

**HERITAGE IMPACT ASSESSMENT OF PORTION 115 OF THE
FARM OLIFANTSVLEI 327 IQ, GAUTENG PROVINCE**



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EXECUTIVE SUMMARY

Archaeology Africa was appointed by *Ages Environmental Unit* to undertake a Phase 1 Heritage Impact Assessment on Portion 115 of the farm Olifantsvlei 327 IQ. The said portion is earmarked for the establishment of Alveda Park Ext. 3 Township Development which would contain a mixed land use development comprised of social housing units, hospice, orphanage and community aids centre.

The study has identified three heritage sites, consisting of the following:

- OFV-1

A stonewalled archaeological site which contains attributes of the Late Iron Age and Historical Period. The site serves as a rare example of the contact phase between these two periods of South Africa's human past, and is deemed to be of **High Significance**.

- OFV-2

Likely cemetery which contains approximately 10 graves. Due to the religious, emotional and historical significance of graves, the site is classified as of **Very High Significance**.

- OFV-3

Stonewalled site associated with the Historical Period. Due largely to the poor condition of the site, it is deemed to be of **Low Significance**.

The following mitigation measures are recommended for these sites:

- OFV-1

The settlement layout must be documented by way of a detailed Site Layout Plan. Limited test excavations must also be undertaken. These measures are aimed at the documentation, recovery and recording of enough data for future research before the site is destroyed. The findings of these mitigation measures must then be submitted with a destruction permit application to the relevant heritage

agency. This destruction permit, once approved, will provide permission for the archaeological site to be destroyed.

- OFV-2

The likelihood for the site to be a cemetery appears to be very good. However, it is important to prove the existence of graves here before costly mitigation measures are undertaken. The best practice in confirming or disproving the existence of a grave or burial ground, is by way of reconnaissance excavation. If the existence of graves here is proven, two different ways of mitigating the impact of the proposed development on them is possible, depending on the needs of the developer/client. The first possibility is for the site to be protected *in situ*. This would entail fencing as well as future protection and management of the site in accordance with a Site Management Plan.

The second possibility is for the site to be relocated. Such relocation must always take place in full cognisance of all the relevant legislation, and must include a detailed social consultation process to identify the families of the deceased.

- OFV-3

As the site is deemed to be of Low Significance, only limited mitigation measures would be required. The stonewall layout must be documented by way of a detailed Site Layout Plan. This documentation must accompany the destruction permit application. Once approved, the destruction permit will allow for the wall to be destroyed.

Due to the presence of Late Iron Age site, a specialist in this field of archaeology was included in the project team. The specialist is Mr. Francois Coetzee of the Department of Anthropology and Archaeology at the University of South Africa. His comments, assessments and recommendations are included in this report.

INDEX

1. INTRODUCTION	1
2. DESCRIPTION OF STUDY AREA AND DEVELOPMENT.....	1
2.1 THE STUDY AREA.....	1
2.2. THE PROPOSED DEVELOPMENT	1
3. METHODOLOGY	2
3.1 DESKTOP STUDY	2
3.2 FIELD SURVEYS.....	2
3.3 CONSULTING WITH LOCAL INTERESTED AND/OR AFFECTED PARTIES	3
3.4 ASPECTS REGARDING VISIBILITY AND CONSTRAINTS	3
4. FINDINGS.....	4
4.1 DESKTOP STUDY FINDINGS.....	4
4.1.1 Cartographic findings	4
4.1.2 History of early farm ownership	7
4.1.3 The Archaeology of the Klipriviersberg.....	7
4.2 ARCHAEOLOGICAL DATABASE FINDINGS	11
4.3 SURVEY FINDINGS	11
4.3.1 OFV-1.....	11
4.3.2 OFV-2.....	17
4.3.3 OFV-3.....	20
5. HERITAGE REQUIREMENTS IN TERMS OF SECTION 38 (3) OF THE NATIONAL HERITAGE RESOURCES ACT NOT DEALT WITH IN THE PREVIOUS SECTION.....	24
5.1 “The identification and mapping of all heritage resources in the area affected”	24
5.2 “A(a)n evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;” ...	24
5.3 “T(t)he results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;”	25
6. CONCLUSIONS AND GENERAL RECOMMENDATIONS	25
BIBLIOGRAPHY	26

ANNEXURES

Annexure A	Locality Map
Annexure B	Site Distribution Map
Annexure C	Legislative Framework

1. INTRODUCTION

Archaeology Africa was appointed by *Ages Environmental Unit* to undertake a Phase 1 Heritage Impact Assessment on Portion 115 of the farm Olifantsvlei 327 IQ. The said portion is earmarked for the establishment of Alveda Park Ext. 3 Township Development which would contain a mixed land use development comprised of social housing units, hospice, orphanage and community aids centre.

The rezoning of the site and the subsequent development is undertaken by the African Christian Women Against Aids Ministries (ACHRIWAAM).

2. DESCRIPTION OF STUDY AREA AND DEVELOPMENT

2.1 The Study Area

The study area is located in the City of Johannesburg Metropolitan Municipality, approximately 20 kilometres directly south of the Johannesburg CBD. It is located south of the Klipriviersberg mountain, in-between two residential areas, namely Kibler Park (to the east) and the newly constructed Alveda Park on its western boundary. The study area's eastern boundary is formed by Gordon Road. On the northern boundary of the development area a number of exotic trees are found.

Topographically, the site has small sections of level ground with the largest majority of it taken up by a low ridge.

2.2. The Proposed Development

The following development aspects are planned for the study area:

- Community Aids Centre
- Hospice
- Orphanage
- Social Housing Units

The community aids centre and hospice will be developed on an erf 2.83 ha in extent which will be zoned for institutional land use. The orphanage and social housing units will be developed in a 1.45 ha erf zoned for Residential 4 development.

3. METHODOLOGY

The methodological approach used for the study is aimed at compiling as complete as possible heritage inventory of the study area.

3.1 Desktop Study

The primary aim of the desktop study is to compile as much available information as possible on the heritage resources of the area. Such a study also helps in providing historical context for any sites that are located.

The desktop investigation focussed on the study of published and unpublished source material, archival records as well as historical and archival maps.

The institutions housing material that was studied during the course of the project include the South African National Archives, University of South Africa's Muckleneuk Library and the Directorate: Surveys and Mapping in Cape Town.

