

**Cultural heritage impact assessment for  
THE EXPANSION OF TWO EXISTING BORROW PITS FOR REHABILITATION OF  
NATIONAL ROUTE 2 SECTION 19 BETWEEN NQADU (KM 22,0) AND MZEKE  
RIVER (KM 55,4), O R TAMBO DISTRICT MUNICIPALITY,  
EASTERN CAPE PROVINCE**

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**Declaration:**

I, J.A. van Schalkwyk, declare that I do not have any financial or personal interest in the proposed development, nor its developers or any of their subsidiaries, apart from the provision of heritage assessment and management services, for which a fair numeration is charged.



J A van Schalkwyk (D Litt et Phil)  
Heritage Consultant  
April 2016

## EXECUTIVE SUMMARY

### **CULTURAL HERITAGE ASSESSMENT FOR THE EXPANSION OF TWO EXISTING BORROW PITS FOR REHABILITATION OF NATIONAL ROUTE 2 SECTION 19 BETWEEN NQADU (KM 22,0) AND MZEKE RIVER (KM 55,4), O R TAMBO DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE**

As part of on-going upgrading process, it is proposed to upgrade a section of the N2 national route in Eastern Cape Province. Two borrow pits have been identified for obtaining material for the proposed work. In order to comply with relevant legislation, the agency managing this road, SANRAL, commissioned an environmental impact assessment. This report deals with issues pertaining to heritage resources.

In accordance with Section 38 of the NHRA, an independent heritage consultant was therefore appointed by **Chameleon Environmental Consultants** to conduct a Heritage Impact Assessment (HIA) to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the borrow pits where it is planned to obtain material for the road upgrade.

The cultural landscape qualities of the region essentially consist of two components. The first is a rural area in which the human occupation is made up of a pre-colonial element (Iron Age) as well as a much later colonial component. The second component, although much younger, is a farming one which also gave rise to an urban element.

#### Impact assessment:

Impact analysis of cultural heritage resources under threat of the proposed development, is based on the present understanding of the development:

- (7.3.3.1) A small, informal burial place was identified in close proximity to Borrow Pit 4. It contains approximately 20 graves spread over a wide area.
  - Fortunately this feature is located some distance from Borrow Pit 4 and would therefore not be impacted on by the proposed development.
    - It recommended that it should be fenced off for the duration of the road upgrade, leaving a buffer zone of at least five metres from the outer edge of the graves

#### Reasoned opinion as to whether the proposed activity should be authorised:

- From a heritage point of view it is recommended that the proposed development be allowed to continue, on condition of acceptance of the proposed mitigation measures.

#### Conditions for inclusion in the environmental authorisation:

- It is recommended that the burial site is retained and that it should be fenced off for the duration of the construction activities, leaving a buffer zone of at least five metres from the outer edge of the graves.
- Should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.

A handwritten signature in black ink, appearing to read 'J A van Schalkwyk'. The signature is written in a cursive style with a large initial 'J' and 'A'.

J A van Schalkwyk  
Heritage Consultant  
April 2016

**TECHNICAL SUMMARY**

<b>Property details</b>						
Province	Eastern Province					
Magisterial district	Libode/Tsolo					
District municipality	O R Tambo					
Topo-cadastral map	3128BB, 3128BD					
Farm name	Various					
Closest town	Umtata					
Coordinates	Centre points: Borrow Pit 3 & Borrow Pit \$					
	No	Latitude	Longitude	No	Latitude	Longitude
	3	-31.31860	28.78567	4	-31.31794	28.82715

<b>Development criteria in terms of Section 38(1) of the NHR Act</b>	<b>Yes/No</b>
Construction of road, wall, power line, pipeline, canal or other linear form of development or barrier exceeding 300m in length	No
Construction of bridge or similar structure exceeding 50m in length	No
Development exceeding 5000 sq m	Yes
Development involving three or more existing erven or subdivisions	No
Development involving three or more erven or divisions that have been consolidated within past five years	No
Rezoning of site exceeding 10 000 sq m	No
Any other development category, public open space, squares, parks, recreation grounds	No

<b>Development</b>	
Description	Expanding of two existing borrow pits
Project name	Rehabilitation of N2 Section 19 Nqadu to Mzeke River

<b>Land use</b>	
Previous land use	Farming
Current land use	Farming

**TABLE OF CONTENTS**

	Page
EXECUTIVE SUMMARY .....	II
TECHNICAL SUMMARY .....	IV
TABLE OF CONTENTS .....	V
LIST OF FIGURES.....	V
GLOSSARY OF TERMS AND ABBREVIATIONS.....	VI
1. INTRODUCTION.....	1
2. TERMS OF REFERENCE .....	1
3. HERITAGE RESOURCES.....	2
4. STUDY APPROACH AND METHODOLOGY .....	3
5. SITE SIGNIFICANCE AND ASSESSMENT .....	5
6. PROJECT DESCRIPTION.....	7
7. DESCRIPTION OF THE AFFECTED ENVIRONMENT .....	8
8. MANAGEMENT MEASURES.....	12
9. RECOMMENDATIONS.....	13
10. REFERENCES.....	15
APPENDIX 1: CONVENTIONS USED TO ASSESS THE SIGNIFICANCE OF HERITAGE RESOURCES .....	17
APPENDIX 2. RELEVANT LEGISLATION .....	18
APPENDIX 3. RELOCATION OF GRAVES .....	20
APPENDIX 4. SPECIALIST COMPETENCY.....	21
APPENDIX 5: INVENTORY OF IDENTIFIED CULTURAL HERITAGE SITES.....	22

**LIST OF FIGURES**

	Page
Fig. 1. Map indicating the track log of the field survey.....	4
Fig. 2. The location of the study areas in regional context. ....	7
Fig. 3. Layout of the two borrow pits. ....	8
Fig. 4. Views over the study area.....	8
Fig. 5. Imperial War Map of the region, dating to 1902.....	10
Fig. 6. Development of the National Freeways by 1972. ....	10
Fig. 7. Location of the identified sites.....	11

## **GLOSSARY OF TERMS AND ABBREVIATIONS**

### **TERMS**

**Study area:** Refers to the entire study area as indicated by the client in the accompanying Fig. 1 - 2.

**Stone Age:** The first and longest part of human history is the Stone Age, which began with the appearance of early humans between 3-2 million years ago. Stone Age people were hunters, gatherers and scavengers who did not live in permanently settled communities. Their stone tools preserve well and are found in most places in South Africa and elsewhere.

