10103.6 + 2332.2
C + 10131.0 + 2672.7
D + 10256.35 + 2666.2
E + 10301.1 + 3471.6
F + 10337.4 + 4163.95
G + 10236.35 + 4169.55
H + 10276.0 + 5919.4
J + 10276.0 + 5919.4
K + 18417.4 + 7808.6 284.55.00 4.36.00 92.55.00 3. 1.30 3. 0.10 273.10.20 1.17.50 356. 8.10 81.36.20 185.35.00 7845.4 341.6 127.72 806.52 693.30 101.20 1750.3 682.55 8276.1 7531.5 ABC CDEFGHJKA MOOIFONTEIN NO 287 ጥ N Remainder of Port. B of UITGEVALLEN No 109 Uitgevallen Moog Portion, 13 Remainder of Portion 11 of UITGEVALLEN No 109 Inset: Plot of Portions (Grenfell Siding) of Tons geregistreer onder : How registered under : No. /34 REGISTRASIE AFDELING T REGISTRATION DIVISION 10000 Scale: 1/10000 6000 cale: 1/25000 The figure ABCDEFGHJK 534.1875 Morgen PORTION 15 (a Portion of Portion 11) of the farm UITGEVALLEN No.109 situate in the DISTRICT of ERMELO

20. Llione Land Surveyor. This diagram relates to Deed of The original diagram is No. A3624/42 dated relating to Deed of Grant Transfer Survey Records No. 1337 42 Compliation Nos. 43/23 & IS-4-D / TNV-15 in favour of Lat. South 26° 26. Long. East 3/. O/.' Degree Sheet No. 28 Ermelo R.25.

Surveyed in September 1942

Fig.5: The 1942 map of Portion 15 (www.csg.dla.gov.za).

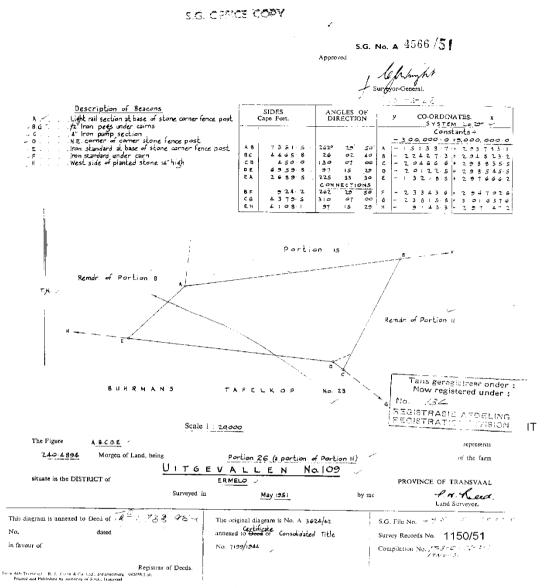


Fig.6: The 1951 map of Portion 26 (www.csg.dla.gov.za).

#### Results of the May 2017 Fieldwork

#### Site 1

The site contains around 15 graves laid out in two rows. All the graves are stone packed without any headstones. Grave sites and cemeteries are always of **High Cultural Significance** and should not be negatively impacted by any development.

Mining activities in the area surrounding the grave site is in progress already. To avoid any negative impacts on the site and graves the area where the graves are located has been enclosed by a soil berm by the Colliery and no mining operations are allowed within/close to the 20m Restriction Zone placed around it. A further recommendation is that a sign board be placed at two points outside the soil berm indicating the presence of the graves and that No Access is allowed.

#### These signs have been erected by the client as requested as is seen in Figures 13 to 15.

Finally once mining in the area has been completed, the area around the grave site will be rehabilitated as is standard mining practice and the restrictive soil berm around the site will also be removed.

**GPS Location of Site 1**: S26.44891 E30.00366

Cultural Significance: High.

**Heritage Significance**: Grade III: Other Heritage resources of Local importance and therefore worthy of conservation.

**Field Ratings**: Local Grade IIIB: Should be included in the Heritage register and may be mitigated.

**Mitigation**: Protect in situ with a soil berm around the site (20m Restriction) and Warning Signs erected at various points.