3.2 Field Surveys

The field survey took place on Friday, 9 June 2006.

All located sites were briefly documented. This documentation includes photographs (where possible) and descriptions as to the nature and condition of the located material. A hand-held Global Positioning System (Garmin Summit, set to datum WGS84) was used to obtain site coordinates.

The located sites were also given unique individual numbers, from OFV-1 to OFV-3. The acronym used as part of the numbering system was derived from the farm name, in this case Olifantsvlei.

On Thursday, 29 June 2006, the Late Iron Age specialist Francois Coetzee was taken to the proposed development area to allow him to make an assessment as to the significance of the Iron Age site. His comments, assessments and recommendations are included in this report.

3.3 Consulting with Local Interested and/or Affected Parties

Informal discussions were held with local residents met during the fieldwork.

3.4 Aspects regarding Visibility and Constraints

Not subtracting in any way from the comprehensiveness of the fieldwork undertaken, it is necessary to realise that the heritage resources located during the fieldwork do not necessarily represent all the heritage resources located there. This may be due to various reasons, including the subterranean nature of some archaeological sites and dense vegetation cover. As such, should any heritage features and/or objects not included in the present inventory be located or observed, a heritage specialist must immediately be contacted. Such observed or located heritage features and/or objects may not be disturbed or removed in any way until such time that the heritage specialist has been able to make an assessment as to the significance of the site (or material) in question. This is true for graves and cemeteries as well.

4. FINDINGS

4.1 Desktop Study Findings

4.1.1 Cartographic findings

The study of historic and archival maps represents a valuable tool in the identification of heritage sites within a defined area. The primary source for maps used in this study was the cartographic section of the National Archives in Pretoria. Maps housed at the Directorate of Surveys and Mapping in Cape Town was also studied. Two maps of relevance for the study area were located. Copies of these maps are included in this report and a short overview of each is made.

4.1.1.1 Major Jackson Map, June 1902 (National Archives, Maps, 3/1896)

Figure 1 depicts the sheet titled "Heidelberg" of the Major Jackson Map Series compiled by the Field Intelligence Department during the Anglo Boer War (1899-1902). The sheet is the Third Revised Edition and dates from June 1902.

The map shows the position and extent of the farm Olifantsvlei more than a hundred years ago. No buildings, structures or features are shown in the vicinity of the present study area.

4.1.1.2 1:50 000 2628AC Map, dated 1944.

Figure 2 depicts sections of the 1:50 000 2628AC map sheet. The map is a reprint done by the Government Printing Works and the Mobile Map Printing Company during March 1944. It is therefore very likely that the survey and original printing of the map must have taken place some years before 1944, and possibly during the late 1930s. T

As can be seen from the depictions, no buildings, structures or features are shown in the vicinity of the present study area

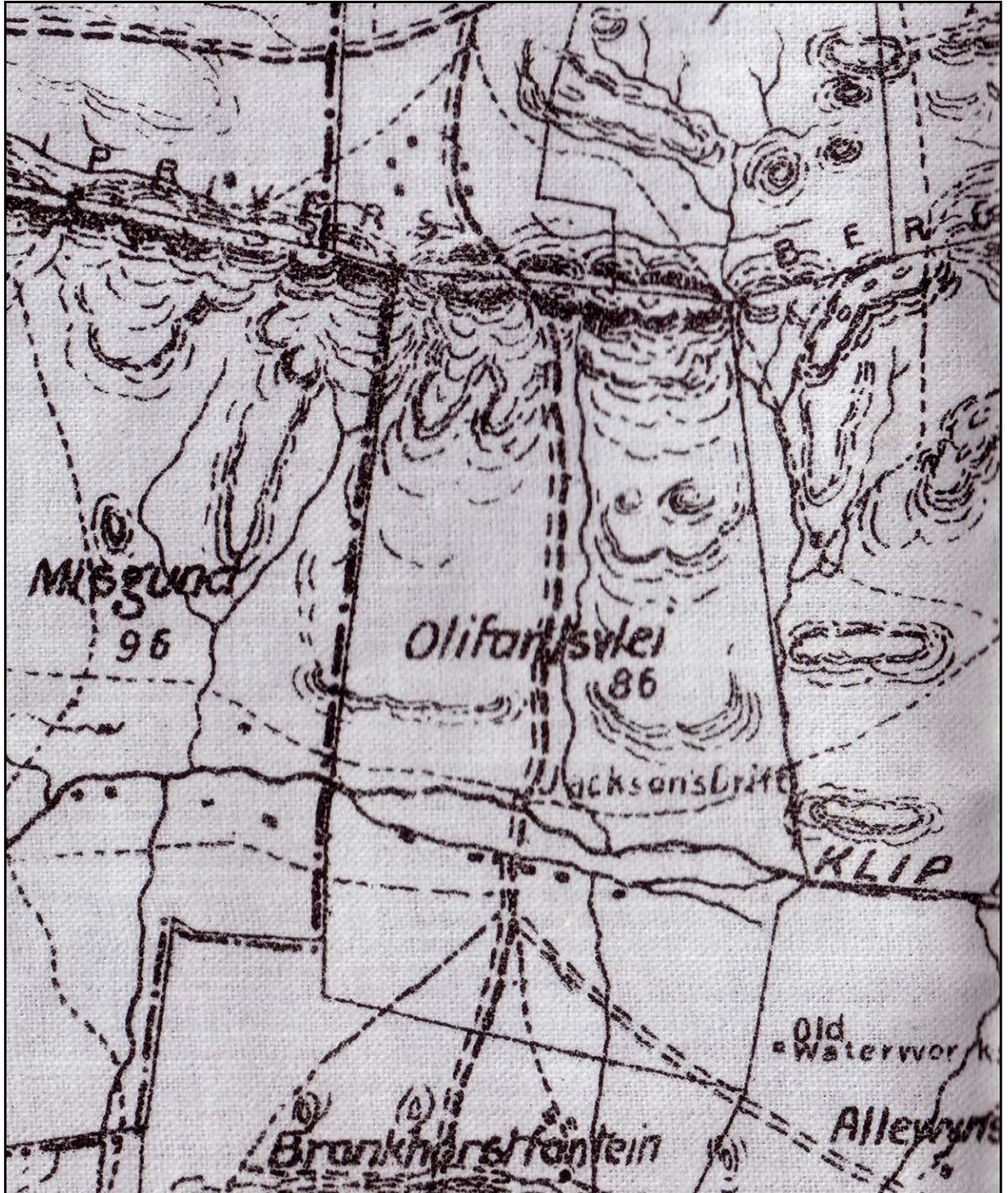


Figure 1 "Heidelberg" sheet of the Major Jackson Series dated June 1902.

