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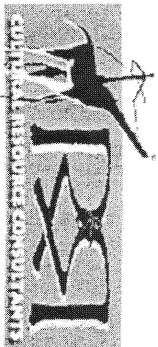
PHASE 1 HERITAGE IMPACT ASSESSMENT

**PORTIONS 182 & 209 OF THE FARM
ZWA VELPOORT 373 JR**

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September 2005

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1. INTRODUCTION

The Project proposal constitutes an activity for which an Environmental Impact Assessment is required in terms of the Environmental Conservation Act (Act No. 73 of 1989), to satisfy the requirements of the List of Activities and Regulation for EIA's published in the government Notice No. R1183. The heritage component of the EIA is provided for in section 26 of the Environmental Conservation Act and endorsed by section 38 of the National Heritage Resources Act (NHRA - Act No. 25 of 1999). In addition the NHRA protects all structures and features older than 60 years (section 34), archaeological sites and material (section 35) and graves and burial sites (section 36). In order to comply with legislation, the developer requires information on the heritage resources, and their significance that occur on the demarcated area. This will enable the developer to take pro-active measures to limit the adverse effects that the development could have on such heritage resources.

The author was contracted by Lokisa Environmental Consulting to undertake a Phase 1 *Heritage Impact Assessment* of the demarcated surface areas on the farm Swavelpoort 373 JR (Refer to map, South Africa 1:50 000 2528 CB) where the proposed development is located. The aim was to determine the presence of heritage resources such as archaeological and historical sites and features, graves and places of religious and cultural significance; to assess the impact of the proposed project on such heritage resources, and to submit appropriate recommendations with regard to the cultural resources management measures that may be required at affected sites / features.

The report thus provides an overview of the heritage resources that were detected in the area of development. The significance of the heritage resources was assessed in terms of criteria defined in the methodology section. The impact of the proposed development on these resources is indicated and the report recommends mitigation measures that should be implemented to minimize the adverse impact of the proposed development on these heritage resources. Mitigation measures also apply to heritage resources not detected during the survey, but which may be uncovered during excavations, construction of infrastructure and roads, and general activities.

2. METHOD

2.1 Sources of information

The source of information was primarily the field reconnaissance.

A scoping survey of the proposed development area was undertaken on foot. Standard archaeological practices for observation were followed. As most archaeological material occur in single or multiple stratified layers beneath the soil surface, special attention was given to disturbances, both man-made such as roads and clearings, as well as those made by natural agents such as burrowing animals and erosion. Locations of archaeological material were recorded by means of a GPS (Garmin Legend). Archaeological material and the general conditions on the terrain were photographed with a Jujifilm S304Digital camera.

2.2 Limitations

Grass cover during the survey was very thick, and as a result visibility was low. As a result, the discovery of previously undetected heritage remains must be reported to the Heritage Resources Authority or the archaeologist and may require further mitigation measures. A further limiting factor was what appear to be abandoned

ploughed fields on the northern part of the property. Here the ground surface has been levelled, and as a result the deposits have been very disturbed, limiting the chances of finding subsurface remains.

2.3 Categories of significance

The significance of archaeological sites is ranked into the following categories.

- No significance: sites that do not require mitigation.
- Low significance: sites, which may require mitigation.
- Medium significance: sites, which require mitigation.
- High significance: sites, which must not be disturbed at all.

The significance of an archaeological site is based on the amount of deposit, the integrity of the context, the kind of deposit and the potential to help answer present research questions. Historical structures are defined by Section 34 of the National Heritage Resources Act, 1999, while other historical and cultural significant sites, places and features, are generally determined by community preferences.

A crucial aspect in determining the significance and protection status of a heritage resource is often whether or not the sustainable social and economic benefits of a proposed development outweigh the conservation issues at stake. There are many aspects that must be taken into consideration when determining significance, such as rarity, national significance, scientific importance, cultural and religious significance, and not least, community preferences. When, for whatever reason the protection of a heritage site is not deemed necessary or practical, its research potential must be assessed and mitigated in order to gain data / information which would otherwise be lost. Such sites must be adequately recorded and sampled before being destroyed. These are generally sites graded as of low or medium significance.

2.4 Terminology

Early Stone Age: Predominantly the Acheulean hand axe industry complex dating to + 1Myr yrs – 250 000 yrs. before present.

Middle Stone Age: Various lithic industries in SA dating from ± 250 000 yr. - 30 000 yrs. before present.

Late Stone Age: The period from ± 30 000-yr. to contact period with either Iron Age farmers or European colonists.

