

**A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF
A FULL PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT (AIA) FOR THE
PROPOSED FUEL SERVICE STATION AND ASSOCIATED INFRASTRUCTURE ON
ERF 3139, KARIEGA HEIGHTS, KENTON-ON-SEA, NDLAMBE LOCAL
MUNICIPALITY, EASTERN CAPE PROVINCE.**

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A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT (AIA) FOR THE PROPOSED FUEL SERVICE STATION AND ASSOCIATED INFRASTRUCTURE ON ERF 3139, KARIEGA HEIGHTS, KENTON-ON-SEA, NDLAMBE LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE.

NOTE: The archaeological impact assessment was conducted as a requirement of the National Heritage Resources Act 25 of 1999, Section 38 (1)(a)(b):

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorized as –

(c) any development or other activity which will change the character of the site –

(i) exceeding 5000 m² in extent

This report follows the minimum standard guidelines required by the South African Heritage Resources Agency (SAHRA) and the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) for compiling a Letter of Recommendation for the Exemption of a Full Phase 1 Archaeological Impact Assessment.

1. EXECUTIVE SUMMARY

1.1. The type of development:

Construction of a fuel station and associated infrastructure situated on Erf 3139, Kariega Heights, Kenton-on-Sea, Ndlambe Local Municipality, Eastern Cape Province.

The proposed fuel service station will comprise of four Underground Storage Tanks (USTs), which will include one diesel tank; one Lead Replacement Product (LRP) tank; and two unleaded petrol tanks. A total storage capacity of 92 m³ is envisaged.

The infrastructure associated with the proposed fuel service station will include:

- Four underground fuel storage tanks;
- Associated underground pipework;
- Four pump islands;
- Convenience store;
- Canopy to cover forecourt area;
- Car wash; and
- Parking bays.

1.2. Applicant:

Seriso 616 (Pty) Ltd

The fuel station will be operating as a franchisee of Total South Africa.

1.3. Consultant:

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1.4. Terms of reference

The purpose of the study was to conduct a phase 1 archaeological impact assessment (AIA) for the proposed fuel service station and associated infrastructure on Erf 3139, Kariega Heights, Kenton-On-Sea, Ndlambe Local Municipality, Eastern Cape Province.

The survey was conducted to:

- establish the range and importance of the exposed and *in situ* archaeological heritage materials remains, sites, and features;
- establish the potential impact of the development; and
- make recommendations to minimize possible damage to the archaeological heritage.

As no archaeological heritage sites, features, or remains were identified during the survey, the report has been presented as a Letter of Recommendation for the Exemption of a Full Phase 1 Archaeological Impact Assessment.

1.5. Brief Summary of Findings

No archaeological heritage remains, features, or sites were documented within the proposed area for the fuel service station. It must be noted that the investigation was limited to the surface observation. Archaeological visibility was obscured by heavily dense bush and grass vegetation cover. Exposed surface areas, for example, footpaths were investigated for possible archaeological heritage remains.

2. DESCRIPTION OF THE PROPERTY

2.1. Location data

The proposed area is situated between the R72, bordering the site to the north; the entry road to Kenton-on-Sea, Kariega Road, to the east; and residential areas to the south. The proposed entry to the fuel service station will be located in Kariega Road. The site is situated within the 5 km archaeologically sensitive coastal zone, about 1.5 km from the nearest coastline, however, the site is located within an already developed area surrounded by the R72 provincial road and the neighbouring residential areas.

2.2. Map

1:50 000 topographic map: 3326 DA & DC BOESMANSRIVIERMOND (Figure 1)

TABLE 1: GPS CO-ORDINATES AND DESCRIPTIONS FOR THE PROPOSED FUEL SERVICE STATION AND ASSOCIATED INFRASTRUCTURE ON ERF 3139, KARIEGA HEIGHTS, KENTON-ON-SEA, NDLAMBE LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE.

