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# MEMO ON SITE STATUS AND HERITAGE MANAGEMENT PROCEDURES FOR A HUMAN BURIAL SITE OCCURING ON ERF 365 OF THE NEGESTER KLEIN-KARIBA DEVELOPMENT, FARM VALENTIA 449KR, LIMPOPO PROVINCE.

#### 1. Background and Scope

The Negester Klein-Kariba retirement resort north of Bela-Bela comprises privately owned stands over a surface area of 83ha of which a number of stands to the west are currently being developed. In September 2018 at least 4 probable burial structures were noted on Erf 365 demarcated for development at the resort. All site clearing work was immediately ceased and AGES Limpopo, on behalf of Negester Klein-Kariba, requested the Heritage Unit of Exigo Sustainability to conduct a site inspection and compile a Heritage Memorandum pertaining to heritage management procedures for potential burial site. The conservation of heritage resources is provided for in the National Environmental Management Act, (Act 107 of 1998) and endorsed by section 38 of the National Heritage Resources Act (NHRA - Act 25 of 1999). This memorandum describes the current state of the burial site and the process of immediate management at the site. It also provided a description of the extent of the heritage landscape and ultimately it provides a guideline as to the rehabilitation and management of the burial site in terms of its long term conservation. A copy of this memorandum will be lodged with the Burial Grounds and Graves (BGG) unit of the South African Heritage Resources Agency (SAHRA) and recommendations contained in this document will be reviewed.

## 2. Site Description and Status

The Negester Klein-Kariba retirement resort is situated on the farm Valentia 449KR in the Waterberg Biosphere, bordering the ATKV Klein-Kariba holiday resort north of Bela-Bela (Warmbaths) in the Limpopo Province (see Section 9, Figure 1). The R101 Provincial road to Modimolle (Nylstroom) passes directly east of study area. The district is rural in nature, with dispersed urban areas connecting numerous farming communities and conservation areas. The area is well hydrated and during the rainy season an abundance of streams and rivulets occur particularly in the mountainous areas. The geology of the Waterberg area is unique, yet complex due to geological formations predominantly constituted out of sandstone with a high mineral content. The most important intrusive rock formation is the Bushveld Ingenuous Complex that holds large reserves of platinum. A large diversity of habitat types occurs in the Waterberg biome. Deep sandy soils alternated by shallow and rocky soils appear on the flats and plateau, while in the valleys the vegetation changes from riparian (amongst others riparian woodlands and near-forests, reed beds and marshes) to predominantly thornveld on the loamy alluvial valley floors. According to Acocks (1988), there are five different veld types represented in the Waterberg biosphere of which the most common are typical savannah vegetation types such as Sour Bushveld and Mixed Bushveld.

Human interventions and development forms part of the history of the Waterberg and large sections of land has been altered by







human activity in the past. The area contributes significantly towards the activity of agriculture with the cultivations of, amongst others, tobacco, cotton, sunflower, sorghum, and maize. In addition, the Waterberg provides vast grazing areas adding significantly to the production of red meat and the game industry and the effect of subsistence crop farming, as well as overgrazing by cattle and game with resulting vegetation changes is prevalent across the Waterberg biome.

The growing tourism and hunting industry also influences the current human footprint on the area, for example the Negester Klein-Kariba retirement Resort. Locally, Erf 365 has not yet been developed but surface vegetation clearing has commenced in order to prepare the site for construction. According to resort planning, areas adjoining the west, north and east of Erf 365 will remain undeveloped but a large house and outer periphery wall has been constructed on Erf 364 directly south of Erf 365 (see Section 9, Figure 2). This periphery wall occurs no more than 3m from the burials (see Section 9, Figure 3).

## 3. The Burials, Settlement and Previous Heritage Assessments

Vegetation clearing of Erf 365 at the Negester Klein-Kariba retirement resort exposed the presence of a small informal cemetery at **S24.82895° E28.31618°**, containing at least 4 potential graves next to a brick wall which was constructed along the periphery of the adjacent property. Two of the burials are marked by elongated soil and stone mounds and the other grave, probably a double burial, is dressed with a poorly preserved brick structure which in filled-in with soil. None of the burials bear headstones with diagnostic data but glass bottles were noted on the brick structure burial site. The burials are not aligned according to an east-west orientation (known as the so-called "Christian Western" style) which might imply an older age for the sites.