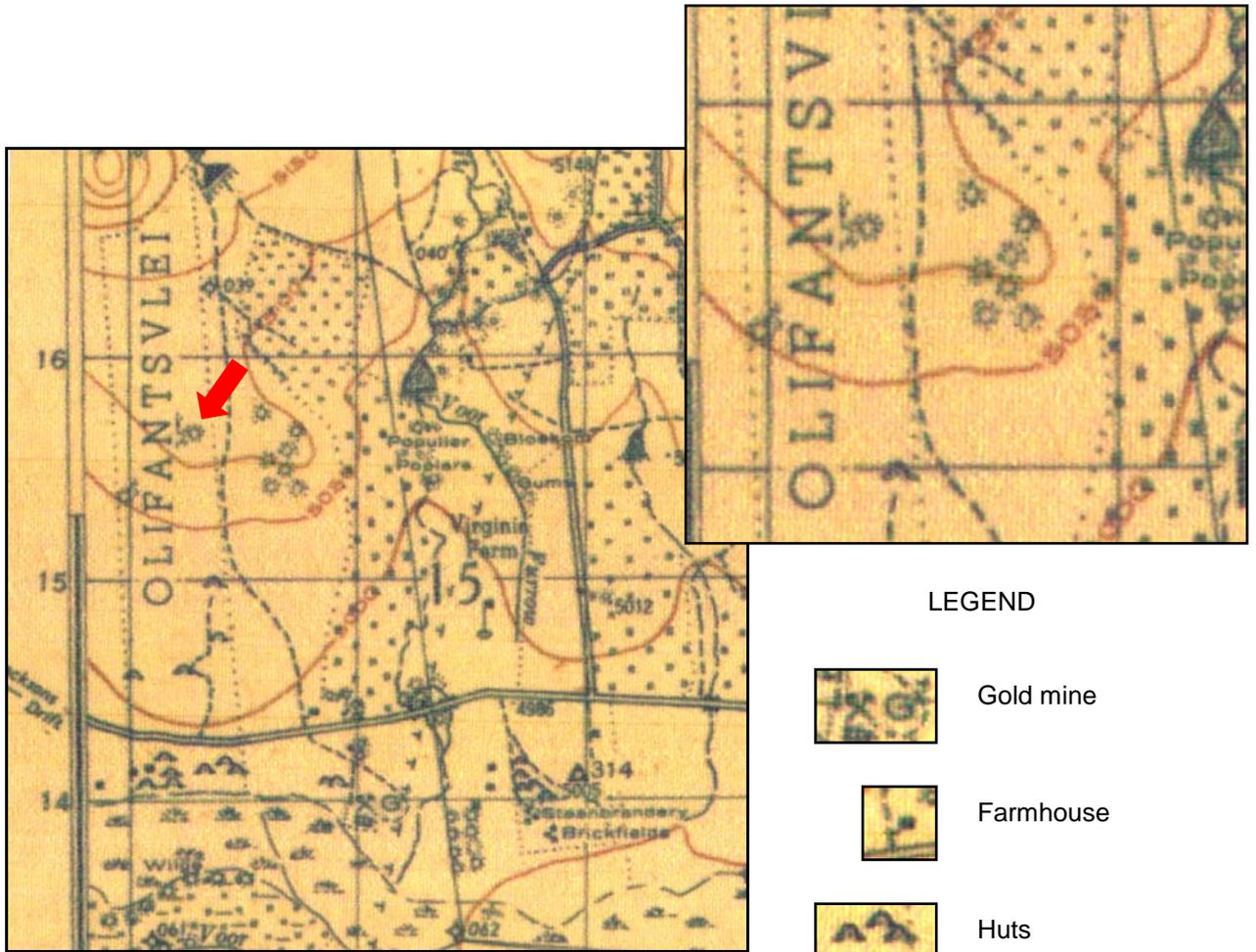


Figure 2 Portions of the oldest available 1:50 000 2628AC map dating from 1944. .

4.1.2 History of early farm ownership

The farm Olifantsvlei (old number 86) was first inspected on 10 May 1852 by P. Lindeque. Approximately ten years later, on 3 July 1862, the farm was transferred to J. Henneke. On the same day it was again transferred from J. Henneke to Frederik Gerhardus Wolmarans. On 4 July 1862 the farm changed hands once more. The new recipient of the farm was Petrus Jacobus Bosman. From this point forward the property started to be sub-divided into smaller portions. Some of the early owners of these subdivided portions include Frans Eduard Prins, Adolf Siegfried Bierman, Lourens Dirk Cornelis Geldenhuis and Gideon van Zyl.

4.1.3 The Archaeology of the Klipriviersberg

The significance of the archaeology of the Klipriviersberg can be summarised with the following statement of Prof. R. Mason (1986:558): *"More Iron age and early historic sites are preserved in the Klipriviersberg than anywhere else on the Witwatersrand, partly reflecting the original density of the settlement in the Klipriviersberg and partly the hilly nature of the Klipriviersberg which has prevented property developers...from destroying early historic or prehistoric settlement sites."*

From the 1960s onwards the Late Iron Age archaeology of the Klipriviersberg became the focus of intensive excavation, survey and recording. Numerous such stonewalled sites were located, including 10 on the farm Olifantsvlei 327 IQ.

A number of these Late Iron Age sites were excavated and recorded, and with the use of radiocarbon (C^{14}) dating these sites were found to date between circa 1640 and 1800 AD. The research has also shown the sites to be associated with Sotho-Tswana cattle herders and farmers.

4.1.4 The Battle of Doornkop

On 28 and 29 May 1900 a decisive battle of the Anglo-Boer War of 1899-1902 took place along a wide strip of land to the south of Johannesburg. Although no fighting took place within the study area, it was located within the general area used for positioning troops.