REFERENCE	DESCRIPTION	CO-ORDINATES	HERITAGE GRADING
KOS1	General GPS co-ordinate on site.	33°40'45.90"E; 26°40'06.40"S	N/A

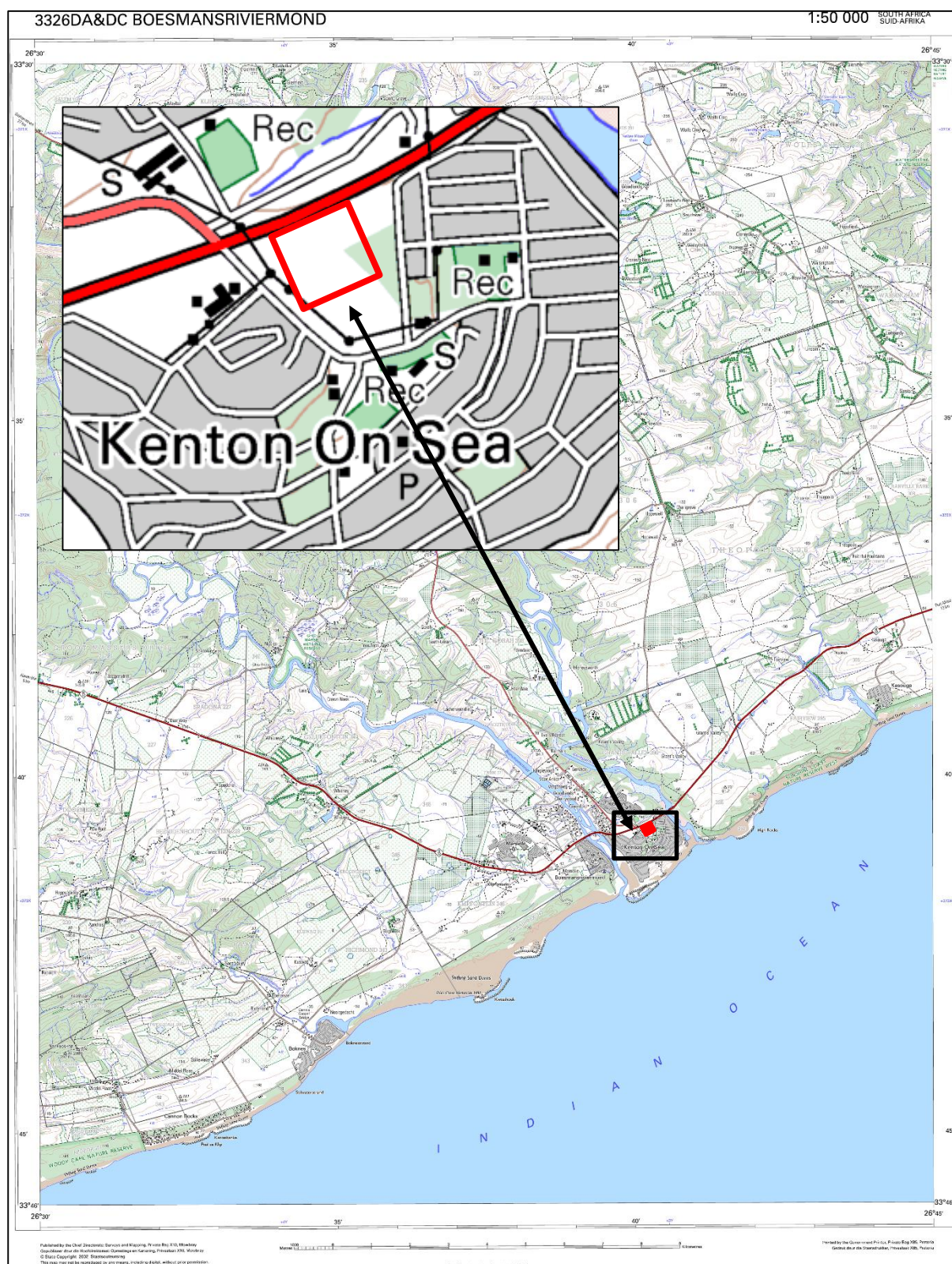


Figure 1. 1:50 000 topographic map 3326 DA & DC BOESMANSRIVIERMOND showing the location of the proposed fuel service station on Erf 3139, Kariega Heights, Kenton-on-Sea.