Upon further inspection of the general surroundings, the remains of a living site or occupation area was noted directly northwest of the provable burial site (see Section 9, Figure 3). Here, at least two midden deposits containing Historical and Contemporary Period artefacts such as glass, metal, plastic and were noted. In addition, a number of foundation structures and unidentified stone features were noted in this area. The remains of a small hedge, constructed out of wire and wood were also documented. An absolute age for the occupation site could not be ascertained but an analysis of historical topographical maps and aerial photographs indicate that the area was sparsely populated during the previous century (see Section 9, Figure 6 and Figure 7). According to indications, the occupation area was probably in use during the last 50 years and it might be assumed that the site was used for laborer's quarters for the adjacent farm. In the rural areas of the Limpopo Province, graves and cemeteries often occur within settlements or around homesteads and it might be assumed that the burial site on Erf 365 could belong to occupants of the adjacent living site.

Two previous Heritage Impact Assessments conducted on the property<sup>12</sup> does not make reference of the burial site and the occupation area subject to this memorandum but Hutten (2009) documented a homestead and farm laborers quarters as well as single graves in close proximity of Erf 365 (see Section 9, Figure 5). He notes that, according to locals familiar with the history of the area, the homesteads were abandoned at around 1970. Hutten notes that the graves identified in his study most probably belonged to the farm labourers who were working on the farm and they were most probably Northern-Sotho who occupied most of the region. For the burials, he recommended that:

- The identified graves should be clearly marked with danger tape during the entire duration of the project and especially during earth-moving activities and a 30m buffer zone must be allowed around the graves.
- The relevant families should be identified and should be informed about the proposed activities which could possibly affect their graves.
- The proposed earth-moving activities should be altered and should be planned around these graves in order to protect them from any damage or other negative impacts.
- Earth-moving crews should be made aware of the graves in order that the graves will not be damaged during the earth-

<sup>&</sup>lt;sup>1</sup> See Hutten, M. 2009. Heritage Impact Assessment for the Proposed Klein Kariba Retirement Resort north-east of Bela-Bela, Limpopo Province

<sup>&</sup>lt;sup>2</sup> See Roodt, F. 2007. Heritage Resource Impact Assessment (Scoping & Evaluation) Valenicia 449 LS Portion 1, Bela Bela, Limpopo





moving activities.

- The planning team should ensure that access to the graves is not limited in any way.
- A small management plan should be set up to ensure the future safety of the graves within the proposed development.

## 4. Brief Archaeo-Historical Background.

## - Early History

The cultural historical landscape of the Waterberg area spans million years with evidence of hominin occupation, Stone Age traditions, Iron Age farmers and historical events. Makapansgat, a deep limestone cave near Mokopane has yielded remains of *Australopithecus africanus* that dates to more than 3 million years BP and also *Homo erectus*, dating to approximately 1 million years BP. However, Earlier Stone Age (ESA) material is scarce on the Waterberg plateau. The Middle Stone Age (MSA) is abundantly represented in the Waterberg area and archaeological excavations at sites such as the Olieboomspoort Shelter in the north-western part of the Waterberg have yielded rich MSA deposits which display a large degree of specialisation and skill in stone working (Van der Ryst 1996). These groups occupied open camps which were situated in the proximity of water sources such as pans, lakes or rivers. There is a noticeable gap in the Waterberg between MSA assemblages and material form the Later Stone Age (LSA), suggesting that the Waterberg may not have seen dense human occupation for a long period of time. However, Later Stone Age groups, including the San hunter gatherers and Khoi herders frequented the area in the last few millennia, and numerous LSA sites have been discovered and excavated. Similarly, LSA evidence such as stone implements, ceramics and a wealth of rock paintings and markings (see Section 6.2.3) are scattered over the plateau.

