

Site Sensitivity Verification (SSV) and Phase 1 Archaeological and Cultural Heritage Impact Assessment (AIA) –

**CLUSTER 9 PHASE 5 AND CLUSTER 8 LINKAGE, WATER SUPPLY AND ACCESS ROAD,
NXAMAGELE AND CATSHILE, NEAR TSOMO, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE**

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SPECIALIST DECLARATION OF INTEREST

I, Karen van Ryneveld, ArchaeoMaps, declare that:

- o I act as independent specialist in this application.
- o I do not have any financial or personal interest in the application, its proponent or subsidiaries, aside from fair remuneration for specialist services rendered.
- o I am suitably qualified, accredited and experienced to act as independent specialist in this application.
- o That work conducted have been done in an objective manner – and that any circumstances that may have compromised objectivity have been reported on transparently.
- o That all material information collected for purposes of this application, that may reasonably influence the decision of the consenting authority, are transparently disclosed in the report.
- o That work conducted have been done in accordance with relevant heritage legislation, regulations and policy guidelines, and with reference to relevant environmental legislation, regulations and policies, including the principle of Integrated Environmental Management (IEM).



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**CLUSTER 9 PHASE 5 AND CLUSTER 8 LINKAGE, WATER SUPPLY AND ACCESS ROAD,
NXAMAGELE AND CATSHILE, NEAR TSOMO, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE**

EXECUTIVE SUMMARY

PROJECT NAME AND LOCALITY

Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road, Nxamagele and Catshile, near Tsomo, Chris Hani District Municipality, Eastern Cape.

- General development coordinate – S32°02'08.0"; E28°00'38.9" (Nxamagele Command Reservoir).
- 1:50,000 Map Ref – 3227BB and 3228AA.

PROJECT DESCRIPTION

The *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development comprises an approximate 9.5km water supply development, including the main gravity line from S32°04'09.8"; E27°57'35.4" (Nqamakwe Command Reservoir) to S32°02'08.0"; E28°00'38.9" (Nxamagele Command Reservoir), being an approximate 6.7km line route with the pipeline \leq 350mm in diameter, and the supply gravity line from S32°02'02.0"; E27°58'21.2" (Catshile reservoir) to S32°02'38.7"; E27°58'56.5" where the supply line will connect to the main gravity line, being an approximate 2.8km line route with the pipeline \leq 160mm in diameter. The Nxamagele Command Reservoir entails the development of a 3.5Ml reservoir, while the Catshile reservoir (100kl) is an existing reservoir. A site office will be established (S32°02'12.9"; E27°58'04.5") on a property measuring \leq 5,000m². It is estimated that some 3.5km of access roads will be either upgraded or constructed to facilitate development. Access roads will be 3.9m in width. Selected aspects of the development, including among other work at certain sections of the line route (B–C; D–E; F–G) and the Nxamagele Command Reservoir, will be subject to an Environmental Authorisation (EA) by means of a Basic Assessment Report (BAR).

THE SITE SENSITIVITY VERIFICATION (SSV) AND PHASE 1 ARCHAEOLOGICAL AND CULTURAL HERITAGE IMPACT ASSESSMENT (AIA)

Archaeological and cultural heritage SSV is done by means of an AIA, including a desktop / pre-feasibility- and field assessment.

Database assessment [SAHRA 2009 MPD; SAHRIS; SAHRA–NHS; SAHRA–PHS]: Limited database information indicates the primary identified heritage resource type in the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* region as Later Iron Age (LIA), mainly comprising LIA settlement sites, and including infrequent cemeteries and grave sites, followed by a meagre Colonial Period record, solely represented by trading stores.

No declared National- (NHS) or Provincial Heritage Sites (PHS) are situated within 5km from the study site.

History of the greater Nqamakwe region: The greater Nqamakwe region was settled in 1865 and the village of Nqamakwe founded in 1876 as an amaMfengu residing, with the Blythswood Mission and College established in 1877.