Early Stone Age	2 000 000 - 150 000 Before Present
Middle Stone Age	150 000 - 30 000 BP
Later Stone Age	30 000 - until c. AD 200

**Iron Age:** Period covering the last 1800 years, when new people brought a new way of life to southern Africa. They established settled villages, cultivated domestic crops such as sorghum, millet and beans, and they herded cattle as well as sheep and goats. As they produced their own iron tools, archaeologists call this the Iron Age.

Early Iron Age	AD 200 - AD 900
Middle Iron Age	AD 900 - AD 1300
Late Iron Age	AD 1300 - AD 1830

**Historical Period:** Since the arrival of the white settlers - c. AD 1830 - in this part of the country.

### **ABBREVIATIONS**

ADRC	Archaeological Data Recording Centre
ASAPA	Association of Southern African Professional Archaeologists
CS-G	Chief Surveyor-General
EIA	Early Iron Age
ESA	Early Stone Age
LIA	Late Iron Age
LSA	Later Stone Age
HIA	Heritage Impact Assessment
MSA	Middle Stone Age
NASA	National Archives of South Africa
NHRA	National Heritage Resources Act
PHRA	Provincial Heritage Resources Agency
SAHRA	South African Heritage Resources Agency

## **CULTURAL HERITAGE ASSESSMENT FOR THE EXPANSION OF TWO EXISTING BORROW PITS FOR REHABILITATION OF NATIONAL ROUTE 2 SECTION 19 BETWEEN NQADU (KM 22,0) AND MZEKE RIVER (KM 55,4), O R TAMBO DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE**

### **1. INTRODUCTION**

As part of on-going upgrading process, it is proposed to upgrade a section of the N2 national route in Eastern Cape Province. Two borrow pits have been identified for obtaining material for the proposed work. In order to comply with relevant legislation, the agency managing this road, SANRAL, commissioned an environmental impact assessment. This report deals with issues pertaining to heritage resources.

South Africa's heritage resources, also described as the 'national estate', comprise a wide range of sites, features, objects and beliefs. However, according to Section 27(18) of the National Heritage Resources Act (NHRA), No. 25 of 1999, no person may destroy, damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of any heritage site without a permit issued by the heritage resources authority responsible for the protection of such site.

In accordance with Section 38 of the NHRA, an independent heritage consultant was therefore appointed by **Chameleon Environmental Consultants** to conduct a Heritage Impact Assessment (HIA) to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the borrow pits where it is planned to obtain material for the road upgrade.

This report forms part of the Environmental Impact Assessment (EIA) as required by the EIA Regulations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended and is intended for submission to the South African Heritage Resources Agency (SAHRA).

### **2. TERMS OF REFERENCE**

The aim of a full HIA investigation is to provide an informed heritage-related opinion about the proposed development by an appropriate heritage specialist. The objectives are to identify heritage resources (involving site inspections, existing heritage data and additional heritage specialists if necessary); assess their significances; assess alternatives in order to promote heritage conservation issues; and to assess the acceptability of the proposed development from a heritage perspective.

The result of this investigation is a heritage impact assessment report indicating the presence/ absence of heritage resources and how to manage them in the context of the proposed development.

Depending on SAHRA's acceptance of this report, the developer will receive permission to proceed with the proposed development, on condition of successful implementation of proposed mitigation measures.

#### **2.1 Scope of work**

The aim of this study is to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the areas where the borrow pits are to be expanded.



This includes:

- Conducting a desk-top investigation of the area;
- A visit to the proposed development site,

The objectives were to

- Identify possible archaeological, cultural and historic sites within the proposed development areas;
- Evaluate the potential impacts of construction, operation and maintenance of the proposed development on archaeological, cultural and historical resources;
- Recommend mitigation measures to ameliorate any negative impacts on areas of archaeological, cultural or historical importance.

## 2.2 Limitations

The investigation has been influenced by the following factors:

- It is assumed that the description of the proposed project, provided by the client, is accurate.
- No subsurface investigation (i.e. excavations or sampling) were undertaken, since a permit from SAHRA is required for such activities.
- It is assumed that the public consultation process undertaken as part of the Environmental Impact Assessment (EIA) is sufficient and that it does not have to be repeated as part of the heritage impact assessment.
- The unpredictability of buried archaeological remains.
- This report does not consider the palaeontological potential of the site.

## 3. HERITAGE RESOURCES

### 3.1 The National Estate

The NHRA (No. 25 of 1999) defines the heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations that must be considered part of the national estate to include:

- places, buildings, structures and equipment of cultural significance;
- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- graves and burial grounds, including-
  - ancestral graves;
  - royal graves and graves of traditional leaders;
  - graves of victims of conflict;
  - graves of individuals designated by the Minister by notice in the Gazette;
  - historical graves and cemeteries; and
  - other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including-
  - objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;

- objects to which oral traditions are attached or which are associated with living heritage;
- ethnographic art and objects;
- military objects;
- objects of decorative or fine art;
- objects of scientific or technological interest; and
- 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, 1996 (Act No. 43 of 1996).

### 3.2 Cultural significance

In the NHRA, Section 2 (vi), it is stated that “cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. This is determined in relation to a site or feature’s uniqueness, condition of preservation and research potential.

According to Section 3(3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of

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

A matrix was developed whereby the above criteria were applied for the determination of the significance of each identified site (see Appendix 1). This allowed some form of control over the application of similar values for similar identified sites.

## 4. STUDY APPROACH AND METHODOLOGY

### 4.1 Extent of the Study

This survey and impact assessment covers the area as presented in Section 6 below and illustrated in Figure 2.

### 4.2 Methodology

#### 4.2.1.1 Survey of the literature

A survey of the relevant literature was conducted with the aim of reviewing the previous research done and determining the potential of the area. In this regard, various anthropological, archaeological and historical sources were consulted – see list of references in Section 10.

- Information on events, sites and features in the larger region were obtained from these sources.