## - Later History

Within the last two thousand years, San and Khoi groups were displaced by Iron Age farming communities moving into the Waterberg area, possibly prompted by the spread of tsetse fly into the lowveld areas. Three phases of Iron Age occupation are generally distinguished in the Waterberg (Aukema 1989). The first phase, known as the Eiland tradition, is characterised by herringbone decoration motives on pottery. Little to no stone walling occurs at sites dating to this phase. On the other hand, sites of the second phase of occupation dating to the Later Iron Age are commonly found on hilltops where they display elaborate stone walling. These settlements could be linked to the arrival of Nguni-speakers (Ndebele) in the region between the 16<sup>th</sup> and 17<sup>th</sup> centuries AD. The third phase of Iron Age settlement, dating to the 18th and early 19th century, contains bi and multi chrome (red and black) pottery commonly attributed to a Sotho-Tswana ceramic tradition known as Moloko (see *Sotho-Tswana History* section below).

## Early Sotho-Tswana History

Within a larger archaeological context, the Iron Age settlement representations in the form of stone walling located at Klein Kariba can undoubtedly be traced back to ancestral Sotho-Tswana occupation and developments from the sixteenth century AD onwards. As mentioned previously, diagnostic pottery assemblages are commonly used in the South African Iron Age to infer group identities and to trace movements across the landscape. Similarly, the migration of the Sotho-Tswana speakers in South Africa in the 16<sup>th</sup> century marked a new ceramic style, known as Moloko. The Moloko Tradition can be divided into two phases: an early phase (e.g. Icon) in which sites were usually located at the foot of hills and contained little or no stone walling; and a later phase characterised by extensive stone wall complexes which were often erected on hills. In the Waterberg area, this later phase manifested in the Madikwe ceramic facies with pottery typically displaying stab and fingernail impression decoration motives. At around the 17<sup>th</sup> century, Madikwe pottery developed into a tradition known as "Buispoort", sites of which display complex and elaborate stone walling such as those documented at Klein Kariba. The stone walls were erected to construct stock byres and to demarcate residential units where pole-and-dagha (clay) huts were placed.

Pottery from the Buispoort Tradition, associated with Sotho-Tswana speakers in the areas, is therefore likely to be found at the Klein Kariba site. In addition, various Sotho-Tswana groups were found in the interior of the Highveld areas of South Africa By the end of the 18<sup>th</sup> century. These units occupied a large area, from present-day Botswana across large sections of the old





Transvaal, the Free State Province into the Northern Cape. Based on Sotho-Tswana oral histories various groups acted as cores from which the Sotho-speaking communities sprouted.

## - European Occupation and Recent History

The Waterberg was considered remote and inaccessible by early white migrants from the south and, with the exception of a few hunting and trading expeditions passing through, the areas was one of the last regions in the former Transvaal to be permanently occupied by white farmers. Although the first Voortrekker farmers moved into the Waterberg during the 1850's, the region has been increasingly occupied on a regular basis only since the early part of the twentieth century. The early historical period of the area is dominated by the siege of Makapansgat where in September 1854, Chief Makapane and over 1 500 of his people died of hunger, dehydration and injuries after being besieged in the cave by a Boer commando in retaliation for an attack on a Voortrekker settlement. The majority of farms in the Waterberg area were surveyed in the late 1860's as part of the Transvaal government's strategy to settle white farmers in the Waterberg region. At that time, access to the Waterberg plateau was circuitous and difficult with the shortest route extending via Sandrivierspoort near present-day Vaalwater. After a railway line to Vaalwater was completed in the 1920's, maize became an economically viable crop but by the end of the 1960's, slumps in maize prices resulted in many farmers abandoning crop farming in favour of cattle. The rise of eco-tourism and the interest of foreigners in acquiring land for hunting and game viewing over the last decade have led to a recent revival of property prices in the Waterberg and a sharp growth in game ranching activities.