The British forces under the overall command of Lord F.S. Roberts had achieved a number of victories in the period leading up to this battle. On 27 February 1900, for example, General Piet Cronjé and 4000 of his men surrendered to the British as

Paardeberg. Bloemfontein was occupied on 13 March 1900, and the besieged British towns of Ladysmith and Mafeking were relieved on 28 February 1900 and 17 May 1900 respectively.

These breakthroughs led Lord Roberts to advance with his army towards Johannesburg. General Louis Botha, in command of the forces of the Zuid-Afrikaansche Republiek (Z.A.R.) responded to this threat by positioning his men in a defensive line all along the Klipriviersberg ridge, from Natalspruit in the east to Doornkop in the west. This was a very good defensive position in that the Klip River forms a barrier which could only really be crossed at three points, namely Klipriviersoog, a bridge near Van Wyksrust as well as at Jacksonsdrift.

On 28 and 29 May 1900 the British forces attacked the Boer positions, culminating in an infantry attack on the Boer position at Doornkop in the vicinity of present-day Soweto. This attack led to the Boer forces being driven off. On 31 May 1900 Lord Roberts occupied Johannesburg (Amery, 1906; Bergh, 1999; Breytenbach, 1983).

In terms of the study area and surroundings, the most significant aspect of the battle took place on 29 May 1900 when a force of West-Australians under Pilkington was ordered to hold the crossing at Jackson's Drift. From the reconstruction of the battle undertaken by Amery (1906) and depicted in Figure 3, it is evident that Pilkington's force held the northern bank of the Klip River and at the time was faced by the commandos of Grobler and Lemmer. The commando under Lemmer was positioned in the hills directly north of the study area.

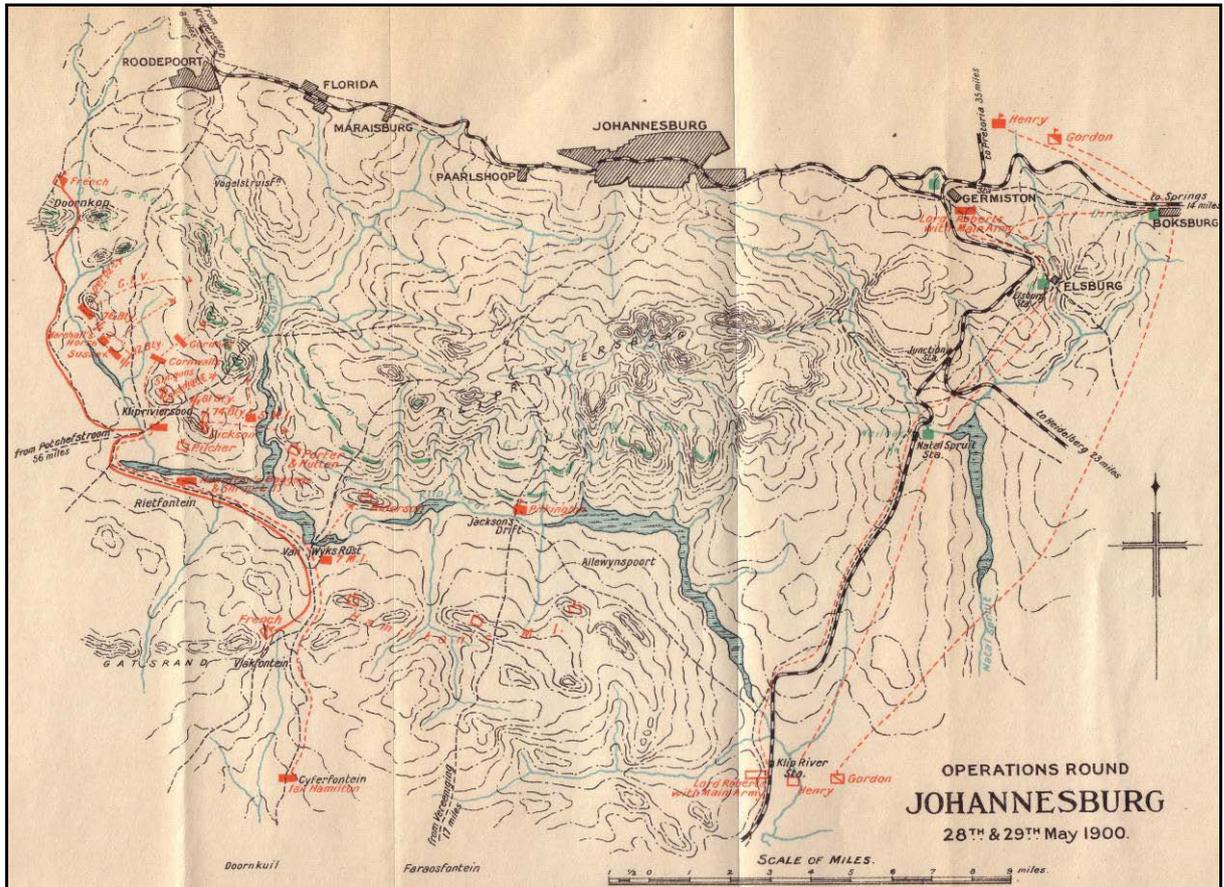


Figure 3 Map published in Amery (1906). It depicts the Battle of Doornkop (also known as the Battle of Klipriviersberg) of 28 and 29 May 1900. The bottom depiction is an enlargement of the study area and surroundings. The British forces are marked in red and the Boer forces in green.

4.1.5 Residents of Eikenhof as alluded to by historical and archival records

In a petition drawn up by a number of white farmers and residents of the area surrounding Jackson's Drift and dated 16 September 1921 (SAP, 109, 5/326/3), one of the arguments put forward for the local police station to remain open, is that at the time there were an estimated three times as many "coloured" residents in the area as whites. One of the paragraphs from the document reads: *"...dat zulk 'n stap tot zeer groot nadeel van het publiek, bestaande uit over de honderd (100) blanke huisgezinnen, zal strekken. In de omtrek zijn er ongeveer drie maal zoveel kleurlingen als blanken en die toezicht van de politie is dus alhier uiterst nodig."*

Another indication of population figures in the area is provided in a letter dated 4 August 1921, and addressed to "The Secretary, South African Police" (SAP, 109, 5/326/3). This letter indicates the combined population for the farms Oliphantsvlei and Reitfontein (presumably Rietvlei), as eighty-seven (87) European/White families, and ninety-one (91) 'Coloured' families. Interestingly, the letter also provides crime statistics for the Jackson's Drift Police Post. As such it indicates a figure of eighty-seven (87) for R.C.A.S., 183 'Native Passes issued' and 334 'Stock Removal Permits'. The letter also mentions that these passes are mostly to 'Basutoland' (sic) (present-day Lesotho), via Johannesburg. A large Sesotho-speaking element in the local population can therefore be suggested for this time.