#### 4.2.1.2 Data bases

The *Heritage Atlas Database*, the *Environmental Potential Atlas*, the *Chief Surveyor General* and the *National Archives of South Africa* were consulted.

- Database surveys produced a number of sites located in the larger region of the proposed development.

#### 4.2.1.3 Other sources

Aerial photographs and topocadastral and other maps were also studied - see the list of references below.

- Information of a very general nature were obtained from these sources

#### 4.2.2 Field survey

The field survey was done according to generally accepted archaeological practices, and was aimed at locating all possible sites, objects and structures. The area that had to be investigated was identified by Chameleon Environmental Consultants by means of maps and .kml files indicating the development area. This was loaded onto a Nexus 7 tablet and used in Google Earth during the field survey to access the areas.

The sites were visited on 9 April 2016. The areas were investigated by walking transects across it – see Fig. 1 below.

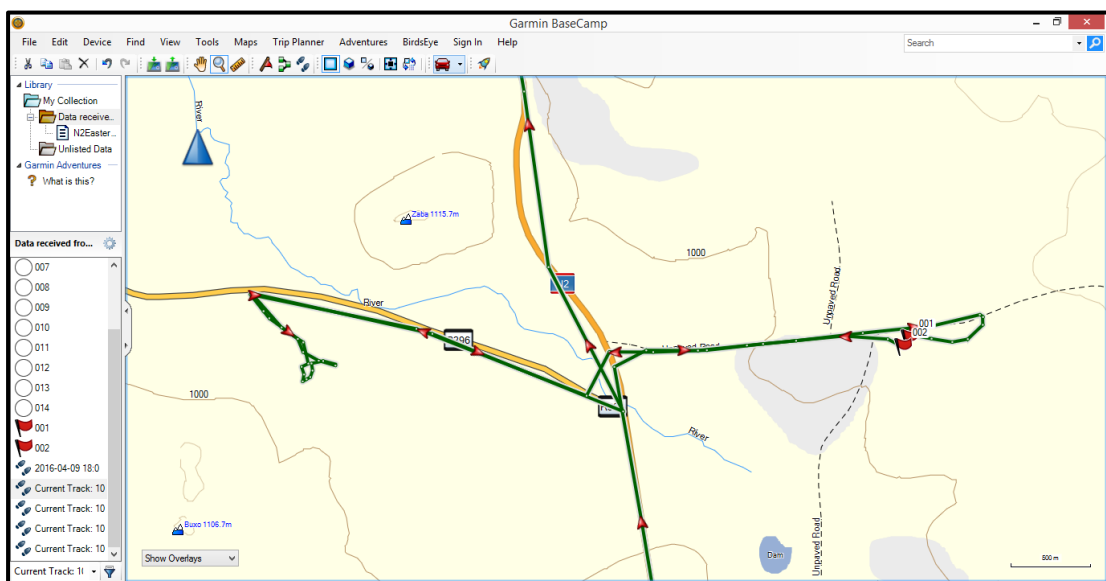


Fig. 1. Map indicating the track log of the field survey.

The following is relevant to the field survey:

- During the site visit the archaeological visibility was somewhat limited by the vegetation encountered after the recent good rains in the region.

#### 4.2.3 Documentation

All sites, objects and structures that are identified are documented according to the general minimum standards accepted by the archaeological profession. Coordinates of individual localities are determined by means of the *Global Positioning System* (GPS) and plotted on a map. This information is added to the description in order to facilitate the identification of each locality.

The track log and identified sites were recorded by means of a Garmin Oregon 550 handheld GPS device. Photographic recording was done by means of a Canon EOS 550D digital camera.

Map datum used: Hartebeeshoek 94 (WGS84).

## 5. SITE SIGNIFICANCE AND ASSESSMENT

### 5.1 Heritage assessment criteria and grading

The National Heritage Resources Act, Act no. 25 of 1999, stipulates the assessment criteria and grading of heritage sites. The following grading categories are distinguished in Section 7 of the Act:

- **Grade I:** Heritage resources with qualities so exceptional that they are of special national significance;
- **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
- **Grade III:** Other heritage resources worthy of conservation on a local authority level.

A matrix was developed whereby the criteria, as set out in Sections 3(3) and 7 of the NHRA, were applied for each identified site (see Appendix 1). This allowed some form of control over the application of similar values for similar sites.

The occurrence of sites with a Grade I significance will demand that the development activities be drastically altered in order to retain these sites in their original state. For Grade II and Grade III sites, the applicable of mitigation measures would allow the development activities to continue.

### 5.2 Methodology for the assessment of potential impacts

All impacts identified during the EIA stage of the study will be classified in terms of their significance. Issues were assessed in terms of the following criteria:

- The **nature**, a description of what causes the effect, what will be affected and how it will be affected;
- The physical **extent**, wherein it is indicated whether:
  - 1 - the impact will be limited to the site;
  - 2 - the impact will be limited to the local area;
  - 3 - the impact will be limited to the region;
  - 4 - the impact will be national; or

- 5 - the impact will be international;
- The **duration**, wherein it is indicated whether the lifetime of the impact will be:
  - 1 - of a very short duration (0–1 years);
  - 2 - of a short duration (2-5 years);
  - 3 - medium-term (5–15 years);
  - 4 - long term (> 15 years); or
  - 5 - permanent;
- The **magnitude** of impact, quantified on a scale from 0-10, where a score is assigned:
  - 0 - small and will have no effect;
  - 2 - minor and will not result in an impact;
  - 4 - low and will cause a slight impact;
  - 6 - moderate and will result in processes continuing but in a modified way;
  - 8 – high, (processes are altered to the extent that they temporarily cease); or
  - 10 - very high and results in complete destruction of patterns and permanent cessation of processes;
- The **probability** of occurrence, which describes the likelihood of the impact actually occurring and is estimated on a scale where:
  - 1 - very improbable (probably will not happen);
  - 2 - improbable (some possibility, but low likelihood);
  - 3 - probable (distinct possibility);
  - 4 - highly probable (most likely); or
  - 5 - definite (impact will occur regardless of any prevention measures);
- The **significance**, which is determined through a synthesis of the characteristics described above (refer formula below) and can be assessed as low, medium or high;
- The **status**, which is described as either positive, negative or neutral;
- The degree to which the impact can be reversed;
- The degree to which the impact may cause irreplaceable loss of resources; and
- The degree to which the impact can be mitigated.