Fig.7: View of Grave Site 1. The mining activities in the area is visible. All the graves are stone-packed.



Fig.8: View of Site 1 from top of the soil berm around it.



Fig.9: Another view of the soil berm around the site.

#### Site 2

Site 2 contains 8 graves, with 7 of these packed with stones and 1 demarcated by cement-covered bricks. None of the graves have headstones and are therefore also unknown in terms of age and identity of the deceased individuals buried there. According to the client the farm owner who has been farming here the last 50 years the graves have bene here since his arrival and no one has ever visited these sites. Grave sites and cemeteries are always of **High Cultural Significance** and should not be negatively impacted by any development.

Mining activities in the area surrounding the grave site is in progress already, although it has not fully reached the site as yet. The site will also be protected by a soil berm around it (with a 20m Restriction Zone) as with Grave Site 1. A further recommendation is that a sign board be placed at two points outside the soil berm indicating the presence of the graves and that No Access is allowed.

#### These signs have been erected by the client as requested as is seen in Figures 13 to 15.

Finally once mining in the area has been completed, the area around the grave site will be rehabilitated as is standard mining practice and the restrictive soil berm around the site will also be removed.

**GPS Location of Site 1**: S26.44966 E30.00160

Cultural Significance: High.

**Heritage Significance**: Grade III: Other Heritage resources of Local importance and therefore worthy of conservation.

**Field Ratings**: Local Grade IIIB: Should be included in the Heritage register and may be mitigated.

**Mitigation**: Protect in situ with a soil berm around the site (20m Restriction) and Warning Signs erected at various points.



Fig.10: A view of Site 2 with mining activities in the distance.



Fig.11: Another view of some of the graves on Site 2.



Fig.12: The brick and cement demarcated grave on Site 2.



Fig.13: One of the Warning Signs indicating the presence of a grave site on Site 1.



Fig.14: The Warning Signs at Site 2.



Fig.15: A closer view of one of the Warning Signs.

#### 7. CONCLUSIONS AND RECOMMENDATIONS

APelser Archaeological Consulting (APAC) was consulted by Steffanutti Stocks Mining Services on behalf of Silver Lakes Colliery to undertake the assessment of two known grave sites located in their mining area in order to recommend on the best practice regarding the protection of these sites against negative impacts by their mining activities.

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Site 1 contains around 15 graves laid out in two rows, while Site 2 contains 8 graves. All the graves are stone packed, except 1 of the graves at Site 2 which have a cement and brick demarcation, without any headstones. Grave sites and cemeteries are always of High Cultural Significance and should not be negatively impacted by any development.

Mining activities in the area surrounding the grave sites are in progress already. To avoid any negative impacts on the site and graves the area where the Grave Site 1 is located has been enclosed by a soil berm by the Colliery and no mining operations are allowed within/close to the 20m Restriction Zone placed around it. A further recommendation was that a sign board be placed at two points outside the soil berm indicating the presence of the graves and that No Access is allowed.

These signs have been erected by the client as requested.

Finally once mining in the area has been completed, the area around the grave sites will be rehabilitated as is standard mining practice and the restrictive soil berm around the site will also be removed.

Finally, it should be noted that although all efforts are made to locate, identify and record all possible cultural heritage sites and features (including archaeological remains) there is always a possibility that some might be missed as a result of grass cover and other factors. The subterranean nature of these resources (including low stone-packed or unmarked graves) should also be taken into consideration. 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.

#### 8. REFERENCES

Aerial views of general study area location and Grave Sites location: Google Earth 2016 & 2017.

Plan Map of Grave Site Location in the Silver Lakes Colliery Mining Area (provided by Steffanuti Stocks Mining Services).

Knudson, S.J. 1978. **Culture in retrospect**. Chicago: Rand McNally College Publishing Company.

Republic of South Africa. 1999. **National Heritage Resources Act** (No 25 of 1999). Pretoria: the Government Printer.