In the same file (SAP, 109, 5/326/3), a letter was found (dated 19 November 1925) which provides an indication of the numbers of people residing on the different farms in the Eikenhof Police Area at the time. The table is classified into "Europeans" and "Natives" and divided into the numbers of people per individual farm. As can be seen from an enlarged depiction of this document below, the farm Oliphantsvlei during this time had 141 "Europeans" and 85 "Natives".

The old Eikenhof Police Area included the following farms, the population of which is shewn herein opposite each : -

	Europeans.	Natives.
Rietvlei 17.	151	125
Oliphantsvlei.	141	85
Eikenhof 7.	81	231
Eagle's Nest	14	27
Klipriversberg.(Portion of)	89	103
Totals	476	571

Figure 4 This depiction is an enlarged section of a letter dated 19 November 1925 which indicates the population figures of the farms within the Eikenhof Police Area (SAP, 109, 5/326/3).

4.2 Archaeological Database Findings

In order to include as much known information as possible into the present study, the Archaeological Site Database housed at the University of the Witwatersrand's School of Geography, Archaeology and Environmental Studies was accessed. The database contains ten archaeological sites on the farm Olifantsvlei 327 IQ, all of which are Late Iron Age stonewalled sites situated along the slopes and ridges to the north of the site. No known sites are located within the present development area.

4.3 Survey Findings

Three heritage sites were located during the field survey. Refer Annexure B Site Distribution Map.

4.3.1 OFV-1

4.3.1.1 General Site Description

OFV-1 consists of a stone-walled archaeological site situated on and surrounding a high-lying ridge. The overall condition of the site is very good, and it is fair to say that archaeological material from the site would still be in primary context.

While the site's characteristics are mostly attributable to the Late Iron Age (AD 1640 – 1830s), some evidence was found which suggests that the site can also be associated with the more recent past, i.e. the so-called Historic Period (AD 1820 – 1900).

The Late Iron Age attributes of the site include the remaining lower sections of stonewalled scallops, stone platforms, undecorated and decorated ceramics as well as a single lower grinding stone. The elongated grinding surface on this grinding stone suggests that it was used for the preparation of sorghum. This suggests a somewhat earlier date for the Late Iron Age component of the site. It is also important to note that a large scallop on the site's north-western side contains a surface concentration of ceramics, which includes thick potsherds that were derived from large grain bins. The grinding stone was also found in this scallop. These artefacts suggest habitation of the site, and it is likely that at least some of the settlement's houses would have been located here.

In the centre of the site, approximately where the circular central cattle enclosure would normally be expected in a Late Iron Age site, a large rectangular stone-built cattle kraal

was found. The position, orientation and layout of this kraal suggests that it formed part of the outer scalloped walls, and also indicate that it was likely built by the Late Iron Age residents of the site during the later phase of occupation.

In summary, the site probably started out as a Late Iron Age stone-walled site (with scallops), dating from the 18th century. During the later stages of the settlement, and after contact with outside influences (i.e. missionaries, hunters and early white farmers) from ca. AD 1830s onwards, the central cattle area was changed into a large rectangular cattle kraal. In site's shallow deposits and small size suggest that the site was not occupied for a long period. It therefore probably functioned as a lower level site such as a cattle outpost.

4.3.1.2 Current Protection Status

Archaeological sites are protected by Section 35(4) of National Heritage Resources Act and are defined as man-made features and artefacts older than 100 years. Refer Annexure C Legislative Framework.

4.3.1.3 Site Significance

Regionally, Late Iron Age settlements are well known in the area and have been researched from the 1960s onwards. Most of the sites conform to the settlement layout recorded as Klipriviersberg (Mason 1986). However, the site under discussion is different in that it contains attributes of both Iron Age and Historic Period, without any evidence for the robbing of stones from the walls. The site serves as an example of the intermediate phase at the end of the Late Iron Age during which western influences become apparent. This is evident in light of the fact that it seems that the inhabitants changed the layout of the settlement to conform to outside influences. The site, therefore, serves as a rare example of this intermediate phase.

Although no prominent ash middens were recorded, sufficient deposit exists for the site to contain valuable information of relevance for the study of especially the contact period between proper Late Iron Age and the Historical Period.

As such, the site is considered to be of **High Significance**.



Plate 1 Outer scalloped wall on the western side of the site. The newly constructed houses in the background are from the adjacent Alveda Park development.



Plate 2 View over the northernmost section of the site. The burnt open area to the right is enclosed by a scalloped wall, and is also the place where a high concentration of undecorated ceramics as well as a single lower grinding stone were observed



Plate 3 Section of wall from the rectangular cattle kraal. The red arrow follows the inside wall of the structure.



Plate 4 One of the rectangular cattle kraal's corners.



Plate 5 Lower grinding stone with an elongated grinding surface, which suggests that the grinder was used in the preparation of sorghum.

4.3.1.4 Impact of Development on Site

As the site is located over approximately a third of the development area, and as the entire development area is quite small, there is a strong possibility for the proposed development to have a **High Negative Impact** on the site.

4.3.1.5 Development Alternatives

As mentioned above, the extent of the site is such that the development would not realistically be able to take place in areas surrounding the site. As such, no development alternatives can be proposed.

4.3.1.6 Mitigation

The following mitigation measures are required to allow the site to be destroyed:

- Documentation of settlement layout by surveying and drawing a detailed Site Layout Plan. This will be followed by limited test excavations in certain areas of the settlement. These activities are aimed at documenting, recovering and recording enough data for future research before a destruction permit is issued for this site, with special emphasis placed on collecting a representative sample of cultural remains to identify the occupants of the Iron Age Sites and the study of the contact period between the Iron Age and the Historical Period.
- Compilation of a report containing all the research and findings of the study indicated above.
- Submission of this report with the permit application for the site to be destroyed.