The **significance** is determined by combining the criteria in the following formula:

$$S = (E+D+M) \times P; \text{ where}$$

S = Significance weighting

E = Extent

D = Duration

M = Magnitude

P = Probability

The **significance weightings** for each potential impact are calculated as follows (Table 1 below):

**Table 1: Significance ranking**

Significance of impact					
Extent	Duration	Magnitude	Probability	Significance	Weight
-	-	-	-	-	-

Points	Significant Weighting	Discussion
< 30 points	Low	where this impact would not have a direct influence on the decision to develop in the area
31-60 points	Medium	where the impact could influence the decision to develop in the area unless it is effectively mitigated
> 60 points	High	where the impact must have an influence on the decision process to develop in the area

## 6. PROJECT DESCRIPTION

This report does not deal with development projects outside of or even adjacent to the study area as is presented in Section 6 of this report. The same holds true for heritage sites, except in a generalised sense where it is used to create an overview of the heritage potential in the larger region.

### 6.1 Site location

It is proposed to upgrade a section of the National Route N2, Section 19 between Nqadu (km 22,0) and Mzeke river (km 55,4) in the O R Tambo District Municipality of Eastern Cape Province (Fig. 2). For this, two existing borrow pits have been identified where the material will be sourced. Borrow pit 3 is located west of the N2 near village of Tsoolo. Borrow pit 4 is located east of the N2 in the vicinity of the Mears Training Centre. For more information, see the Technical Summary on p. iv above.

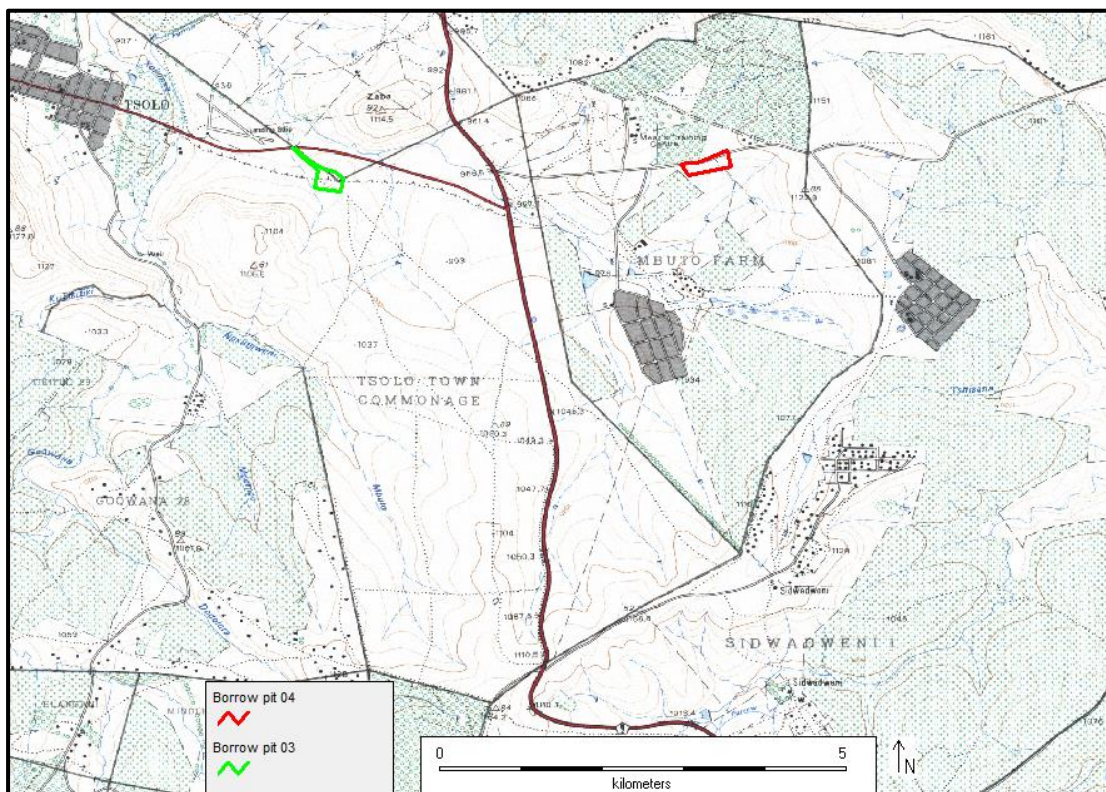


Fig. 2. The location of the study areas in regional context. (Map supplied by Chameleon Environmental Consultants)

### 6.2 Development proposal

Borrow pit 3 is nearly square in layout, with an access road that is to be opened. Borrow pit 4 is nearly rectangular and is located adjacent to a local road. See Fig. 4 below.

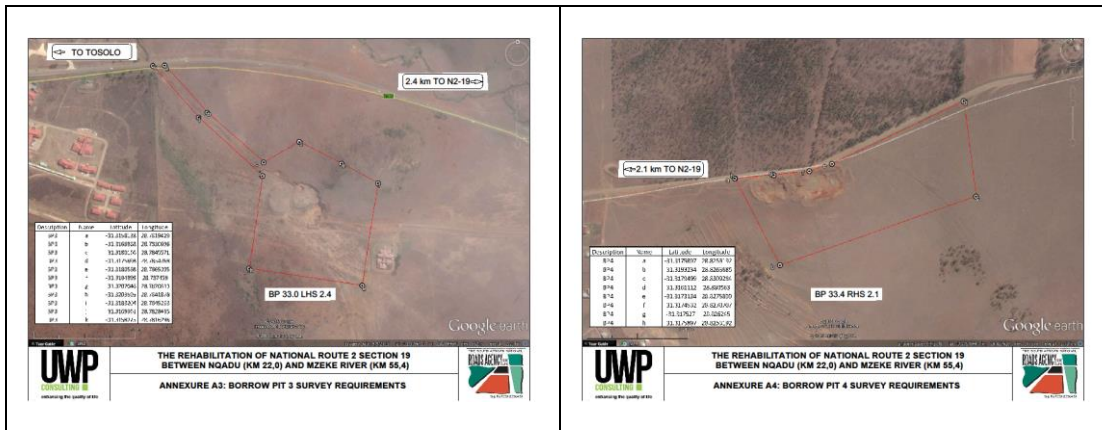


Fig. 3. Layout of the two borrow pits.

