



SOUTH AFRICAN HERITAGE RESOURCES AGENCY
111 HARRINGTON STREET, CAPE TOWN, 8001
PO BOX 4637, CAPE TOWN, 8000
TEL: 021 462 4502 FAX: 021 462 4509

FOR ATTENTION: **SAHRA Northern Cape** and **PHRA: Northern Cape**

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SAHRA Contact Person: **Mariagrazia Galimberti**
DME Ref No:

REVIEW COMMENT ON ARCHAEOLOGICAL IMPACT ASSESSMENT

BY ARCHAEOLOGY/ PALAEOLOGY UNIT OF THE HERITAGE RESOURCES AGENCY

South Africa has a unique and non-renewable archaeological and palaeontological heritage. Archaeological and palaeontological sites are protected in terms of the National Heritage Resources Act (Act No 25 of 1999) and may not be disturbed without a permit. Archaeological Impact Assessments (AIAs) and Palaeontological Impact Assessments (PIAs) identify and assess the significance of the sites, assess the potential impact of developments upon such sites, and make recommendations concerning mitigation and management of these sites. On the basis of satisfactory specialist reports SAHRA or the relevant heritage resources agency can assess whether or not it has objection to a development and indicate the conditions upon which such development might proceed and assess whether or not to issue permission to destroy such sites. AIAs and PIAs often form part of the heritage component of an Environmental Impact Assessment or Environmental Management Plan. They may also form part of a Heritage Impact Assessment called for in terms of section 38 of the National Heritage Resources Act, Act No. 25, 1999. They may have other origins. In any event they should comply with basic minimum standards of reporting as indicated in SAHRA Regulations and Guidelines.

This form provides review comment from the Archaeologist of the relevant heritage resources authority for use by Heritage Managers, for example, when informing authorities that have applied to SAHRA for comment and for inclusion in documentation sent to environmental authorities. It may be used in conjunction with Form B, which provides relevant peer review comment.

- A. PROVINCIAL HERITAGE RESOURCES AUTHORITY: **Northern Cape**
- B. SAHRA PROVINCIAL MANAGER : **Mr Andrew Timothy**.....
- C. AUTHOR(S) OF REPORT: **Dr Udo Küsel and Dr Maria van der Ryst**
- D. ARCHAEOLOGY CONTRACT GROUP: **African Heritage Consultants CC**
- E. CONTACT DETAILS: **Tel: 012 567 6046, Cel: 082 498 0673 Email: udo.heritage@absamail.co.za**
- F. DATE OF REPORT: **September 2009**
- G. TITLE OF REPORT: **Cultural Heritage Resources impact assessment of manganese mining areas on the farms Belgravia 264, Santoy 230, Gloria 226 and Nichwaning 267, at Black Rock, North of Kuruman, Kgalagadi District Municipality, Northern Cape Province**
- H. Please circle as relevant: Archaeological component of EIA / EMP / **HIA** / CMP
Other (Specify)
- I. REPORT COMMISSIONED BY (CONSULTANT OR DEVELOPER): **Assmang Ltd**
- J. CONTACT DETAILS: **PO Box 104, Santoy, 8491**
- K. COMMENTS:

Please see comment on next page

REVIEW COMMENT ON ARCHAEOLOGICAL IMPACT ASSESSMENT

Dr Udo Küsel and Dr. Maria van der Ryst
September 2009

Cultural Heritage Resources impact assessment of manganese mining areas on the farms Belgravia 264, Santoy 230, Gloria 226 and Nichwaning 267, at Black Rock, North of Kuruman, Kgalagadi District Municipality, Northern Cape Province

INTRODUCTION

The impact assessment carried out for this report was performed on the abovementioned properties to assess the possible continuation of manganese mining by Assmang Ltd.