4.3.2 OFV-2

4.3.2.1 General Site Description

The site consists of approximately ten oval shaped soil heaps which has the appearance of graves. Most of the possible grave dressings are orientated along the East-West axis, with the remainder orientated perpendicular to that. Although no headstones could be found, the certainty of prediction for the site to be a cemetery is about 80%. A short distance east of the graves the top part of a broken glass vase was found. The presence of the glass vase in close proximity provides further proof for the site to be a cemetery.

The site is situated within the parameters of the Late Iron Age/Historic site OFV-1. It seems likely that these graves were for the residents of the site. The position of the graves within the settlement as well as their orientation along the East-West axis suggests that the graves are associated with the more recent phases of the settlement.

4.3.2.2 Current Protection Status

Until such time that these features have been proven or not to be graves, the site must be viewed as being a burial ground. Graves and burial grounds fall under various legislative protections, depending on factors such as where the graves are located as well as their age. Such legislation may include the National Heritage Resources Act 25 of 1999, the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925), the Human Tissues Act 65 of 1983, 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.

4.3.2.3 Site Significance

Until such time that the possibility of a grave or burial ground situated here has been either confirmed or disproved, the site must be viewed as a burial ground. All graves and burial grounds have high levels of emotional, religious and in some cases historical significance. As a result the site is deemed to be of **Very High Significance**.

4.3.2.4 Impact of Development on Site

If the development takes place over the entire proposed development area, a **High Negative Impact** on the site is expected.

4.3.2.5 Development Alternatives

The possible burial ground is situated in a small section of the proposed development area. Apart from the development taking place over the site, the only alternative would be for the site to be fenced and kept clear of development. In such a scenario a site management plan must be compiled (see below).

4.3.2.6 Mitigation

Due to the fact that the existence of graves here has not been entirely proven, it is recommended that the first step in the mitigation of the site would be to make certain whether the site represents a burial ground or not. The best practice in establishing this is by way of reconnaissance excavation. Such an excavation can only be undertaken with a Section 35 permit in terms of the National Heritage Resources Act 25 of 1999. Once the permit has been obtained, test excavations in concurrence with accepted archaeological methods can be undertaken. The excavation will result in two outcomes, namely that evidence (i.e. skeletal material, coffin remains, grave goods etc.) for the existence of a grave is found, or alternatively that no such evidence is found. In the second case excavation usually stops when sterile soil or rock bottom is reached, after which the site can be destroyed and included in the proposed development.

However, should such evidence be found, the excavation pit must be back-filled. Two mitigation options exist in this scenario, namely the *in situ* conservation of the site or alternatively full relocation of all the graves located there. In terms of *in situ* conservation, the following mitigation measures would be required:

- Fencing of cemetery under supervision of a suitably qualified heritage specialist. The fence must have an entrance gate to allow for access to the graves.
- A brief management plan must be compiled with which the sustainable management of the cemetery can be undertaken.

The second option is grave relocation. Such a process must always be undertaken in full cognisance of the relevant legislation, and must include a detailed social consultation aspect to try and identify the family of the deceased.



Plate 6 General view of the possible burial ground at OFV-2.



Plate 7 Close-up view of the vase fragment found near the possible graves.

4.3.3 OFV-3

4.3.3.1 General Site Description

OFV-3 consists of a right-angled stonewall and associated material situated on the western boundary of the study area. The building technique used in the construction of the wall, namely the use of large stones on the inner and outer sides of the wall, with smaller stones along the wall's interior, conforms to the typical building technique associated with the Late Iron Age (ca. AD 1640 – 1830s). As the stonewall was built in the shape of a rectangle (with at least one right-angled corner evident) it seems that it was built by people still familiar with the Late Iron Age building technique, but in terms of layout more in line with typical Historical Period construction. A possible date for the construction of the wall during the early stages of the Historic Period (i.e. ca. 1820s – 1840s) can be postulated.

A concentration of potsherds as well as ceramic and glass fragments was observed on the interior surface of the site. Although no evidence for prominent ash middens could be found, a small deposit can be expected. The use of the stone-wall for a cattle kraal is supported by the identification of two separate cattle teeth.

A reasonably high level of disturbance is evident on the site. The primary context of much of the material observed on site would therefore be in doubt.

Four ceramic fragments (refer Plate 10 below) from the site were taken to Jo-anna Behrens, a historical archaeologist from the Department of Anthropology and Archaeology at the University of South Africa. She identified the fragments as white bodied glaze ware, and suggested a date of late 1800s to early 1900s for the fragments.

4.3.3.2 Current Protection Status

The site can be considered as older as 60 years. All structures older than 60 years are protected by Section 34(1) of National Heritage Resources Act and may not be demolished or altered without a permit from the relevant heritage authority. The possibility also exists for the site to be older than 100 years, in which case it would be protected as an archaeological site in terms of Section 35(4) of the National Heritage Resources Act. Refer Annexure E for a more detailed outline of the legislation discussed here.

4.3.3.3 Site Significance

The low level of preservation for the site means that it can only be viewed as of **Low Significance**.

4.3.3.4 Impact of Development on Site

The site is situated on the far western boundary of the development area. As such, a **Low Negative Impact** on the site is expected.

4.3.3.5 Development Alternatives

As the site is situated on the far western boundary of the development area, it would be reasonably easy to keep the development away from the site. However, the site is considered to be of low significance, and as a result it would be more practical to undertake the minimal required mitigation measures and have the western boundary free for the construction of a boundary wall and to make full use of the entire extent of the development area.

4.3.3.6 Mitigation

As the site can be considered to be an archaeological site, and as any archaeological sites are protected from disturbance and destruction by the National Heritage Resources Act (Act no 25 of 1999) without a permit allowing such actions to be taken, the following recommendations are made:

- Documentation of settlement layout by surveying and drawing a Site Layout Plan.
- Photographic and qualitative documentation of the site.
- Compilation of a report containing the study's research and findings.
- Submission of this report with the permit application for the site to be destroyed.



Plate 8 The wall is visible on the left. Note how it follows the same line as the row of trees in the background. Photograph taken in a north-western direction.



Plate 9 Closer view of the wall. Photograph taken in a south-western direction.