**7. DESCRIPTION OF THE AFFECTED ENVIRONMENT**

**7.1 Site description**

The geology of the region is made up of mudstone, with a number of dolerite intrusions, which forms the higher ridges. The vegetation is made up of Moist Upland Grassland. The topography is described as irregular undulating lowlands with hills.

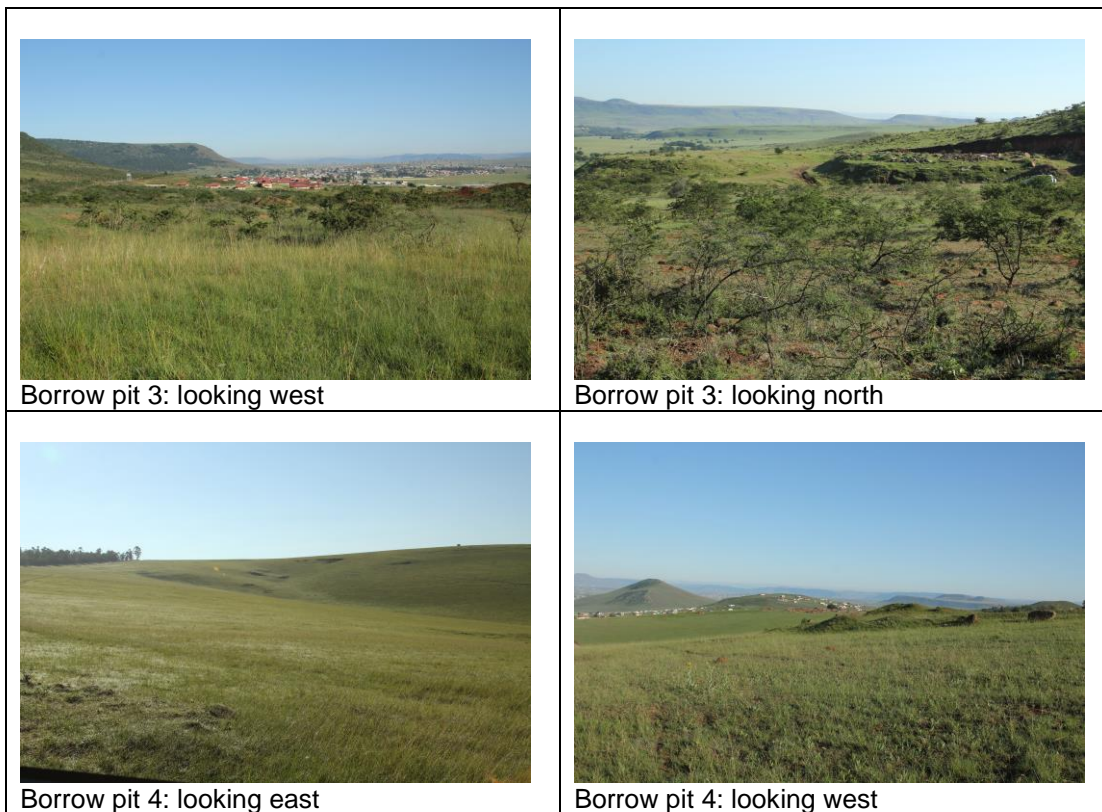


Fig. 4. Views over the study area.

## 7.2 Overview of the region

The aim of this section is to present an overview of the history of the larger region in order to eventually determine the significance of heritage sites identified in the study area, within the context of their historic, aesthetic, scientific and social value, rarity and representivity – see Section 3.2 and Appendix 1 for more information.

The cultural landscape qualities of the region essentially consist of two components. The first is a rural area in which the human occupation is made up of a pre-colonial element (Iron Age) as well as a much later colonial component. The second component, although much younger, is a farming one which also gave rise to an urban element.

Very little archaeological research has been done in the region. The information presented below is mostly derived from the work of Derricourt (1977), but is supplemented where possible with other sources.

The region has been inhabited by humans since at Later Stone Age (LSA) times. This is based on the occurrence of sites such as Kambi, Umnga and Ngcengane in the larger region that containing rock paintings. More to the east, a number of sites have been studied by Opperman (1982, 1987, 1996), as well as Mallen (2008), indicating a Later Stone Age presence in the region.

Iron Age people started to settle in southern Africa c. AD 300, with one of the oldest known sites at Silver Leaves south of Tzaneen dating to AD 270. Having only had cereals (sorghum, millet) that need summer rainfall, Early Iron Age (EIA) people did not move outside this rainfall zone, and neither did they occupy the central interior highveld area.

The occupation of the Eastern Cape region did not start much before the 1500s, although recent research (e.g. Binneman 1996, Nogwaza 1994, Prins & Granger 1993) indicates that it started during the 1<sup>st</sup> millennium. Derricourt (1977) investigated a number of sites in the Middeldrift area that he attributed to the Iron Age. Of course, the Late Iron Age also continues into modern times with the occupation of the area by the Nguni-speakers currently occupying the region. The history of these groups have been detailed by Hammond-Tooke (1955, 1956a, 1956b) and Hunter (1969). They are mostly related to the Mpondo and Mpondomise, who have been settled in the region for a considerable period of time. However, a number of groups that originated in Natal, such as the Tolo, Zizi, Hlubi, Bhele and Ngwane, settled in the region after the wars broke out in KwaZulu-Natal during the early part of the 18<sup>th</sup> century.

White settlers moved into the area during the second half of the 18<sup>th</sup> century. They were largely self-sufficient, basing their survival on cattle/sheep farming and hunting. Few towns were established and it remained an undeveloped area. This was also the area where white colonial expansion came into contact with the African populations, resulting in conflict, as well as the transfer of new ideas.

From the map in Fig. 5, dating to 1902, it can be seen that very little development existed in the region. By and large, the current road follows the original alignment dating back to the early 20<sup>th</sup> century.