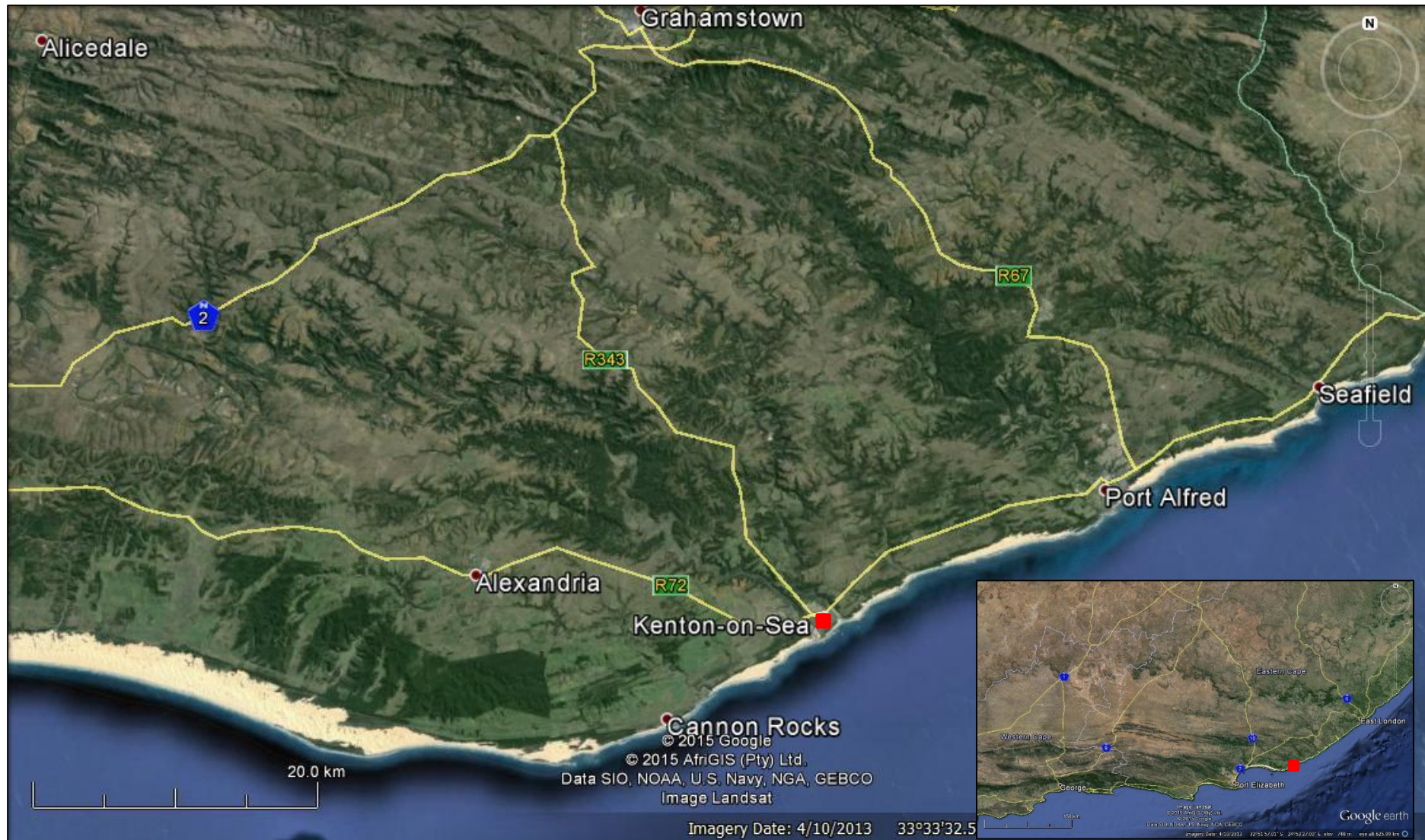


Figure 2. Aerial view showing the location of proposed fuel service station on Erf 3139, Kariaga Heights, Kanton-on-Sea within proximity to towns in the wider region.