Plate 10 Some of the white bodied glazed ware observed on the surface of the site.

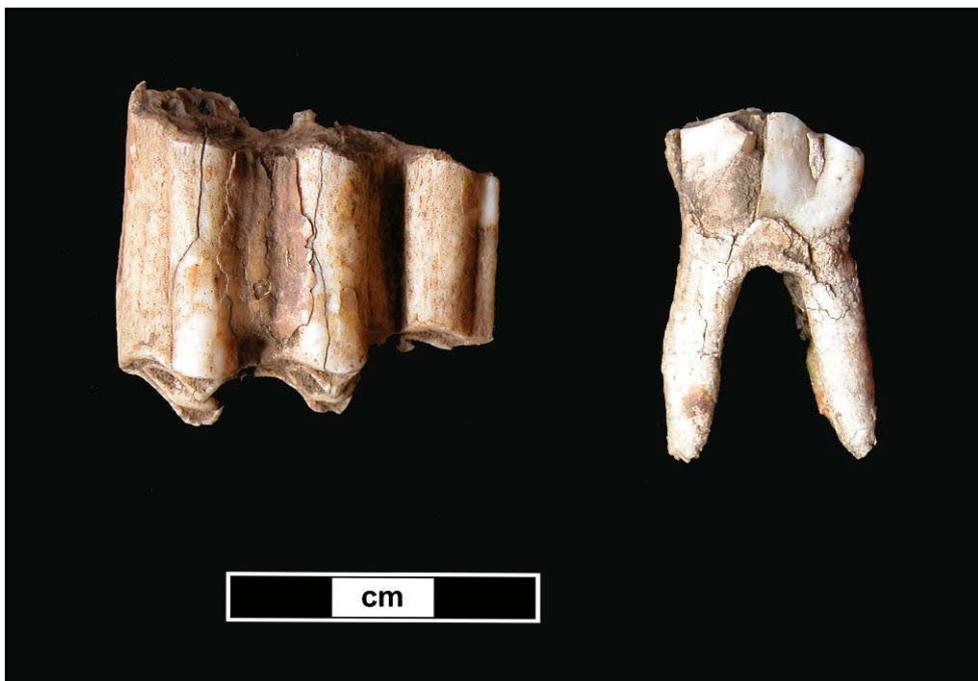


Plate 11 Cattle teeth observed on the surface of the site.

5. HERITAGE REQUIREMENTS IN TERMS OF SECTION 38 (3) OF THE NATIONAL HERITAGE RESOURCES ACT NOT DEALT WITH IN THE PREVIOUS SECTION.

5.1 “The identification and mapping of all heritage resources in the area affected”

This requirement has been suitably addressed in Section 4.3 Survey Findings. With the GPS co-ordinates obtained from the field, the different sites were individually plotted using Arcview 8.1 GIS Software. Refer Annexure B Site Distribution Map.

5.2 “A(a)n evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;”

During 2005 the Nelson Mandela Foundation (NMF) commissioned the Human Sciences Research Council (HSRC), in partnership with the Centre for AIDS Development Research and Evaluation (CARE), to undertake a survey of the prevalence of HIV/AIDS in the South African population. The central finding of the study was that for all South Africans older than two years of age, an estimated 10.8% had been infected with the virus. This meant that approximately 4.8 million South Africans were at the time suffering from the disease (<http://topics.developmentgateway.org/hiv/rc/ItemDetail.do~1066347>).

Southern Africa is home to the AIDS pandemic. More people are dying of AIDS than in any other part of the world. There is a need for the private sector and NGO's to be involved in the fight against the pandemic by doing the following:

- Provision of facilities for the care, education and nurturing of adult and children with AIDS and the terminally ill AIDS person, counselling and family health care to the affected.
- Education of the community on the subject of AIDS.
- Giving support and care to adults and children with AIDS and their loved ones.
- Providing a home for adult and children with AIDS to live in and die with dignity.
- Having a clinic and hospital facilities for terminally ill adults and children.

During the fieldwork component of this study three heritage sites were located, and assessed to be comprised of one site with Very High Significance, one with High Significance and one with Low Significance. A number of mitigation measures have also been recommended which would minimise the impact of the proposed development on the heritage resources located there.

If one compares the mitigated impact of the proposed development with the immense social benefits to be derived from the project, it is quite evident that the benefits of the project far outweigh the mitigated impact on the heritage resources located there.

5.3 “T(t)he results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;”

As required by EIA Regulations 22, 23 and 26 the Environmental Conservation Act 73 of 1989, a public participation process for the proposed development will take place. This process will include a Public Participation Meeting as well. Should any heritage issues be raised during the process and meeting, they will be dealt with in the proper manner.

6. CONCLUSIONS AND GENERAL RECOMMENDATIONS

Archaeology Africa was appointed by *Ages Environmental Unit* to undertake a Phase 1 Heritage Impact Assessment on Portion 115 of the farm Olifantsvlei 327 IQ. The said portion is earmarked for the establishment of Alveda Park Ext. 3 Township Development which would contain a mixed land use development comprised of social housing units, hospice, orphanage and community aids centre.

During the study three heritage sites were identified, namely:

- One Late Iron Age stonewalled site
- One possible burial ground
- One Historic Period stonewall and associated material

The significance of the sites were assessed and established, and recommendations made on the way in which the impact of the proposed development on the sites can be mitigated.

It is fair to say that the position of the AIDS pandemic in South Africa is of such social significance, that any development aimed at addressing this immense social need must necessarily far outweigh the mitigated impact on the heritage sites located there.

On the condition that all the recommendations made in this report are adhered to, the development may be allowed to continue.