The survey identified few important heritage sites:

- the original large manganese outcrop, mined since the 1940s and now used for water storage and communication masts. Historically, it carries a great significance as it is the first manganese mine in South Africa and because of rare minerals that were found with the manganese.
- two cemeteries. Both of them are already fenced off.
 - o One cemetery is composed of more than 60 graves. It is likely that it is a graveyard of previous mine workers (1940s-70s), who died far from home. This is very near the Black Rock Outcrop. No information about this cemetery is present in the archives.
 - o The other cemetery is quite small and dated, from one of the tombstones, to 1926. This is at the border of the surveyed area, South-East of the manganese outcrop.
- Early and Middle Stone Age archaeology mostly concentrated around the Ga-Mogara River:
 - o this is composed by a series of cores, flakes and blades found in a broad pebble band on the edge of a calcrete borrow pit.
 - o many large cutting tools.

SAHRA RECOMMENDATIONS

SAHRA supports the recommendations of the authors and requires that:

- given the historical significance of the site, the original Black Rock Mine, it should not be disturbed by the development and the mining. An application may be presented to apply for declaring the site National Heritage and the boundaries of this explored during the declaration process;
- no development or mining may occur within 100 m distance from the centre of the Go-Mogara river. If this is absolutely necessary, then a complete Phase II must be carried out.

Mitigation in the form of systematic excavation and sampling must be undertaken before trenching and any other earth-moving activity resulting from

this proposed project. A photographic record must be established immediately before, during and after mitigation. The archaeologist will require a mitigation permit from SAHRA in terms of s. 35 of the National Heritage Resources Act (Act 25 of 1999). On receipt of a satisfactory mitigation (Phase 2) permit report from the archaeologist, SAHRA will make further recommendations in terms of the report such as its final destruction or additional sampling.

It is noted that two grave sites were identified. The SAHRA Burial Grounds and Graves Unit supports the continued protection and management of the two graveyards and notes that any proposed declaration of the mine as a heritage site at any level should include the protection, management and interpretation of the two graveyards (especially the mineworkers' cemetery).

CONCLUSION

No mining or development must affect the original Black Rock Mine.

The cemeteries must be kept fenced off, protected and conserved. No development is allowed within 15 meters from the fence line surrounding the graves (see Appendix 1: protection of Graves).

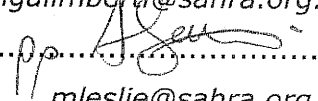
Any mining within 100 m from the centre of the river should also be avoided.

Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in potentially fossiliferous superficial deposits, the developer must ensure that a professional Palaeontological Desk Top study is undertaken to assess whether or not the development will impact upon palaeontological resources. If this is deemed unnecessary, a letter of recommendation for exemption from a professional Palaeontologist is needed. 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 (see attached list of accredited Palaeontologists).

Decisions on Built Environment (e.g. structures over 60 years) and Cultural Landscapes and associated Living Heritage (e.g. sacred sites) must be made by the Province SAHRA Northern Cape Heritage office/ Provincial Heritage Authority (Mr. Andrew Timothy: atimothy@nc.sahra.org.za), and the Provincial Heritage Resources Authority of the Northern Cape (Mr. Joas Sinthumule, jsinthumule@ncpg.gov.za) to whom this Archaeological Review Comment will be copied.

SIGNATURE OF ARCHAEOLOGIST PROCESSING REPORT: 

EMAIL: mgalimberti@sahra.org.za

SIGNATURE OF SAHRA HEAD ARCHAEOLOGIST: 

EMAIL: mleslie@sahra.org.za

NAME OF HERITAGE RESOURCES AGENCY: SAHRA

PLEASE NOTE THAT THE COMMENT (ABOVE OR APPENDED) CONSTITUTES THE COMMENT OF THE HERITAGE RESOURCES AGENCY ARCHAEOLOGIST AND THAT ANY DEVELOPMENT THAT INVOLVES DESTRUCTION OF ANY ARCHAEOLOGICAL/PALAEONTOLOGICAL SITE IS STILL SUBJECT TO A PERMIT/PERMISSION FOR DESTRUCTION OF SUCH SITE GIVEN TO THE DEVELOPER BY THE RELEVANT HERITAGE RESOURCES AGENCY ARCHAEOLOGICAL AND PALAEONTOLOGICAL PERMIT COMMITTEE (THIS WILL BE SUBJECT TO