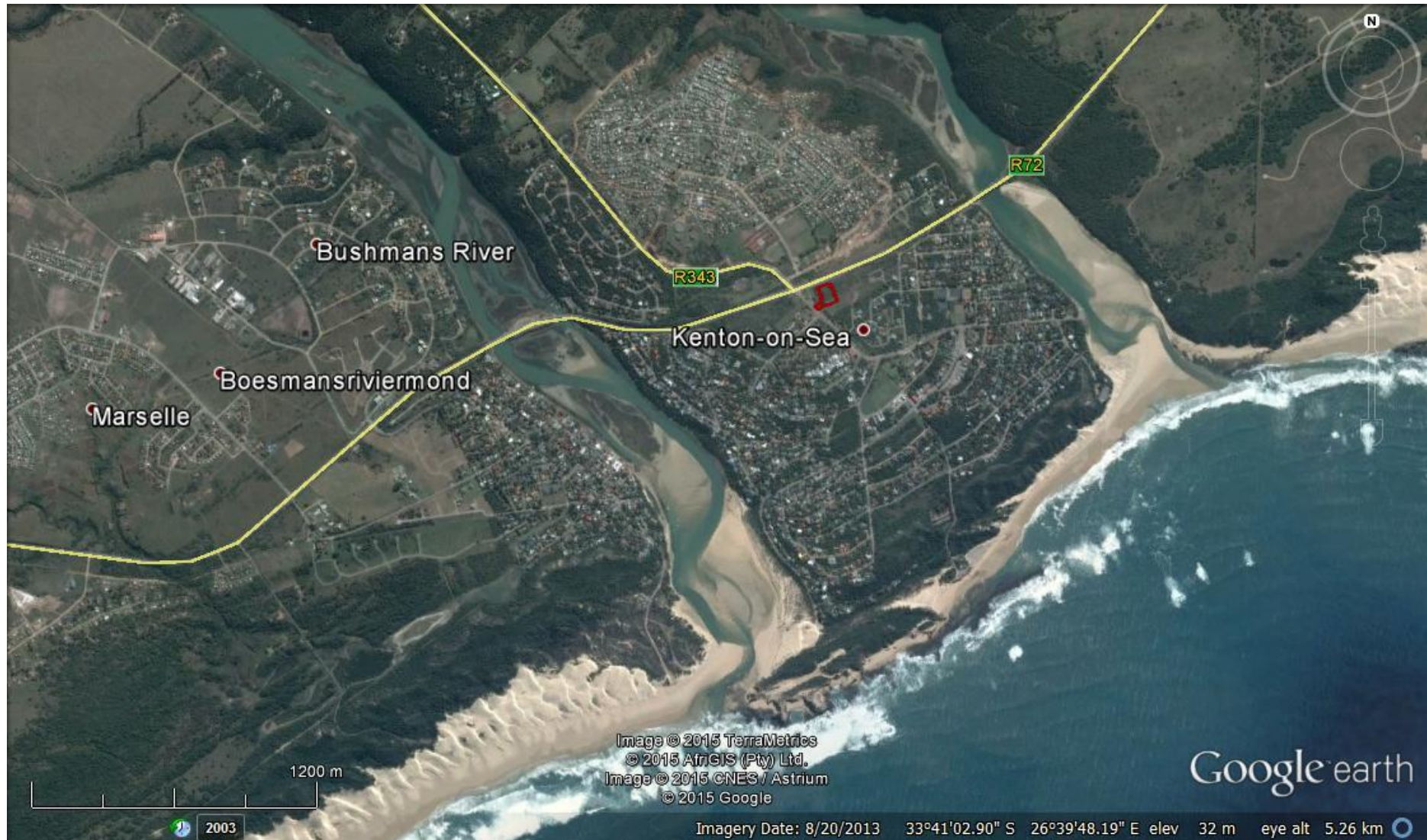


Figure 3. Aerial view of the area proposed for the proposed fuel service station on Erf 3139, Kariega Heights, Kenton-on-Sea.