Republic of South Africa. 1998. **National Environmental Management Act** (no 107 of 1998). Pretoria: The Government Printer.

www.csg.dla.gov.za - Chief Surveyor General Database: (1) Document 10HSZ201 (2) Document 10HT0Y01 (3) Document 10HT2H01.

# APPENDIX A DEFINITION OF TERMS:

**Site**: A large place with extensive structures and related cultural objects. It can also be a large assemblage of cultural artifacts, found on a single location.

**Structure**: A permanent building found in isolation or which forms a site in conjunction with other structures.

Feature: A coincidental find of movable cultural objects.

**Object**: Artifact (cultural object).

(Also see Knudson 1978: 20).

## APPENDIX B DEFINITION/ STATEMENT OF HERITAGE SIGNIFICANCE:

**Historic value**: Important in the community or pattern of history or has an association with the life or work of a person, group or organization of importance in history.

**Aestetic value**: Important in exhibiting particular aesthetic characteristics valued by a community or cultural group.

**Scientific value**: Potential to yield information that will contribute to an understanding of natural or cultural history or is important in demonstrating a high degree of creative or technical achievement of a particular period

**Social value**: Have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

Rarity: Does it possess uncommon, rare or endangered aspects of natural or cultural heritage.

**Representivity**: Important in demonstrating the principal characteristics of a particular class of natural or cultural places or object or a range of landscapes or environments characteristic of its class or of human activities (including way of life, philosophy, custom, process, landuse, function, design or technique) in the environment of the nation, province region or locality.

#### APPENDIX C SIGNIFICANCE AND FIELD RATING:

#### **Cultural significance:**

- Low: A cultural object being found out of context, not being part of a site or without any related feature/structure in its surroundings.
- Medium: Any site, structure or feature being regarded less important due to a number of factors, such as date and frequency. Also any important object found out of context.
- High: Any site, structure or feature regarded as important because of its age or uniqueness. Graves are always categorized as of a high importance. Also any important object found within a specific context.

#### Heritage significance:

- Grade I: Heritage resources with exceptional qualities to the extent that they are of national significance
- Grade II: Heritage resources with qualities giving it provincial or regional importance although it may form part of the national estate
- Grade III: Other heritage resources of local importance and therefore worthy of conservation

#### Field ratings:

- i. National Grade I significance: should be managed as part of the national estate
- ii. Provincial Grade II significance: should be managed as part of the provincial estate
- iii. Local Grade IIIA: should be included in the heritage register and not be mitigated (high significance)
- iv. Local Grade IIIB: should be included in the heritage register and may be mitigated (high/medium significance)
- v. General protection A (IV A): site should be mitigated before destruction (high/medium significance)
- vi. General protection B (IV B): site should be recorded before destruction (medium significance)
- vii. General protection C (IV C): phase 1 is seen as sufficient recording and it may be demolished (low significance)

## APPENDIX D PROTECTION OF HERITAGE RESOURCES:

### Formal protection:

National heritage sites and Provincial heritage sites – Grade I and II

Protected areas - An area surrounding a heritage site

Provisional protection – For a maximum period of two years

Heritage registers – Listing Grades II and III

Heritage areas – Areas with more than one heritage site included

Heritage objects – e.g. Archaeological, palaeontological, meteorites, geological specimens, visual art, military, numismatic, books, etc.

#### **General protection:**

Objects protected by the laws of foreign states Structures – Older than 60 years Archaeology, palaeontology and meteorites Burial grounds and graves Public monuments and memorials

#### APPENDIX E HERITAGE IMPACT ASSESSMENT PHASES

- 1. Pre-assessment or Scoping Phase Establishment of the scope of the project and terms of reference.
- 2. Baseline Assessment Establishment of a broad framework of the potential heritage of an area.
- 3. Phase I Impact Assessment Identifying sites, assess their significance, make comments on the impact of the development and makes recommendations for mitigation or conservation.
- 4. Letter of recommendation for exemption If there is no likelihood that any sites will be impacted.
- 5. Phase II Mitigation or Rescue Planning for the protection of significant sites or sampling through excavation or collection (after receiving a permit) of sites that may be lost.
- 6. Phase III Management Plan For rare cases where sites are so important that development cannot be allowed.