## 5. Site Management and Conservation

The nature and extent of development activities in close proximity of the burial site on Erf 365 pose a significant risk of impact to the site over the short and long term and it is essential that the impact be mitigated by means of a plan of action to ensure the conservation of the burial site. For the reason, the following actions are recommended for the burial site document on Erf 365:

- The presence of burials on Erf 365 and the location of the settlement remains in its vicinity, as well the distribution of sites documented in the previous HIA by Hutten, imply that areas surrounding Erf 365 was inhabited in past decades and there is a high probability that previously undetected burials and occupational remains might occur. It is therefore recommended that Erf 365 should be excluded from any further development.
- The SAHRA BGG Unit typically requires a conservation buffer zone of at least 100m around all burial sites but such a measure would prove impossible considering the fact that the a house and wall structure has already been constructed on Erf 364 directly south of the graves on Erf 365. A relaxation of this requirement can sometimes be motivated, based on the nature and extent of the development. It is recommended that the 100m conservation buffer be implemented to areas adjoining the west, north and east of Erf 365 which will not be developed according to resort planning and the 2/3m dividing the wall on Erf 364 and the graves should act as strict conservation buffer to the south of the burial on the condition that careful site monitoring be conducted by a heritage specialist on a monthly basis in order to detect any potential impact on the burials at the earliest opportunity (see Section 9, Figure 4).
- In this event, the burial site should be fenced off and access control should be applied. Here, a permanent palisade or wire fence of at least 1.8m in height should be erected within the conservation buffer but not closer than 2m from the burials. The fence should have an access gate which should be locked and clear signage on the fence should indicate the significance and protection status of the site as well as contact details for site visitation. It should be noted that this supposed relaxation of the standard SAHRA BGG Unit conservation buffer for graves, and additional site management measures are made subject to approval by the SAHRA BGG Unit and the client should carefully liaise with the heritage specialist and SAHRA in this regard.
- Should the above recommended measures and by implication, impact on any human burial proves inevitable, full grave relocations are recommended for these burials. This measure should be undertaken by a qualified archaeologist, and in accordance with relevant legislation, permitting, statutory permissions and subject to any local and regional provisions and laws and by-laws pertaining to human remains. A full social consultation process should occur in conjunction with the mitigation of cemeteries and burials (see Section 8).





- Generally, a careful watching brief monitoring process is recommended whereby any construction in the vicinity of Erf 365 is monitored on regular basis in order to detect possible impact on heritage resources. Should any subsurface paleontological, archaeological or historical material or heritage resources be exposed during construction activities, all activities should be suspended and the archaeological specialist should be notified immediately
- It is essential that cognisance be taken of the larger archaeological landscape of the area in order to avoid the destruction of previously undetected heritage sites.

In addition to these proposed actions, the recommendations provided in the initial Heritage impact Assessment by Hutten (2009) should be reiterated. These include:

- The relevant families should be identified and should be informed about the proposed activities which could possibly affect their graves.
- The proposed earth-moving activities should be altered and should be planned around these graves in order to protect them from any damage or other negative impacts.
- Earth-moving crews should be made aware of the graves in order that the graves will not be damaged during the earth-moving activities.
- The planning team should ensure that access to the graves is not limited in any way.

It should be noted that a heritage Site Management Plan (SMP) should be compiled by the heritage specialist in accordance with the SAHRA guidelines in this regard. This SMP should indicate:

- The implementation of short and long-term management measures for all burial sites on the property.
- Persons responsible for maintaining the burial sites on the property.
- Action and procedures with regard to possible future chance finds.
- Training programmes for the onsite Environmental Officer (EO) and resort personnel to screen sites where earthworks are expected before any activity takes place.
- Agreements with communities and representatives who by tradition might have an interest in the graves regarding the future of such remains, e.g. with regards to visiting rights.