By the 1970s, the main roads leading through the area were incorporated into the national road system (Fig. 6). However, with the so-called independence of the former homelands, these roads became the concern of these ersatz states and quickly declined in quality due to a lack of maintenance.



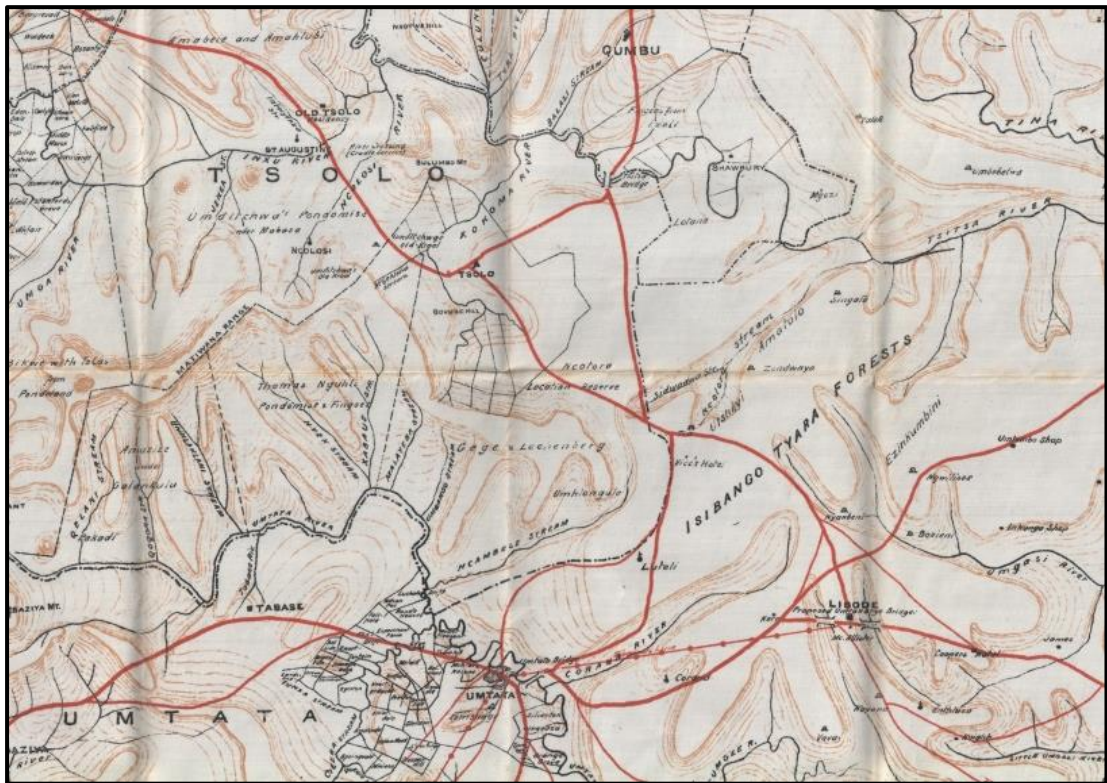


Fig. 5. Imperial War Map of the region, dating to 1902.



Fig. 6. Development of the National Freeways by 1972.  
(After Floor 1985)

7.3 Identified sites

The following sites, features and objects of cultural significance were identified in the study area – see Appendix 5 for a detailed discussion of each individual site.

In terms of Section 7 of the NHRA, all the sites currently known or which are expected to occur in the study area are evaluated to have a grading as identified in the table below.

Table 2. Summary of identified heritage resources in the study area.

IDENTIFIED HERITAGE RESOURCES			
NHRA category	Number	Coordinates	Impact rating
<b>Formal protections (NHRA)</b>			
National heritage site (Section 27)	None	-	-
Provincial heritage site (Section 27)	None	-	-
Provisional protection (Section 29)	None	-	-
Listed in heritage register (Section 30)	None	-	-
<b>General protections (NHRA)</b>			
Structures older than 60 years (Section 34)	None	-	-
Archaeological site or material (Section 35)	None	-	-
Palaeontological site or material (Section 35)	None	-	-
Graves or burial grounds (Section 36)	7.3.3.1	-31.31854, 28.82373	Low
Public monuments or memorials (Section 37)	None	-	-
<b>Other</b>			
Any other heritage resources (describe)	None	-	-

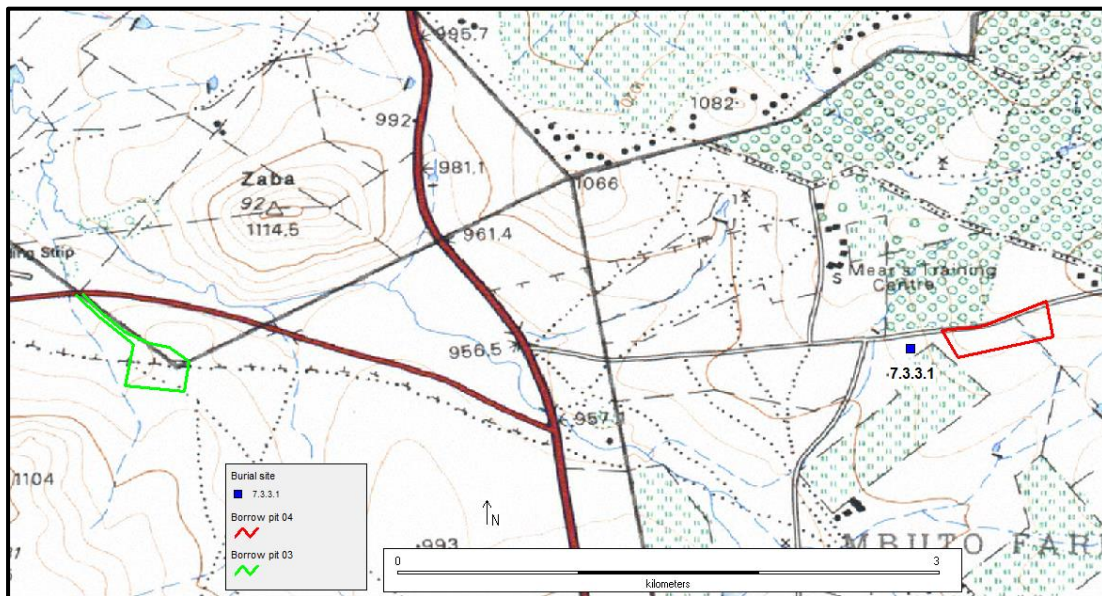


Fig. 7. Location of the identified sites.  
(Map 3128BB, 3128BD: Chief Surveyor-General)

7.3.1 Stone Age

- No sites, features or objects dating to the Stone Age were identified in the study area.