Figure 4. Close-up aerial view of the boundary (red outline), co-ordinates (red dot: KOS1) for the proposed fuel service station on Erf 3139, Kariega Heights, Kanton-on-Sea.

3. ARCHAEOLOGICAL INVESTIGATION

3.1. Methodology

The archaeological investigation was conducted on foot by surveying the proposed area for the fuel service station on Erf 3139, Kariega Heights, Kenton-on-Sea. The proposed area was investigated for possible archaeological heritage remains, features, and sites. Photographs and GPS readings were taken using a Garmin Oregon 550 (Table 1). The GPS readings have been plotted on Figure 4.

3.2. Results of the Archaeological Survey

No archaeological heritage remains, features, or sites were documented within the proposed area for the fuel service station. It must be noted that the investigation was limited to the surface observation. Archaeological visibility was obscured by heavily dense bush and grass vegetation cover (Figures 5-6). Exposed surface areas, for example, footpaths were investigated for possible archaeological heritage remains.

However, depending on the extent of disturbance or non-disturbance of the site itself or portions thereof, it is possible that archaeological marine shell remains and associated organic and cultural material may be exposed during ground excavation activities owing to the close proximity of the nearest coastline. The marine shell component would include and mostly be made up of edible marine shell found along the rocky and sandy coastline. Human remains have been uncovered during the upgrade of the R72 provincial road between Nanaga and Alexandria between 60 km and 75 km west of Kenton-on-Sea.



Figure 5. View of the general landscape and dense vegetation cover of Erf 3139.



Figure 6. View of the general landscape and dense vegetation cover of Erf 3139.

4. RELEVANT ARCHAEOLOGICAL IMPACT ASSESSMENTS

Very little systematic archaeological research has been conducted within the immediate and surrounding areas for the proposed project, therefore, Cultural Resource Management (CRM) Reports, such as archaeological and heritage impact assessments, assist in attempting to predict the archaeological and heritage resources that may be found within the proposed development areas. The following reports are considered relevant to the current project:

- Anderson, G. 2009. Heritage Survey of the Proposed Waainek Wind Farm, Grahamstown, Eastern Cape.
- Binneman, J. & Booth, C. 2008. A Phase 1 Archaeological Impact Assessment of the Proposed Subdivision and Rezoning of Portions off Garden Lot, Portion 20 of Farm No. 397, South Gorah, Kenton-on-Sea, Ndlambe Municipality, Eastern Cape.
- Booth, C. 2011. A Phase 1 Archaeological Impact Assessment for the Golf Course Development on Portions 1 and 2 of the Farm Willow Glen and Portion 6 of Belmont Valley Farm, Grahamstown, Makana Municipality, Cacadu District Municipality, Eastern Cape Province.
- Booth, C. 2013. A Phase 1 Archaeological Impact Assessment (AIA) for the Proposed Mining Right Application for the Mining Of Dolomite, Limestone, Sand (General), Stone Aggregate, Gravel and Sand on Portions Of Portion 17 and the Remainder of the Farm Lombard's Post 289, Bathurst, Eastern Cape Province.
- Nilssen, P. 2011. Scoping Archaeological Impact Assessment: Proposed Development of the Plan 8 Grahamstown Wind Energy Facility Project: Including farms Gilead 361, Peynes Kraal 362 and Tower Hill, Grahamstown, Makana Municipality, Eastern Cape Province.
- Van Ryneveld, K. 2008. Phase 1 Archaeological Impact Assessment – the Albany Regional Water Supply Scheme, Eastern Cape, South Africa. Unpublished report

by Archaeomaps on file at SAHRA as 2008-SAHRA-0136.