The Mfengu, an abaMbo refugee group from the Mfecane wars further north, was first afforded residency in 1818 in Gcalekaland by the Xhosa chief / king Hintsas of the Gcaleka. In 1835, following socio-political tension between the Xhosa and Mfengu, the Peddie / Ngqushwa movement witnessed many a Mfengu crossing the Great Kei River to the west – a movement that is coined with the "Mfengu Vows"; a mainly Christian people at the time, the amaMfengu celebrate their vows annually on 14 May. In 1865 the Transkeian territories (the area between the Bashee and Great Kei rivers) were recognised, comprising Gcalekaland, Western Thembuland, and Fingoland (the Nqamakwe–Tsomo–Butterworth region). The primary Mfengu tribes of the Nqamakwe and Tsomo regions are the amaHlubi, the amaZizi and the amaBhele.

The later Colonial Period history of the region, from the early 1800s onwards, is vested in the complex socio-political and intercultural relations between the then British government, missionary activity, the Xhosa and the Mfengu; a history that underlies many a current living heritage aspect pertaining to the greater *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site terrain.

Field assessment: A total of 14 archaeological and cultural heritage resources / sites, as defined and protected by the NHRA 1999, are recorded, situated within or in direct proximity to the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site. Identified heritage resources are labelled Sites C9P5-01 to C9P5-14. Eleven (11) archaeological and cultural resources comprise LIA sites, while three (3) are Colonial Period sites. Five (5) recorded sites – Sites C9P5-01, C9P5-02, C9P5-12, C9P5-13, and C9P5-14 – are situated at such distance from the line route that no additional conservation measures on behalf of the developer are warranted for purposes of development; these sites will be conserved in situ. Recommended conservation measures for Sites C9P5-03 to C9P5-11 are summarised as:

- Sites C9P5-03, C9P5-04 and C9P5-05: individual temporary conservation measures during the tenure of construction works in the vicinity of these sites are recommended.

- Sites C9P5-06 to C9P5-10 comprise Sensitive Area 1 (S32°02'25.5"; E27°59'58.6" to S32°02'29.1"; E27°59'02.3" = 1.6km). The Sensitive Area 1 LIA site cluster is of research significance with reference to early Mfengu settlement pattern, preliminary inferred to date from 1818 onwards. A number of line route realignment proposals resulted in the final route to the south of the cluster of sites – from an archaeological and cultural heritage and IEM point of view deemed a best development option. It is recommended that a temporary conservation corridor be maintained for the period of construction works at Sensitive Area 1. Archaeological environmental–heritage monitoring including sketch plan layout recordings of the Sensitive Area 1 settlement pattern should be submitted to the EC PHRA.
- Site C9P5-11 denotes Sensitive Area 2 (S32°02'37.2"; E27°58'41.3" to S32°02'12.7"; E27°57'50.3" = 1.5km) typified by a cluster of kraals adjacent to Mdlokolo Village. No site features are associated with the kraals: the line route will primarily follow the existing access road meandering through the kraal cluster only towards the east of the cluster. Based on the heritage sensitivity of the area it is recommended that a temporary conservation corridor be maintained for the period of construction works at the site and that archaeological / ECO monitoring be done and a (photographic) report submitted to EC PHRA.

Conclusion: The Screening Report (2022a, 2022b) for the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development indicates the archaeological and cultural heritage theme for the study site as of "Low Sensitivity". The SSV by means of an AIA dispels the "Low Sensitivity" rating. Concerns related to the SAHRIS database may well, at least in part, be related to the erroneous sensitivity rating. Fourteen (14) identified archaeological and cultural heritage resources / sites were identified during the AIA. Despite the heritage significance of the study site the development design does not pose any *Fatal Flaws*. Based on the necessity of the development, consideration of a *No Development* option cannot be supported.

RECOMMENDATIONS

With reference to archaeological and cultural heritage compliance, as per the requirements of the NHRA 1999, it is recommended that the proposed *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development proceeds as applied for, provided developer compliance with relevant heritage recommendations / requirements.

The Eastern Cape Provincial Heritage Resources Authority–Archaeology, Palaeontology and Meteorites Unit (EC PHRA–APM Unit) Heritage Impact Assessment (HIA) Comment will state legal requirements for development to proceed, or reasons why, from a heritage perspective, development may not be further considered.

NOTE: It is requested that the EC PHRA instructs SAHRA to reinstate all redacted and deleted SAHRIS submitted AIA reports, or alternatively provide reasons for said redactions and deletions.

ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES SUMMARY – CLUSTER 9 PHASE 5 AND CLUSTER 8 LINKAGE, WATER SUPPLY AND ACCESS ROAD, NXAMAGELE AND CATSHILE, NEAR TSOMO, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE				
CLUSTER 9 PHASE 5, WATER SUPPLY AND ACCESS ROAD – S32°02'08.0"; E28°00'38.9"				
MAP CODE	SITE	COORDINATE	SITE SIGNIFICANCE	RECOMMENDATIONS
C9P5-01	Colonial Period – Residence (former trading store)	S32°03'03.9"; E28°00'01.3"	SAHRA High / Medium Significance – Generally Protected Grade IV-A Field Rating	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-02	Colonial Period – Anglican Mission, Nxamagele (?)	S32°03'56.3"; E28°00'08.8"	SAHRA High Significance – Local Grade III-B Field Rating	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-03	Colonial Period – Nxamagele Trigonometric Beacon	S32°02'08.1"; E28°00'39.1"	SAHRA High Significance – Local Grade III-B Field Rating	Site Conservation: Temporary conservation measures (fence with a 3m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the site. [Conservation buffer in consultation with CDSM]
C9P5-04	LIA – Monolith	S32°02'10.0"; E28°00'39.2"	SAHRA Low Significance – Generally Protected IV-C Field Rating	Site Conservation: Temporary conservation measures (fence with a 5m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the site.
C9P5-05	LIA – Monolith	S32°02'19.2"; E28°00'26.3"	SAHRA Low Significance – Generally Protected IV-C Field Rating	Site Conservation: Temporary conservation measures (fence with a 5m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the site.
C9P5-06	LIA – Homestead	S32°02'20.0"; E27°59'50.0"	SAHRA Medium Significance – Generally Protected IV-B Field Rating	Site Conservation – Sensitive Area 1 Conservation Corridor: <ol style="list-style-type: none"> Temporary conservation corridor (fence with 15–20m conservation buffer and signage) ensuring that construction activities are contained within the demarcated development area. Archaeological environmental–heritage monitoring of construction works and submission of monitoring report to EC PHRA. The archaeological monitoring report must include a sketch plan layout recording of the Sensitive Area 1 settlement pattern.
C9P5-07	LIA – Homestead	S32°02'25.3"; E27°59'45.1"	SAHRA Medium Significance – Generally Protected IV-B Field Rating	
C9P5-08	LIA – Homestead	S32°02'23.1"; E27°59'35.3"	SAHRA Medium Significance – Generally Protected IV-B Field Rating	
C9P5-09	LIA – Farmstead	S32°02'14.0"; E27°59'28.7"	SAHRA High Significance – Local Grade III-B Field Rating	
C9P5-10	LIA – Farmstead	S32°02'22.5"; E27°59'06.7"	SAHRA High Significance – Local Grade III-B Field Rating	Site Conservation – Sensitive Area 2 Conservation Corridor: <ol style="list-style-type: none"> Temporary conservation corridor (fence with 5–7m conservation buffer and signage) ensuring that construction activities are contained within the demarcated development area.
C9P5-11	LIA – Mdlokolo Village Kraal Cluster	S32°02'26.7"; E27°58'19.3"	SAHRA High / Medium Significance – Generally Protected Grade IV-A Field Rating	

				2. Archaeological / ECO environmental-heritage monitoring of construction works and submission of monitoring report to EC PHRA.
C9P5-12	LIA – Livestock Enclosures	S32°02'58.8"; E27°58'36.2"	N/A	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-13	LIA – Livestock Enclosure	S32°03'23.2"; E27°58'10.9"	N/A	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-14	LIA – Livestock Enclosures	S32°03'48.7"; E27°57'45.2"	N/A	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.

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1 – PROJECT DESCRIPTION, METHODOLOGY, AND TERMS OF REFERENCE (ToR)

Project Description: Isi-Xwiba Consulting is appointed as independent Environmental Assessment Practitioner (EAP) by the project proponent, the Chris Hani District Municipality (CHDM), to submit the SSV and Environmental Management Programme (EMPr) for the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road, Nxamagale and Catshile, near Tsomo, Chris Hani District Municipality, Eastern Cape* development to the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), in accordance with the National Environmental Management Act, Act No. 107 of 1998 (NEMA 1998) Regulations 2014 (Bradfield 2022).

Selected aspects of the development, including among other work at certain sections of the line route (B–C; D–E; F–G) and the Nxamagale Command Reservoir, will be subject to an EA by means of a BAR.