7.3.2 Iron Age

- No sites, features or objects dating to the Iron Age were identified in the study area.

### 7.3.3 Historic period

- A small informal burial place.
  - (7.3.3.1) A small, informal burial place was identified in close proximity of Borrow Pit 4. It contains approximately 20 graves spread over a wide area.
    - This feature is viewed to have high significance on a local level and should be avoided – Grade III.

## 7.4 Impact assessment

Impact analysis of cultural heritage resources under threat of the proposed development, are based on the present understanding of the development:

- (7.3.3.1) Small, informal burial place.
  - Fortunately this feature is located some distance from Borrow Pit 4 and would therefore not be impacted on by the proposed development.
    - Although it is very unlikely that there will be an impact on this feature, it is recommended that it should be fenced off for the duration of the road upgrade, leaving a buffer zone of at least five metres from the outer edge of the graves.

## 8. MANAGEMENT MEASURES

Heritage sites are fixed features in the environment, occurring within specific spatial confines. Any impact upon them is permanent and non-reversible. Those resources that cannot be avoided and that are directly impacted by the proposed development can be excavated/recorded and a management plan can be developed for future action. Those sites that are not impacted on can be written into the management plan, whence they can be avoided or cared for in the future.

### 8.1 Objectives

- Protection of archaeological, historical and any other site or land considered being of cultural value within the project boundary against vandalism, destruction and theft.
- The preservation and appropriate management of new discoveries in accordance with the NHRA, should these be discovered during construction activities.

The following shall apply:

- Known sites should be clearly marked in order that they can be avoided during construction activities.
- The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.
- Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer shall be notified as soon as possible;
- All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these

specialists, the Environmental Control Officer will advise the necessary actions to be taken;

- Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site; and
- Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or palaeontological artefacts, as set out in the National Heritage Resources Act (Act No. 25 of 1999), Section 51. (1).

## 8.2 Control

In order to achieve this, the following should be in place:

- A person or entity, e.g. the Environmental Control Officer, should be tasked to take responsibility for the heritage sites and should be held accountable for any damage.
- Known sites should be located and isolated, e.g. by fencing them off. All construction workers should be informed that these are no-go areas, unless accompanied by the individual or persons representing the Environmental Control Officer as identified above.
- In areas where the vegetation is threatening the heritage sites, e.g. growing trees pushing walls over, it should be removed, but only after permission for the methods proposed has been granted by SAHRA. A heritage official should be part of the team executing these measures.

## 9. RECOMMENDATIONS

The aim of the survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area in which the development is proposed.

The cultural landscape qualities of the region essentially consist of two components. The first is a rural area in which the human occupation is made up of a pre-colonial element (Iron Age) as well as a much later colonial component. The second component, although much younger, is a farming one which also gave rise to an urban element.

### Impact assessment:

Impact analysis of cultural heritage resources under threat of the proposed development, is based on the present understanding of the development:

- (7.3.3.1) A small, informal burial place was identified in close proximity of Borrow Pit 4. It contains approximately 20 graves spread over a wide area.
  - Fortunately this feature is located some distance from Borrow Pit 4 and would therefore not be impacted on by the proposed development.
    - It recommended that it should be fenced off for the duration of the road upgrade, leaving a buffer zone of at least five metres from the outer edge of the graves

### Reasoned opinion as to whether the proposed activity should be authorised:

- From a heritage point of view it is recommended that the proposed development be allowed to continue, on condition of acceptance of the proposed mitigation measures.

### Conditions for inclusion in the environmental authorisation:

- It is recommended that the burial site is retained and that it should be fenced off for the duration of the construction activities, leaving a buffer zone of at least five metres from the outer edge of the graves.
- Should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.

## 10. REFERENCES

### 10.1 Data bases

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Environmental Potential Atlas, Department of Environmental Affairs and Tourism.  
Heritage Atlas Database, Pretoria.  
National Archives of South Africa  
SAHRA Archaeology and Palaeontology Report Mapping Project (2009)

### 10.2 Literature

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Prins, F.E. & Granger, J.E. 1993. Early farming communities in the northern Transkei: the evidence from Ntsitsana and adjacent areas. *Natal Museum Journal of Humanities* 5:153-174.

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### 10.3 Maps and aerial photographs

1: 50 000 Topocadastral maps

Google Earth

## APPENDIX 1: CONVENTIONS USED TO ASSESS THE SIGNIFICANCE OF HERITAGE RESOURCES

### Significance

According to the NHRA, Section 2(vi) the **significance** of a heritage sites and artefacts is determined by it aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technical value in relation to the uniqueness, condition of preservation and research potential. It must be kept in mind that the various aspects are not mutually exclusive, and that the evaluation of any site is done with reference to any number of these.

Matrix used for assessing the significance of each identified site/feature

<b>1. Historic value</b>				
Is it important in the community, or pattern of history				
Does it have strong or special association with the life or work of a person, group or organisation of importance in history				
Does it have significance relating to the history of slavery				
<b>2. Aesthetic value</b>				
It is important in exhibiting particular aesthetic characteristics valued by a community or cultural group				
<b>3. Scientific value</b>				
Does it have potential to yield information that will contribute to an understanding of natural or cultural heritage				
Is it important in demonstrating a high degree of creative or technical achievement at a particular period				
<b>4. Social value</b>				
Does it have strong or special association with a particular community or cultural group for social, cultural or spiritual reasons				
<b>5. Rarity</b>				
Does it possess uncommon, rare or endangered aspects of natural or cultural heritage				
<b>6. Representivity</b>				
Is it important in demonstrating the principal characteristics of a particular class of natural or cultural places or objects				
Importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class				
Importance in demonstrating the principal characteristics of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province, region or locality.				
<b>7. Sphere of Significance</b>		High	Medium	Low
International				
National				
Provincial				
Regional				
Local				
Specific community				
<b>8. Significance rating of feature</b>				
1.	Low			
2.	Medium			
3.	High			



## APPENDIX 2. RELEVANT LEGISLATION

All archaeological and palaeontological sites, and meteorites are protected by the National Heritage Resources Act (Act no 25 of 1999) as stated in Section 35:

(1) Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority: Provided that the protection of any wreck in the territorial waters and the maritime cultural zone shall be the responsibility of SAHRA.