## 6. Conclusion

AGES Limpopo, on behalf of Negester Klein-Kariba, requested the Heritage Unit of Exigo Sustainability to conduct a site inspection and compile a Heritage Memorandum pertaining to heritage management procedures for a burial site on Erf 365 of the Negester Klein-Kariba retirement resort. This memorandum provides a guideline as to the rehabilitation and management of the burial site in terms of its long term conservation. A copy of this memorandum will be lodged with the BGG unit of SAHRA and recommendations contained in this document will be reviewed. The management of the Negester Klein-Kariba retirement resort is reminded that comment from the SAHRA BGG should precede any further development on Erf 365 or its surroundings. Should any further human remains or unmarked human burials/remains be found during the course of construction, work in the immediate vicinity should cease and the find must immediately be reported to the archaeologist, or the South African Heritage Resources Agency (SAHRA).

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## 8. Grave Relocation and Site Management: Statutory Mandate

- Archaeology, graves and the law

Note that four categories of graves can be identified. These are:

- Graves younger than 60 years;
- Graves older than 60 years, but younger than 100 years;
- Graves older than 100 years; and
- Graves of victims of conflict or of individuals of royal descent

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 Tissues 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) before exhumation can take place.

A registered undertaker can only handle human remains or an institution declared under the Human Tissues Act (Act 65 of 1983 as amended).

Unidentified/unknown graves are also handled as older than 60 until proven otherwise. Summary of applicable legislation and legal requirements:

- Human Tissue Act (Act 65 of 1983 as amended).
- Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925)
- Ordinance on Excavations (Ordinance no. 12 of 1980)
- Local and regional provisions, laws and by-laws
- National Heritage Resources Act (Act no. 25 of 1999)
- Permit from SAHRA for removal of human remains

### a. Graves: necessary procedures

When graves are located in an area demarcated for development, the following mitigation options might be considered:

- **Conservation:** The establishment of a 50 meter buffer zone around the burial place which is fenced off and, maintained and conserved. This option is generally recommended as the relocation of burial places is an extremely complicated, time consuming and sensitive process.





Mitigation and relocation: In the event where impact on the burial place will occur, mitigation measures may entail full grave relocation. Such a relocation process must be undertaken by suitably qualified individuals with a proven track record. The relocation must also be undertaken in full cognisance of all relevant legislation, including the specific requirements of the National Heritage Resource Act (Act no. 25 of 1999). Furthermore, a concerted effort must also be made to identify all buried individuals and to contact their relatives and descendants. Other legislative measures which may be of relevance include the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925), the Human Tissues Act (Act no. 65 of 1983, as amended), the Ordinance on Excavations (Ordinance no. 12 of 1980) as well as any local and regional provisions, laws and by-laws that may be in place.

## Methodology for grave relocations:

- **Documentation:** Physical documentation of graves and determining context of graves prior to exhumation: Photographic, GPS, Site Map, Historical Background.
- **Public Notices:** In order to locate and notify descendant families, notices (in compliance with the National Heritage Resources Act) must be placed on the site/s, indicating the intent of relocation. These notices, translated into at least 3 languages, have to remain in place for a minimum of 60 days. Additionally, newspaper adverts and notices on local radio stations announcements are required.
- **Social consultation:** If any descendant families were located during initial consultation/public participation phases, a full social consultation action will lodged.
- **Permit application:** Application for a permit from SAHRA can only be obtained after all necessary consent documents from descendant families, landowners and relevant authorities have been secured.
- Exhumation & relocation
  - The exhumation, investigation and reburial of the burial place may commence after SAHRA has issued relevant permits and permissions