The *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development is situated at general development coordinate S32°02'08.0"; E28°00'38.9" (Nxamagale Command Reservoir), Mnquma-, Engcobo and Intsika Yethu Local Municipalities, Amathole District Municipality (ADM) and CHDM [1:50,000 Map Ref – 3227BB and 3228AA]. The study site is situated some 40km south of Ngcobo, 30km west of Idutywa, 20km north of Nqamakwe and 18km east of Tsomo.

The *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development comprises an approximate 9.5km water supply development, including the main gravity line from S32°04'09.8"; E27°57'35.4" (Nqamakwe Command Reservoir) to S32°02'08.0"; E28°00'38.9" (Nxamagale Command Reservoir), being an approximate 6.7km line route with the pipeline ≤350mm in diameter, and the supply gravity line from S32°02'02.0"; E27°58'21.2" (Catshile reservoir) to S32°02'38.7"; E27°58'56.5" where the supply line will connect to the main gravity line, being an approximate 2.8km line route with the pipeline ≤160mm in diameter. The Nxamagale Command Reservoir entails the development of a 3.5Ml reservoir, while the Catshile reservoir (100kl) is an existing reservoir. A site office will be established (S32°02'12.9"; E27°58'04.5") on a property measuring ≤5,000m². It is estimated that some 3.5km of access roads will be either upgraded or constructed to facilitate development. Access roads will be 3.9m in width (Bradfield 2022; Ravenscroft 2021).

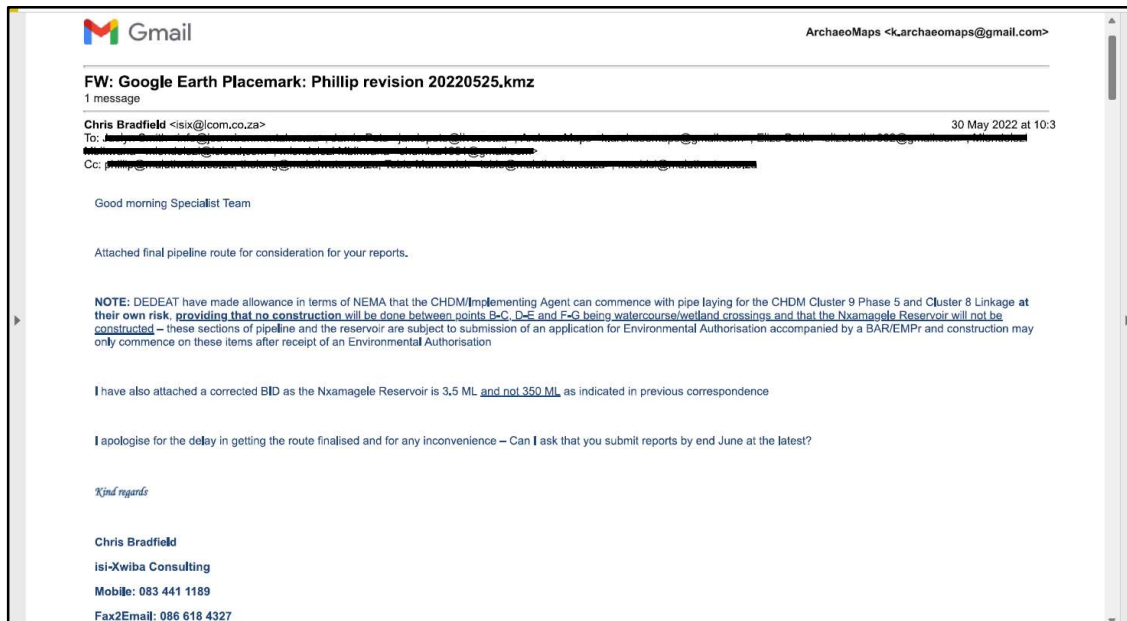


Figure 1: Provisional DEDEAT go-ahead for the development excepting select sections of the line route and the Nxamagale Command Reservoir being subject to an EA (Isi-Xwiba Consulting, email communication, 30 May 2022)

Methodology: ArchaeoMaps was appointed by Isi-Xwiba Consulting to compile the SSV for the archaeological and cultural heritage theme (Screening Report 2022a, 2022b) of the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development, by means of an AIA, in accordance with requirements of the National Heritage Resources Act, Act No. 25 of 1999 (NHRA 1999) Section 38 and the South African Heritage Resources Agency's (SAHRA) Minimum Standard guidelines for Heritage Impact Assessment (HIA) reports (SAHRA