APPROVAL OF THE PHASE 2 OR ARCHAEOLOGICAL/ PALAEOANTHROPOLOGICAL MITIGATION AS NECESSARY). THIS REPORT MAY BE TAKEN ONLY AS APPROVAL IN TERMS OF SECTION 35 OF THE NATIONAL HERITAGE RESOURCES ACT. THE PROVINCIAL MANAGER OF THE HERITAGE RESOURCES AUTHORITY MUST ADVISE AS TO APPROVAL IN TERMS OF HERITAGE ISSUES ENCOMPASSED BY OTHER ASPECTS OF THE LEGISLATION, SUCH AS ISSUES OF THE BUILT ENVIRONMENT (STRUCTURES (E.G. FARM HOUSES), OVER 60 YEARS), INDIGENOUS KNOWLEDGE SYSTEMS OR OF CULTURAL LANDSCAPES AS THIS IS NOT WITHIN THE SCOPE OF THE ARCHAEOLOGIST.

PLEASE NOTE THAT SAHRA IS NOW RESPONSIBLE FOR GRADE I HERITAGE RESOURCES (AND EXPORT) AND THE PROVINCIAL HERITAGE RESOURCES ARE RESPONSIBLE FOR GRADE II AND GRADE III HERITAGE RESOURCES, EXCEPT WHERE THERE IS AN AGENCY ARRANGEMENT WITH THE PROVINCIAL HERITAGE RESOURCES AUTHORITY.

APPENDIX 1

Protection of Graves

In terms of the National Heritage Resources Act (No. 25 of 1999) graves older than 60 years (not in a municipal graveyard) are protected. Human remains younger than 60 years should be handled only by a registered undertaker or an institution declared under the Human Tissues Act.

Anyone who wishes to develop an area where there are graves older than 60 years is required to follow the process described in the legislation (section 36 and associated regulations). The specialist will require a permit from the heritage resources authority:

1. Determine/ confirm the presence of the graves on the property. Normally the quickest way to proceed is to obtain the service of a professional archaeologist accredited to undertake burial relocations (see attached list). The archaeologist will provide an estimate of the age of the graves. There may be a need for archival research and possibly test excavations (permit required).
2. The preferred decision is to move the development so that the graves may remain undisturbed. If this is done, the developer must satisfy SAHRA that adequate arrangements have been made to protect the graves on site from the impact of the development. This usually involves fencing the grave(yard) and setting up a small site management plan indicating who will be responsible for maintaining the graves and how this is legally tied into the development. It is recommended that a distance of 10-20 m is left undisturbed between the grave and the fence around the graves.
3. If the developer wishes to relocate or disturb the graves:
 - a. A 60-day public participation (social consultation) process as required by section 36 (and regulations - see attachment), must be undertaken to identify any direct descendants of those buried on the property. This allows for a period of consultation with any family members or community to ascertain what their wishes are for the burials. It involves notices to the public on site and through representative media. This may be done by the archaeologist, who can explain the process, but for large or sensitive sites a social consultant should be employed. Archaeologists often work with undertakers, who rebury the human remains.
 - b. If as a result of the public participation, the family (where descendants are identified) or the community agree to the relocation process then the graves may be relocated.
 - c. The archaeologist must submit a permit application to SAHRA for the disinterment of the burials. This must include written approval of the descendants or, if there has not been success in identifying direct descendants, written documentation of the social consultation process, which must indicate to SAHRA's satisfaction, the efforts that have been made to locate them. It must also include details of the exhumation process and the place to which the burials are to be relocated. (There are regulations regarding creating new cemeteries and so this usually means that relocation must be to an established communal rural or formal municipal cemetery.)
 - d. Permission must be obtained before exhumation takes place from the landowner where the graves are located, and from the owners/managers of the graveyard to which the remains will be relocated.
 - e. Other relevant legislation must be complied with, including the Human Tissues Act (National Department of Health) and any ordinances of the Provincial Department of Health). The archaeologist can usually advise about this.