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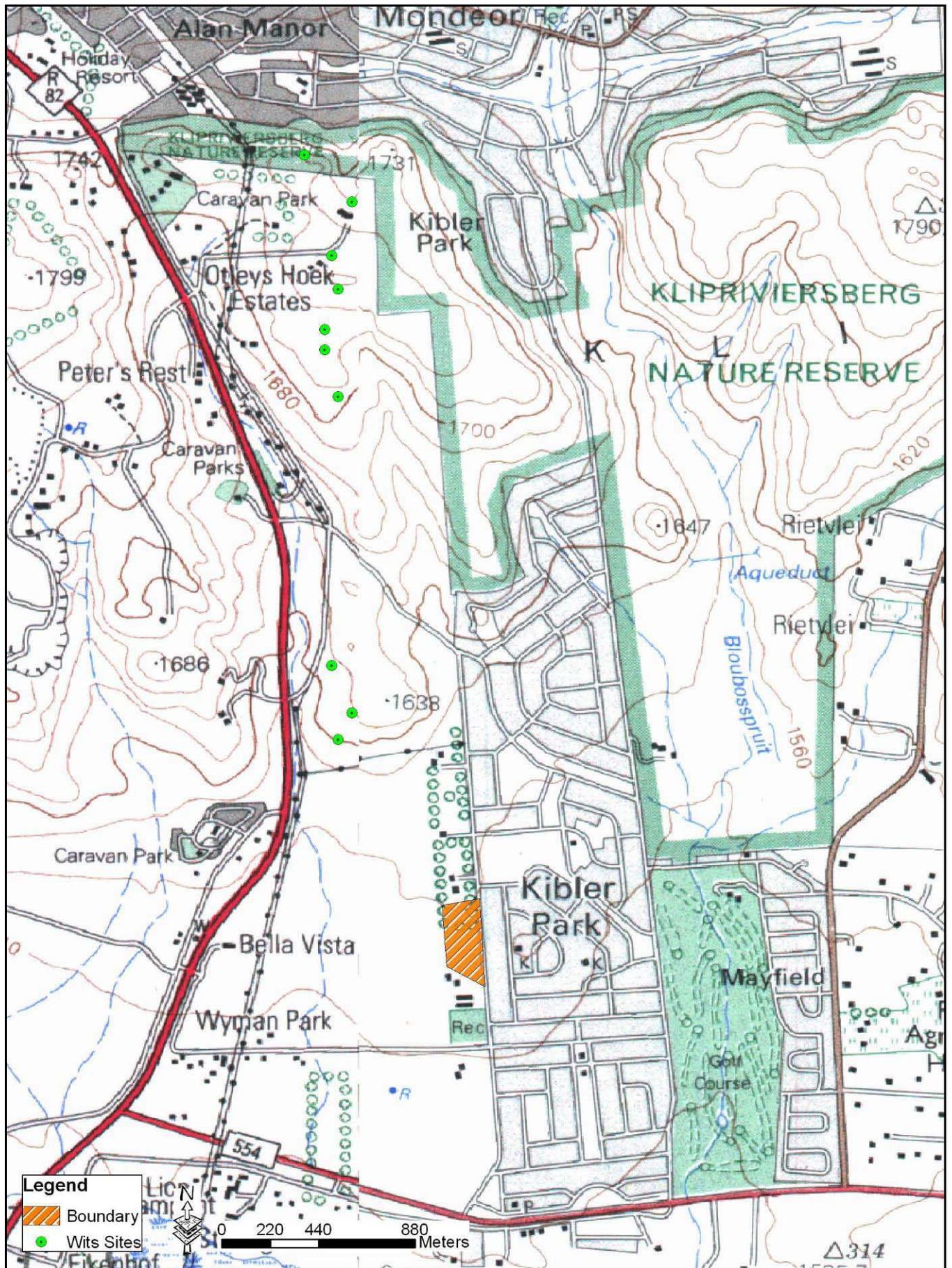
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ANNEXURE A - LOCALITY MAP



ANNEXURE B – SITE DISTRIBUTION MAP



Legend

- LIA Site (Site 1)
- Graves (Site 2)
- Stone wall (Site 3)
- Site Boundary



ANNEXURE C – LEGISLATIVE FRAMEWORK

LEGISLATIVE FRAMEWORK

South Africa has a number of legislative measures in place aimed at protecting its heritage resources. Of these the most important is the National Heritage Resources Act 25 of 1999.

1. National Heritage Resources Act 25 of 1999

The promulgation of the National Heritage Resources Act 25 of 1999 brings the conservation and management of heritage resources in South Africa on par with international trends and standards.

Section 38 (3) of the act provides an outline of ideally what should be included in a heritage report. The act states:

“(3) The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2) (a): Provided that the following must be included:

- (a) The identification and mapping of all heritage resources in the area affected;*
- (b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;*
- (c) an assessment of the impact of the development on such heritage resources;*
- (d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;*
- (e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;*
- (f) if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and*
- (g) plans for mitigation of any adverse effects during and after the completion of the proposed development.”*

Replacing the old National Monuments Act 28 of 1969, the Heritage Resources Act offers general protection for a number of heritage related features and objects (see below).

Structures are defined by the Heritage Resources Act as “...any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated with it.” In section 34 of the Act the general protection for structures is stipulated. It is important to note that only structures older than 60 years are protected. Section 34(1) of the National Heritage Resources Act reads as follows: “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."

The second general protection offered by the Heritage Resources Act which is of relevance for this project, is the protection of **archaeological sites and objects (as well as paleontological sites and meteorites)**. Section 35(4) of the National Heritage Resources Act states that:

"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 order to understand exactly what is protected, it is important to look at the definition of the concept "**archaeological**" set out in section 2(ii) of the Heritage Act:

- "(a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;*
- (b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10m of such representation;*
- (c) wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic, as defined respectively in sections 3, 4 and 6 of the Maritime Zones Act, 1994 (Act No. 15 of 1994), and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation; and*
- (d) features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found;..."*

The third important general protection offered by the Heritage Resources Act that is of importance here, is the protection of **graves and burial grounds**. Section 36(3) of the National Heritage Resources Act states that:

“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.”*

Of importance as well is section 36 (5), which relates to the conditions under which permits will be issued by the relevant heritage authority should any action described in section 36 (3), be taken. Section 36(5) reads that:

“SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection (3)(b) unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority –

- a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and*
- b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.”*

This section of the Act refers to graves and burial grounds which are older than 60 years and situated outside of a formal cemetery administered by a local authority.

Section 36 (6) of the act refers to instances where previously unknown graves are uncovered during development and other activities.

“Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must

immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority-

- a) carry out an investigation for the purpose of obtaining information on whether or not such a grave is protected in terms of the Act or is of significance to any community; and*
- b) if such a grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangement for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any arrangements as it deems fit."*

2. Other Legislation

In terms of graves, 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 65 of 1983, 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.