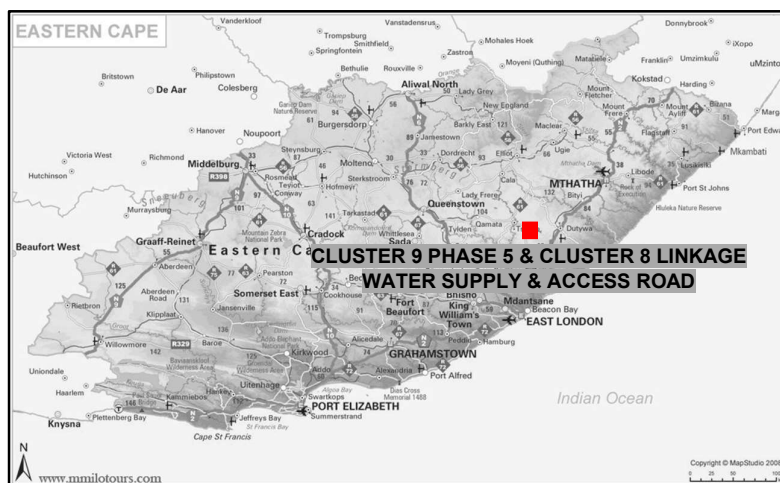
2007). The combined SSV and AIA report addresses archaeological and cultural heritage compliance requirements in terms of the NHRA 1999 Sections 38(3) and 38(4) for the development and is to be submitted to the EC PHRA in (partial) fulfilment for purposes of a NHRA 1999 Section 8(8) HIA Comment by the EC PHRA.

The combined SSV and AIA report aims, firstly, to meet SSV requirements with reference to an accurate description of the archaeological and cultural heritage sensitivity of the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site; results of the report may thus confirm or dispute the site sensitivity as preliminary identified in the Screening Report (2022a, 2022b) as of "Low Sensitivity".

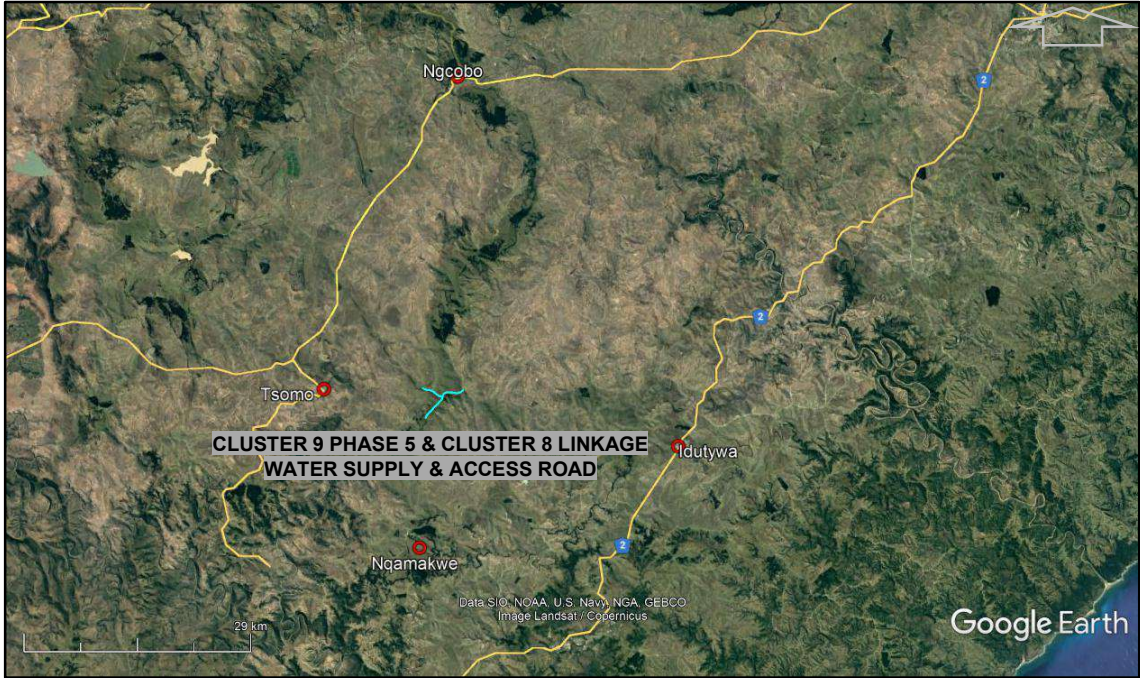
The AIA is vested in a joint desktop / pre-feasibility–field assessment process: The pre-feasibility study focuses on the collection of applicable database information pertaining to the study site and its immediate surrounds. The purpose of the field assessment is to locate, identify and assess the significance of formally protected archaeological and cultural heritage resources, as per the NHRA 1999 Sections 2, 34, 35, 36 and 37, and inclusive of archaeological deposits / sites (Stone Age, Iron Age and Colonial Period), rock art- and shipwreck sites, built structures older than 60 years, sites of military history older than 75 years, certain categories of burial grounds and graves, graves of victims of conflict, public monuments and memorials, basic living heritage, and cultural landscapes and views, and the general sensitivity of these heritage components to change. Identified sites are ascribed a SAHRA significance rating associated with suitable mitigation / management recommendations (SAHRA 2007) to guide the development planning process in accordance with the principles of IEM and to ensure compliant development throughout the: 1) construction- and 2) implementation or use phases of development.