Early Iron Age: Most of the first millennium AD

Middle Iron Age: 10th to 13th centuries AD

Late Iron Age: 14th century to colonial period. *The entire Iron Age represents the spread of Bantu speaking peoples.*

Historical: Mainly cultural remains of western influence and settlement from AD1652 onwards – mostly structures older than 60 years in terms of Section 34 of the NHRA.

Phase 1 assessments: Scoping surveys to establish the presence of and to evaluate heritage resources in a given area

Phase 2 assessments: In depth culture resources management studies which could include major archaeological excavations, detailed site surveys and mapping / plans of sites, including historical / architectural structures and features. Alternatively, the sampling of sites by collecting material, small test pit excavations or auger sampling is required.

Sensitive:

Often refers to graves and burial sites although not necessarily a heritage place, as well as ideologically significant sites such as ritual / religious places. *Sensitive* may also refer to an entire landscape / area known for its significant heritage remains.

3. RELEVANT LEGISLATION

Two sets of legislation are relevant for this study with regard to protection of heritage resources and graves.

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

This Act established the South African Heritage Resources Agency (SAHRA) and makes provision for the establishment of Provincial Heritage Resources Authorities (PHRA). The Act makes provision for the undertaking of heritage resources impact assessments for various categories of development as determined by Section 38. It also provides for the grading of heritage resources and the implementation of a three tier level of responsibilities and functions for heritage resources to be undertaken by the State, Provincial authorities and Local authorities, depending on the grade of the Heritage resources. The Act defines cultural significance, archaeological and palaeontological sites and material (Section 35), historical sites and structures (Section 34), graves and burial sites (Section 36) that falls under its jurisdiction. Archaeological sites and material are generally those resources older than a hundred years, while Section 34 also protects structures and cultural landscapes older than 60 years, including gravestones. Procedures for managing grave and burial grounds are clearly set out in Section 36 of the NHRA. Graves older than a 100 years are legislated as archaeological sites and must be dealt with accordingly

Section 38 of the NHRA makes provision for developers to apply for a permit before any heritage resource may be damaged or destroyed.

3.2 The Human Tissues Act (65 of 1983) and Ordinance on the Removal of Graves and Dead Bodies (Ordinance 7 of 1925)

This Act and Ordinance protects graves younger than 60 years. These fall under the jurisdiction of the National Department of Health and the Provincial Health Departments. Approval for the exhumation and re-burial must be obtained from the relevant Provincial MEC as well as the relevant Local Authorities.

Graves 60 years or older fall under the jurisdiction of the National Heritage Resources Act as well as the Human Tissues Act, 1983.

4. DESCRIPTION OF THE PROPOSED DEVELOPMENT AND TERRAIN

Refer to Exemption application for geographical, environmental and demographic issues.

5. ARCHAEOLOGICAL AND HISTORICAL REMAINS

As mentioned, human activities have resulted in a mixed deposit on the northern part of the property. No archaeological remains were recorded in this area. One area of significance recorded on the property was recorded on the southern boundary of the property (see map). This site consisted out of low stonewalls and one associated grave, and will be discussed below (5.3).

5.1 STONE AGE REMAINS

No Stone Age archaeological material was noted on the property.

5.2 IRON AGE REMAINS

No Iron Age archaeological material was noted on the property.

5.3. HISTORICAL

Site 1: Location: S25 ° 40' 02.6" E28 ° 22' 36.3"

1. Site Description

This site consisted out of a series of connected and freestanding stonewalls. It seems that this complex could extend further south into the adjacent property. The walls mostly fallen in and no site layout was difficult to determine. The main structure was a straight wall, approximately 12m long and running a general east-west direction located in the southeastern corner. The wall was mostly no higher than 0.50m. Several large gum trees have taken root in and alongside the wall and have collapsed the structure in places. The site seems to extend further west along the southern boundary area, since the survey found loose rocks strewn over the area. These indicated no apparent structure, but was very similar to the material used in the walls and could be evidence of collapsed structures. Grass cover here was very thick (±2m high) and limited the documentation of features. The only material evidence found on the site was glass bottles, indicating a historical context for the site.

2. Grave

One grave was located in context with the site. The grave was located 2m south of the main east-west running wall. The grave area was packed with stones, and orientated in an east-west direction. A single shrub grew out the western end of the grave. No gravestone was present and the date of the grave is therefore unknown. Its placement within the Site 1 indicates that it probably dates to the same period as the stonewalls, and therefore of historical-period context.