## 9. Maps and Figures

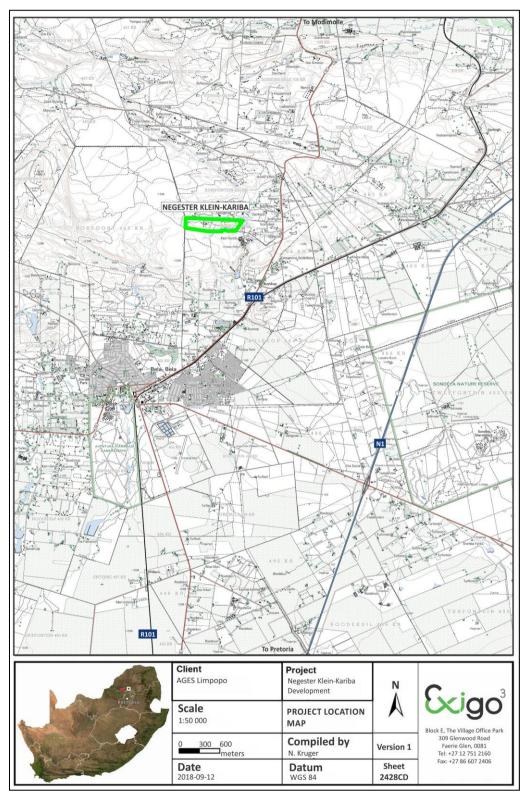


Figure 1: 1:50 00 Map representation of the location of the Negester Klein-Kariba property (sheet 2428CD).



Figure 2: Site infrastructure map of the Negester Klein-Kariba property. The location of Erf 365 is indicated in the top left-hand corner (map provided).





Figure 3: Aerial figure indicating the location of the burials on Erf 365 as well as the settlement area in its vicinity.



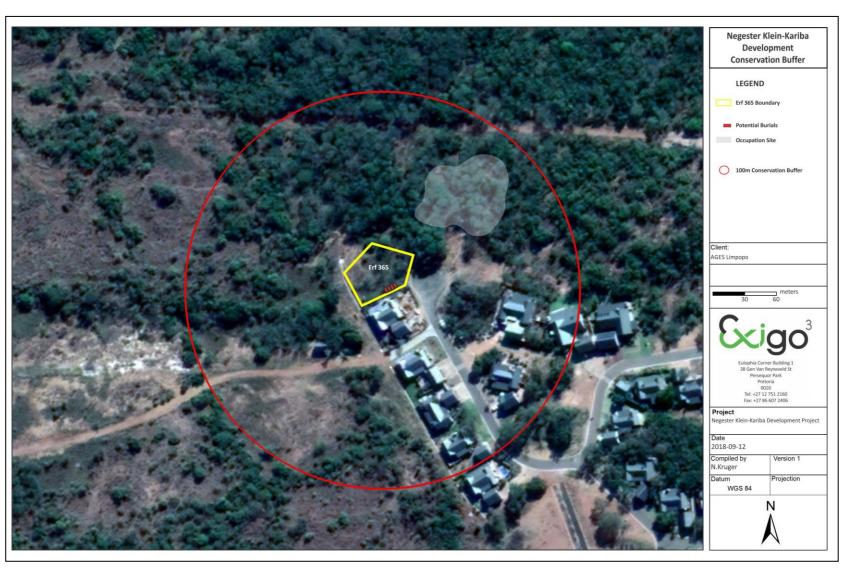


Figure 4: Aerial figure indicating the location of the burials on Erf 365 and the extent of the 100m conservation buffer typically required by the SAHRA BGG Unit.



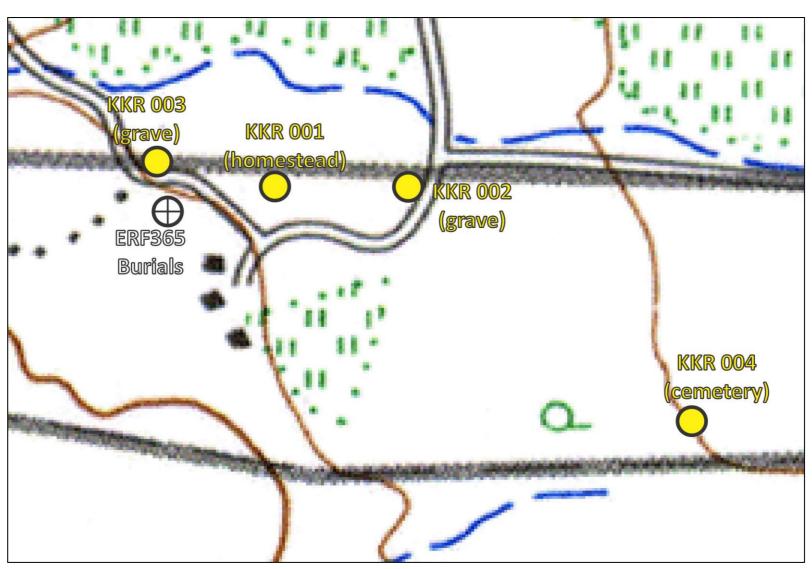


Figure 5: Map indicating the locations of heritage sites documented by Hutton (2008) in relation to the burial site on Erf 365.