Terms of Reference (ToR): The ToR for the combined SSV and AIA is summarised as:

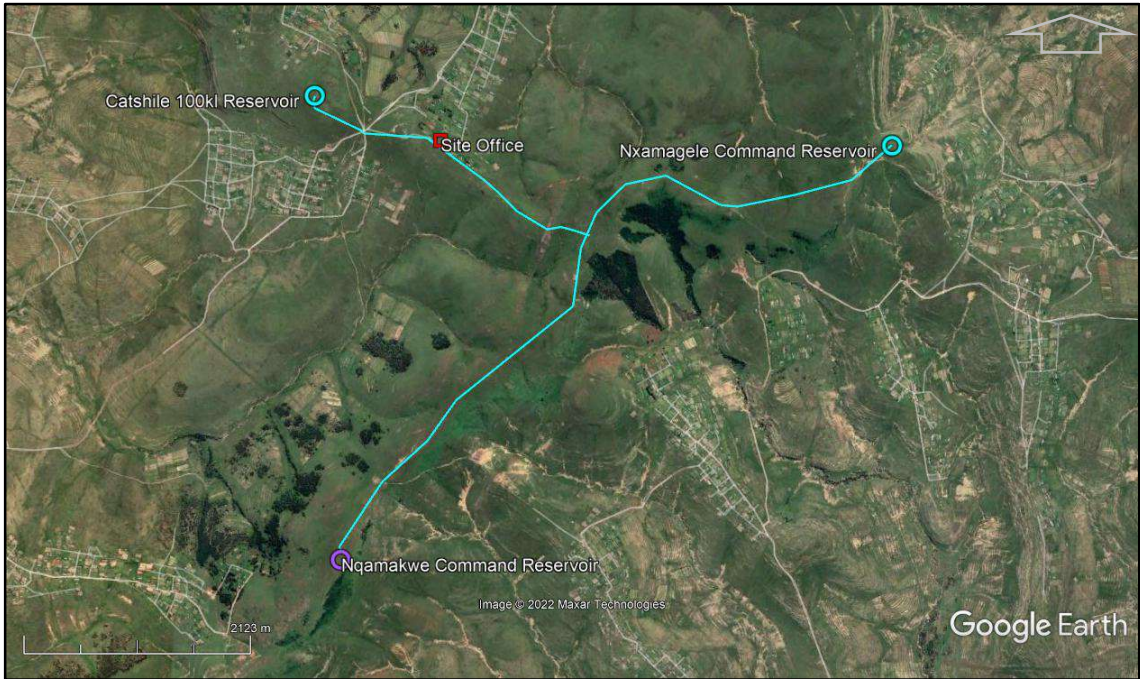
- Describe the existing area, including the area that will be directly affected by the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development and its surrounds, in terms of its archaeological and cultural heritage characteristics as formally protected by the NHRA 1999, and the general sensitivity of these heritage components to change.
- Describe the likely scope, scale, and significance of impacts (positive and negative) on the archaeological and cultural heritage resources of the area associated with the 1) construction and 2) implementation or use phases of the proposal.
- Make recommendations on the scope of any mitigation measures that may be applied during the 1) construction and 2) implementation or use phases to reduce / avoid the significance of negative impacts and manage other impacts. Mitigation measures could be design recommendations, operational controls, and management procedures, or Phase 2 permitted heritage measures such as excavation, testing, monitoring, and destruction, where necessary, and including Phase 3 heritage resources conservation and development.
- Broadly comment on the cumulative impact (positive or negative) on archaeological or cultural heritage resources associated with the 1) construction and 2) implementation or use phases of the proposal.
- Confirm if there are any outright *Fatal Flaws* to the development proposal at its current location from an archaeological and cultural heritage perspective.
- Broadly describe the implication of a *No Development* option.