Discussion

The exact nature of Site 1 is difficult to determine due to the bad preservation of the site and low visibility during the survey. The absence of any indication of habitation such as a midden, or house/hut structures does not rule out the possibility that the site was a settlement. A second explanation could be that this stonewalls date from the **South African War** but, no evidence of such activity was found. The nearby Donkerhoek is a well-known area of military activity during the War. Thirdly, and less likely the walls may demarcate a graveyard. However only one grave was found, and the walls extend away from the grave area. The possibility of additional graves and stonewalls on the adjacent property could not be determined.



Fig 1. The main feature on the site is an east west running stonewall approximately 12m long.

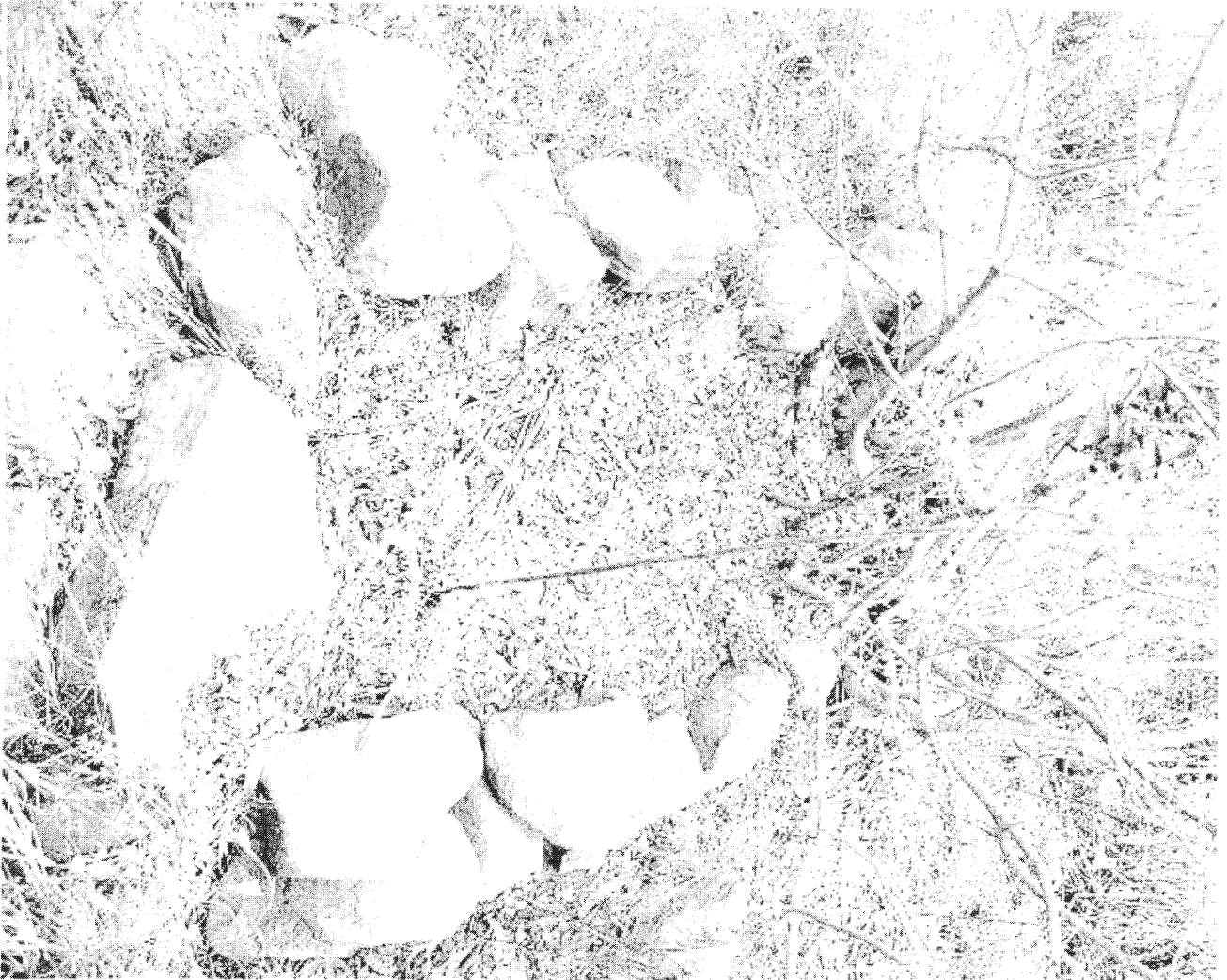


Fig 2. The grave located at site 1.