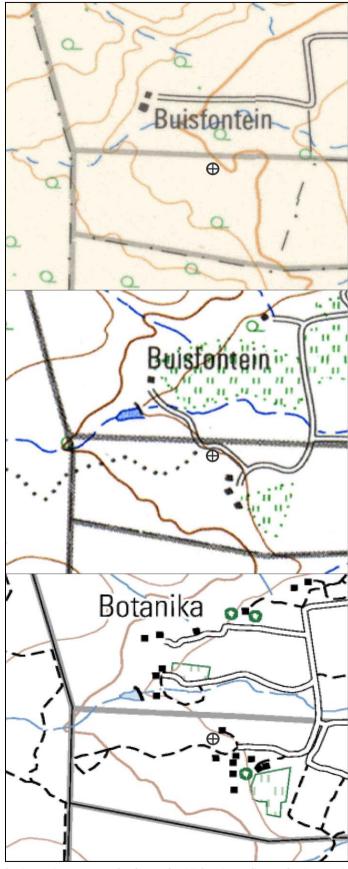


Figure 6: Historical topographic maps of Valencia dating to 1960 (top), 1983 (middle) and 2003 (bottom) indicating development in the area over the past 60 years. Note the absence of man-made features around the burial site on Erf 365 (cross) in the earlier map.





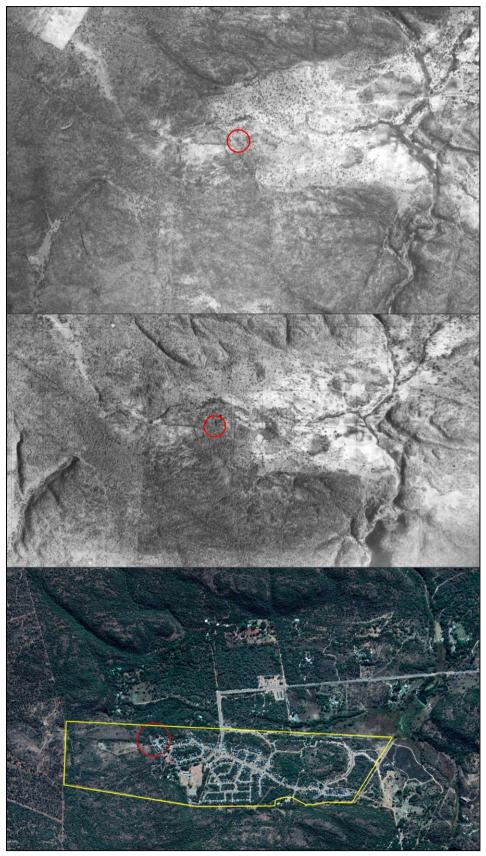


Figure 7: Historical aerial images of Valencia dating to 1939 (top), 1960 (middle) and 2017 (bottom) indicating development in the area over the past 80 years. Note the absence of man-made features around the burial site on Erf 365 (red circle) in the earlier imagery.





Figure 8: Photograph indicating the locations of two single burial mounds on Erf 365.



Figure 9: Photograph indicating the location of a double burial on Erf 365.



Figure 10: Photograph indicating the remains of s brick structure as part the double burial on Erf 365.





Figure 11: Glass bottles visible on the surface on the double grave structure on Erf 365.



Figure 12: View of the remains of a settlement area north-east of the Erf 365 burials.



Figure 13: View of poorly preserved foundations in a settlement area north-east of Erf 365.





Figure 14: A small wire and wood hedge along an old settlement area north-east of Erf 365.



Figure 15: View of a midden containing glass, porcelain, metal and plastic at old settlement area north-east of Erf 365.



Figure 16: View of a small quarry at old settlement area north-east of Erf 365.