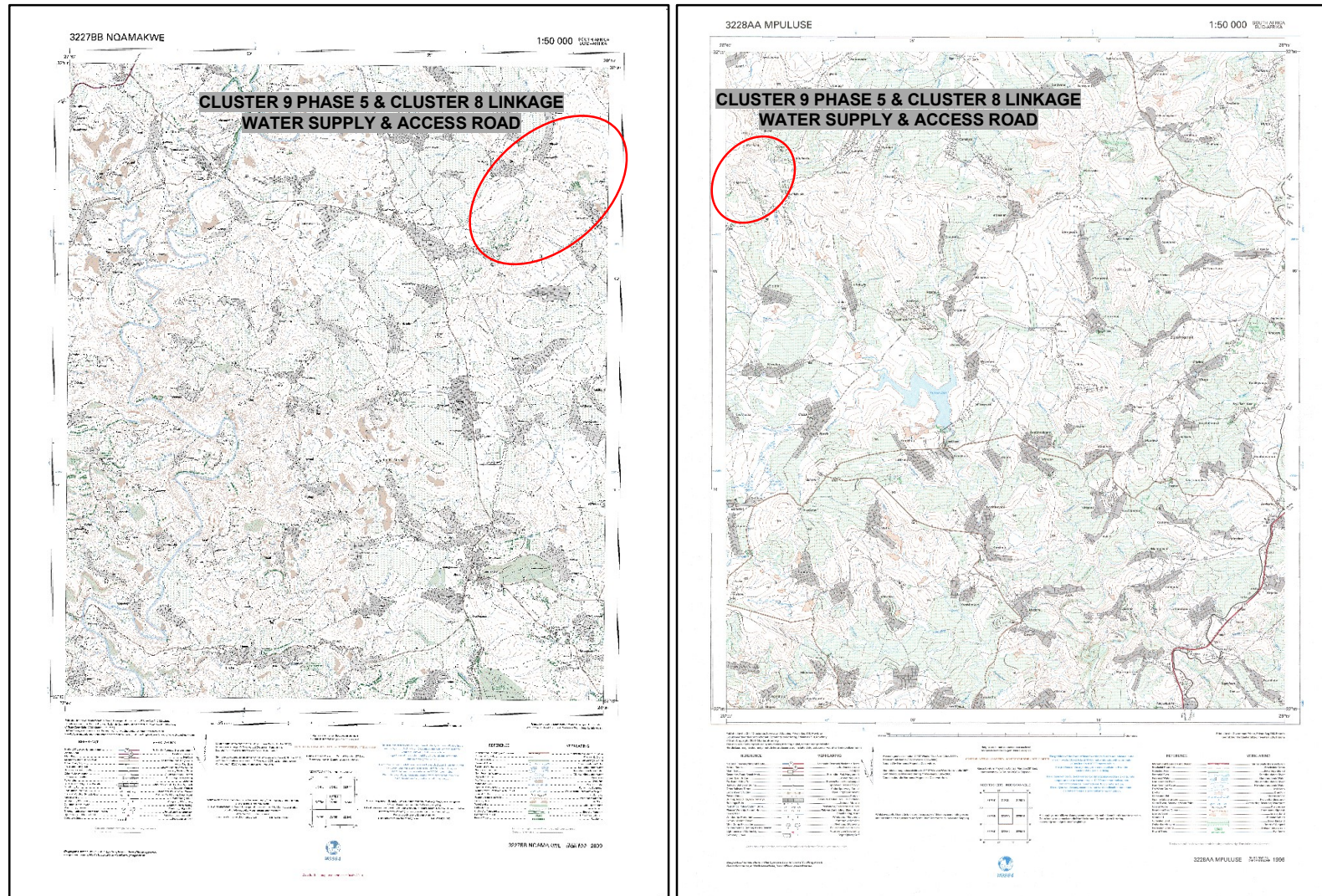
Map 1: General locality of the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development [1]