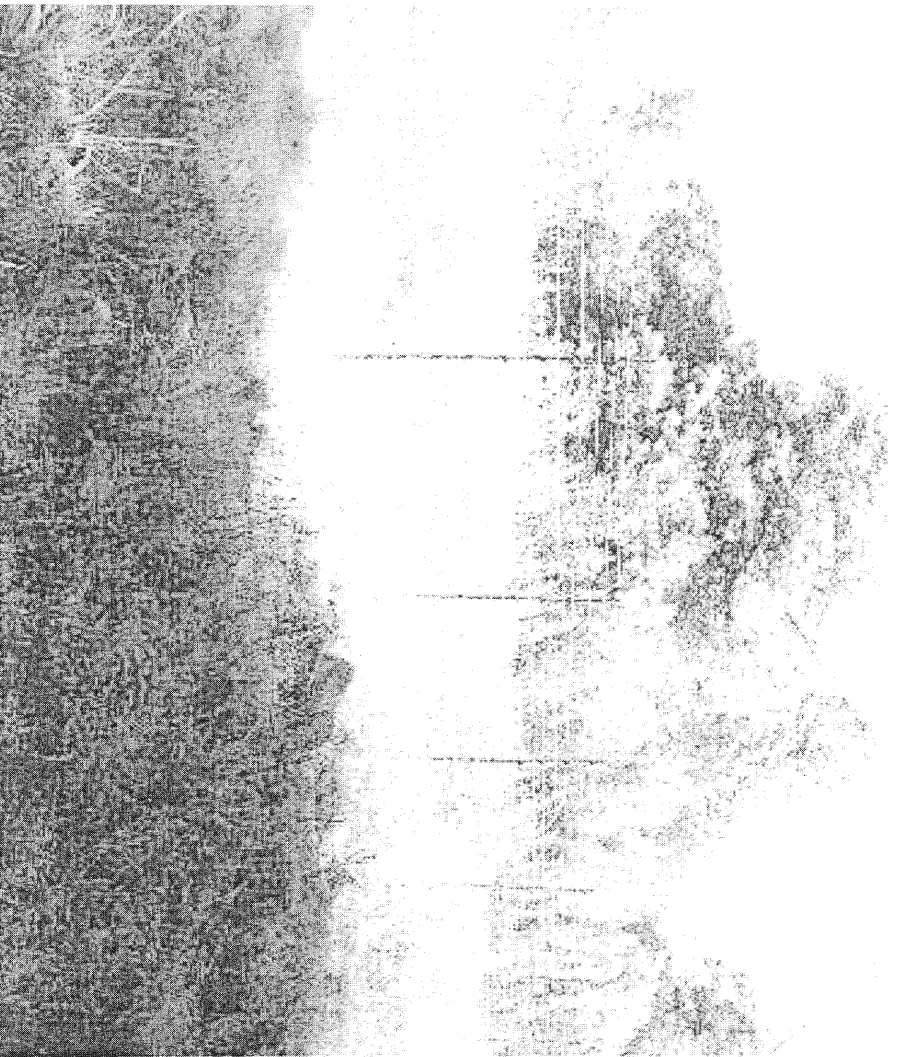


Fig 3. Southern boundary of property. It seems that Site 1 could extend into this property.

6. EVALUATION

The development will impact on these heritage features. However, the stonewall remains are isolated and out of context and are not regarded as significant.

The grave is a sensitive feature and in our opinion, must be exhumed and relocated by following the prescribed process of consultation and legal applications. In the event of the grave be older than 60 years, archaeological methods must be used to exhumate the grave.

From a heritage resources point of view we have no objection with regard to the development on condition that the recommendation below is implemented. The discovery of any sensitive or significant heritage remains during development must be reported to the heritage resources authority and may require mitigation measures.

7. RECOMMENDATIONS

In view of the above it is recommended that:

The grave be exhumed and the re-interment of the content be undertaken in an appropriate cemetery or place preferred by the descendants.

8.

Extracts from:

The National Heritage Resources Act (Act No. 25 of 1999).

Archaeology, palaeontology and meteorites

Subsection 35. (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 or museum, which must immediately notify such heritage resources authority.

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

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite.

Burial grounds and graves

Subsection 36 (1) Where it is not the responsibility of any other authority, SAHRA must conserve an 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.

Subsection 36 (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 maintain such memorials.

Subsection 36 (6) Subject to the provision of any 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 grave is protected in terms of this Act or is of significance to any community; and
- (b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the content of such grave or, in the absence of such person or community, make any such arrangement as it deems fit.

9. BIBLIOGRAPHY

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