Van Ryneveld, K. 2010. Graves Discovered During Upgrading of the R72 from Port Elizabeth to Port Alfred, Eastern Cape, South Africa.

Van Ryneveld, K. 2012a. Phase 1 Archaeological Impact Assessment: Lamin Lime Prospecting Application: Farm 101, Farm 102-1, Farm 206-2 & Farm 206-5, Ndlambe Municipality, Eastern Cape, South Africa.

Van Ryneveld, K. 2012b. Phase 1 Archaeological Impact Assessment: Refurbishment, Operation and Maintenance of the Port Alfred East Bank Dube Well Water Supply Scheme.

Van Schalkwyk, L.O. & Wahl, B. 2008. Heritage Impact Assessment of Ndlambe and Makana Borrow Pits, Greater Cacadu Region, Eastern Cape Province, Eastern Cape Province, South Africa. Unpublished report by Ethembeni Cultural Heritage on file at SAHRA as 2008-SAHRA-0543.

5. REFERENCES

National Heritage Resources Act 25 of 1999 (NHRA 25 of 1999)

South African Heritage Resources Information System (SAHRIS) Database.

6. LETTER OF RECOMMENDATION

It is recommended that the area proposed fuel service station and associated infrastructure on Erf 3139, Kariega Heights, Kenton-On-Sea, Ndlambe Local Municipality, Eastern Cape Province, is exempted from a full Phase 1 Archaeological Impact Assessment. The proposed area for development is of low archaeological cultural sensitivity. No archaeological heritage sites, features, or remains were documented during the survey, although it is possible that archaeological heritage material may occur below the surface. Taking into consideration the recommendation below, the development may proceed as planned.

There were no archaeological artefacts located during the archaeological impact assessment survey carried out. If any archaeological or heritage material were to be discovered it is very unlikely that it would be *in situ*. However, there is always a possibility that human remains or other archaeological and historical material may be uncovered during the development. Such material must be reported to the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) (043 745 0888) or the Albany Museum (046 622 2312) if exposed.

Note: This letter of recommendation **only** exempts the proposed development from a full Phase 1 Archaeological Heritage Impact Assessment, but **not** for other heritage impact assessments.

It must also be clear that this letter of recommendation for exemption of a full Phase 1 archaeological heritage impact assessment will be assessed by the relevant heritage

resources authority. The final decision rests with the heritage resources authority, which should give a permit or a formal letter of permission for the destruction of any cultural sites.

The National Heritage Resources Act (Act No. 25 of 1999, section 35) requires a full Heritage Impact Assessment (HIA) in order that all heritage resources, that is, all places or objects of aesthetics, architectural, historic, scientific, social, spiritual linguistic or technological value or significance are protected. Thus any assessment should make provision for the protection of all these heritage components, including archaeology, shipwrecks, battlefields, graves, and structures older than 60 years, living heritage, historical settlements, landscapes, geological sites, palaeontological sites and objects.

7. RECOMMENDATIONS

Although no archaeological heritage remains, features, and sites were encountered during the survey, the following recommendations should be considered before development proceeds:

1. If concentrations of archaeological and/or historical heritage material, marine shells, and / or human remains are uncovered during construction, all work must cease immediately and be reported to the Albany Museum (046 622 2312) and/or the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) (043 745 0888) so that systematic and professional investigation/ excavation can be undertaken.
2. The environmental control officer (ECO) as well as the construction managers/foremen should be informed before construction starts on the possible types of heritage sites and cultural material they may encounter and the procedures to follow when they find sites.

8. GENERAL REMARKS AND CONDITIONS

It must be emphasised that this letter of recommendation for exemption of a full Phase 1 archaeological heritage impact assessment is based on the visibility of archaeological sites/material and may not, therefore, reflect the true state of affairs. Sites and material may be covered by soil and vegetation and will only be located once this has been removed. In the unlikely event of such finds being uncovered, (during any phase of construction work), archaeologists must be informed immediately so that they can investigate the importance of the sites and excavate or collect material before it is destroyed (see attached list of possible archaeological sites and material). The *onus* is on the developer to ensure that this agreement is honoured in accordance with the National Heritage Act No. 25 of 1999.