(2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collection policy acceptable to the heritage resources authority and may in so doing establish such terms and conditions as it sees fit for the conservation of such objects.

(3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

(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;
- (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 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.

In terms of cemeteries and graves the following (Section 36):

(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.

The National Heritage Resources Act (Act no 25 of 1999) stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act:

- **Grade I:** Heritage resources with qualities so exceptional that they are of special national significance;
- **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
- **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.

Presenting archaeological sites as part of tourism attraction requires, in terms 44 of the Act, a Conservation Management Plan as well as a permit from SAHRA.

(1) Heritage resources authorities and local authorities must, wherever appropriate, co-ordinate and promote the presentation and use of places of cultural significance and heritage resources which form part of the national estate and for which they are responsible in terms of section 5 for public enjoyment, education, research and tourism, including-

- (a) the erection of explanatory plaques and interpretive facilities, including interpretive centres and visitor facilities;
- (b) the training and provision of guides;
- (c) the mounting of exhibitions;
- (d) the erection of memorials; and
- (e) any other means necessary for the effective presentation of the national estate.

(2) Where a heritage resource which is formally protected in terms of Part I of this Chapter is to be presented, the person wishing to undertake such presentation must, at least 60 days prior to the institution of interpretive measures or manufacture of associated material, consult with the heritage resources authority which is responsible for the protection of such heritage resource regarding the contents of interpretive material or programmes.

(3) A person may only erect a plaque or other permanent display or structure associated with such presentation in the vicinity of a place protected in terms of this Act in consultation with the heritage resources authority responsible for the protection of the place.

### **APPENDIX 3. RELOCATION OF GRAVES**

If the graves are younger than 60 years, an undertaker can be contracted to deal with the exhumation and reburial. This will include public participation, organising cemeteries, coffins, etc. They need permits and have their own requirements that must be adhered to.

If the graves are older than 60 years old or of undetermined age, an archaeologist must be in attendance to assist with the exhumation and documentation of the graves. This is a requirement by law.

Once it has been decided to relocate particular graves, the following steps should be taken:

- Notices of the intention to relocate the graves need to be put up at the burial site for a period of 60 days. This should contain information where communities and family members can contact the developer/archaeologist/public-relations officer/undertaker. All information pertaining to the identification of the graves needs to be documented for the application of a SAHRA permit. The notices need to be in at least 3 languages, English, and two other languages. This is a requirement by law.
- Notices of the intention needs to be placed in at least two local newspapers and have the same information as the above point. This is a requirement by law.
- Local radio stations can also be used to try contact family members. This is not required by law, but is helpful in trying to contact family members.
- During this time (60 days) a suitable cemetery need to be identified close to the development area or otherwise one specified by the family of the deceased.
- An open day for family members should be arranged after the period of 60 days so that they can gather to discuss the way forward, and to sort out any problems. The developer needs to take the families requirements into account. This is a requirement by law.
- Once the 60 days has passed and all the information from the family members have been received, a permit can be requested from SAHRA. This is a requirement by law.
- Once the permit has been received, the graves may be exhumed and relocated.
- All headstones must be relocated with the graves as well as any items found in the grave.

#### **Information needed for the SAHRA permit application**

- The permit application needs to be done by an archaeologist.
- A map of the area where the graves have been located.
- A survey report of the area prepared by an archaeologist.
- All the information on the families that have identified graves.
- If graves have not been identified and there are no headstones to indicate the grave, these are then unknown graves and should be handled as if they are older than 60 years. This information also needs to be given to SAHRA.
- A letter from the landowner giving permission to the developer to exhume and relocate the graves.
- A letter from the new cemetery confirming that the graves will be reburied there.
- Details of the farm name and number, magisterial district and GPS coordinates of the gravesite.

**APPENDIX 4. SPECIALIST COMPETENCY**Johan (Johnny) van Schalkwyk

J A van Schalkwyk, D Litt et Phil, heritage consultant, has been working in the field of heritage management for more than 30 years. Based at the National Museum of Cultural History, Pretoria, he has actively done research in the fields of anthropology, archaeology, museology, tourism and impact assessment. This work was done in Limpopo Province, Gauteng, Mpumalanga, North West Province, Eastern Cape, Northern Cape, Botswana, Zimbabwe, Malawi, Lesotho and Swaziland. Based on this work, he has curated various exhibitions at different museums and has published more than 60 papers, many in scientifically accredited journals. During this period he has done more than 2000 impact assessments (archaeological, anthropological, historical and social) for various government departments and developers. Projects include environmental management frameworks, road-, pipeline-, and power line developments, dams, mining, water purification works, historical landscapes, refuse dumps and urban developments.

**APPENDIX 5: INVENTORY OF IDENTIFIED CULTURAL HERITAGE SITES**

<b>Location</b>	No. 7.3.3.1	Burial site	S 31.31854, E 28.82373
<b>Description</b>			
A small, informal burial place containing approximately 20 graves spread of a large area.			

<b>Significance of site/feature</b>	High on a local level – Grade III
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<b>Impact assessment</b>
Fortunately this feature is located some distance from Borrow Pit 4 and would therefore not be impacted on by the proposed development.

<b>Significance of impact</b>					
Extent	Duration	Magnitude	Probability	Significance	Weight
2	5	6	2	26	Low

<b>Mitigation</b>
If the burial place is retained, it should be fenced off for the duration of the road upgrade, leaving a buffer zone of at least five metres from the outer edge of the graves. This demarcation with danger tape should be done in consultation with the local community. If the graves cannot be retained, it should be relocated, but only on condition of following the correct procedures (see Appendix 3).

<b>Requirements</b>
As some of these graves might be older than 60 years, a valid permit for their relocation must be obtained from SAHRA. This is in addition to all other requirements – see Appendix 3.

<b>References</b>
1: 50 000 topocadastral map