APPENDIX A: HERITAGE LEGISLATIVE REQUIREMENTS

Parts of sections 3(1)(2)(3), 34(1), 35(4), 36(3) and 38(1)(8) of the National Heritage Resources Act 25 of 1999 apply:

S3. National estate

3. (1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.

3. (2) Without limiting the generality of subsection (1), the national estate may include –

- (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 natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and palaeontological sites;
- (g) graves and burial grounds, including –
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves and victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the Gazette;
 - (v) historical graves and cemeteries; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including –
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;
 - (v) objects of decorative or fine art;
 - (vi) objects of scientific or technological interest; and
 - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act (Act No. 43 of 1996).

3. (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 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.

S34. Structures

34. (1) No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

S35. Archaeology, palaeontology and meteorites

35 (4) No person may, without a permit issued by the responsible heritage resources authority—

- (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;
- (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

S36. Burial grounds and graves

36. (3) (a) 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.

S38. Heritage resources management

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorized as –

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of the site –
 - (i) exceeding 5000 m² in extent, or
 - (ii) involving three or more erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
- (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA, or a provincial resources authority;
- (d) the re-zoning of a site exceeding 10 000m² in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must as the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

APPENDIX B: GRADING SYSTEM

The NHRA stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act and the South African Heritage Resources Agency:

- National: This site is suggested to be considered of Grade 1 significance and should be nominated as such. Heritage resources with qualities so exceptional that they are of special national significance.
- Provincial: This site is suggested to be considered of Grade II significance and should be nominated as such. 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
- Local: This site is suggested to be Grade IIIA significance. This site should be retained as a heritage register site (High significance) and so mitigation as part of the development process is not advised.
- Local: This site is suggested to be Grade IIIB significance. It could be mitigated and (part) retained as a heritage register site (High significance).
- 'General' Protection A (Field Rating IV A): This site should be mitigated before destruction (usually High/Medium significance).
- 'General' Protection B (Field Rating IV B): This site should be recorded before destruction (usually Medium significance).
- 'General Protection C (Field Rating IV C): This site has been sufficiently recorded (in the Phase 1). It requires no further recording before destruction (usually Low significance).

APPENDIX C: IDENTIFICATION OF ARCHAEOLOGICAL FEATURES AND MATERIAL FROM COASTAL AREAS: guidelines and procedures for developers

1. Human Skeletal material

Human remains, whether the complete remains of an individual buried during the past, or scattered human remains resulting from disturbance of the grave, should be reported. In general the remains are buried in a flexed position on their sides, but are also found buried in a sitting position with a flat stone capping and developers are requested to be on the alert for this.

2. Shell middens

Shell middens can be defined as an accumulation of marine shell deposited by human agents rather than the result of marine activity. The shells are concentrated in a specific locality above the high-water mark and frequently contain stone tools, pottery, bone and occasionally also human remains. Shell middens may be of various sizes and depths, but an accumulation which exceeds 1 m² in extent, should be reported to an archaeologist. m² in extent, should be reported to an archaeologist.

3. Stone artefacts

These are difficult for the layman to identify. However, large accumulations of flaked stones which do not appear to have been distributed naturally should be reported. If the stone tools are associated with bone remains, development should be halted immediately and archaeologists notified

4. Fossil bone

Fossil bones may be found embedded in geological deposits. Any concentrations of bones, whether fossilized or not, should be reported.

5. Large stone features

They come in different forms and sizes, but are easy to identify. The most common are roughly circular stone walls (mostly collapsed) and may represent stock enclosures, remains of wind breaks or cooking shelters. Others consist of large piles of stones of different sizes and heights and are known as *isisivane*. They are usually near river and mountain crossings. Their purpose and meaning is not fully understood, however, some are thought to represent burial cairns while others may have symbolic value.

6. Historical artefacts or features

These are easy to identified and include foundations of buildings or other construction features and items from domestic and military activities.