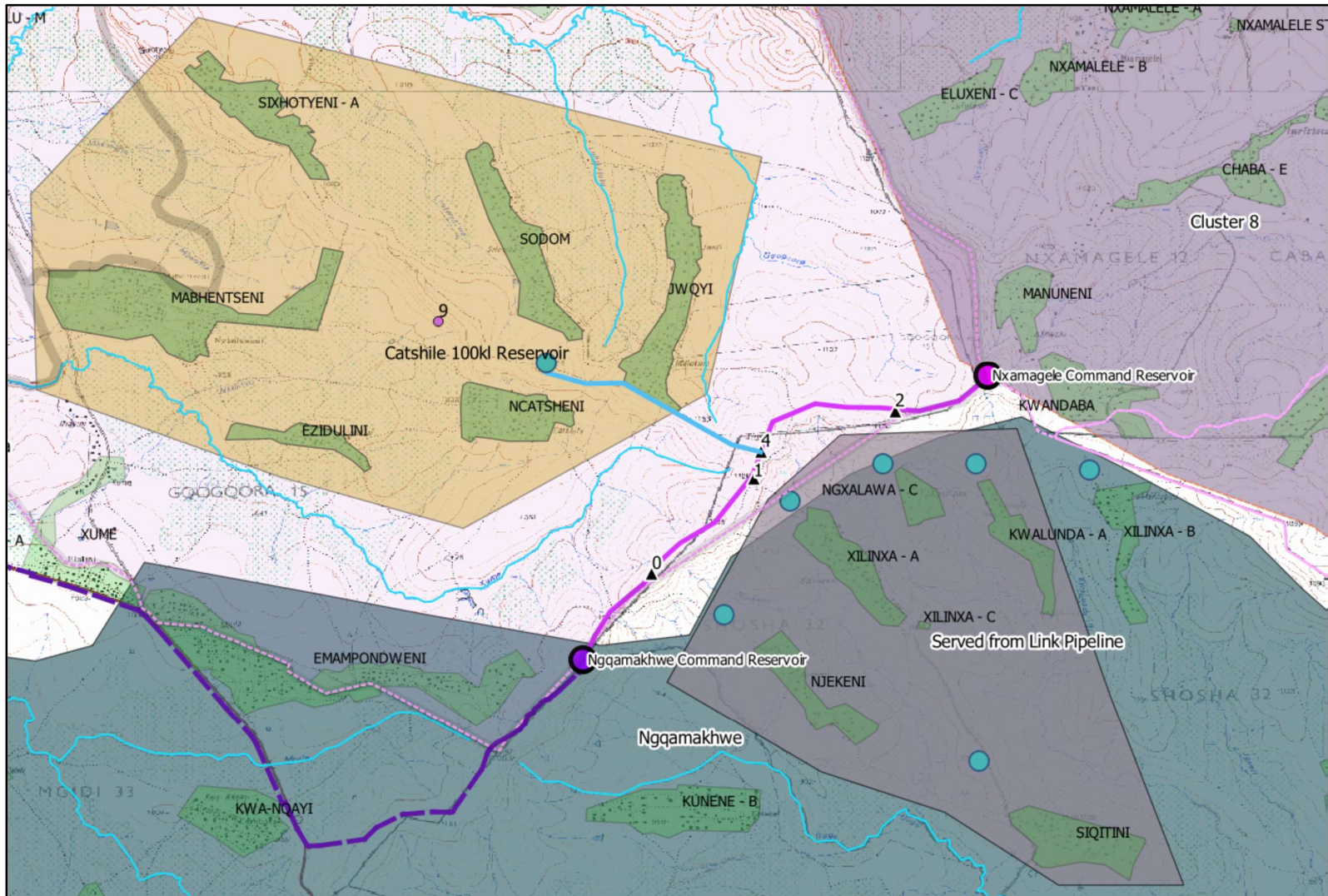
Map 2: General locality of the Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road development [2]



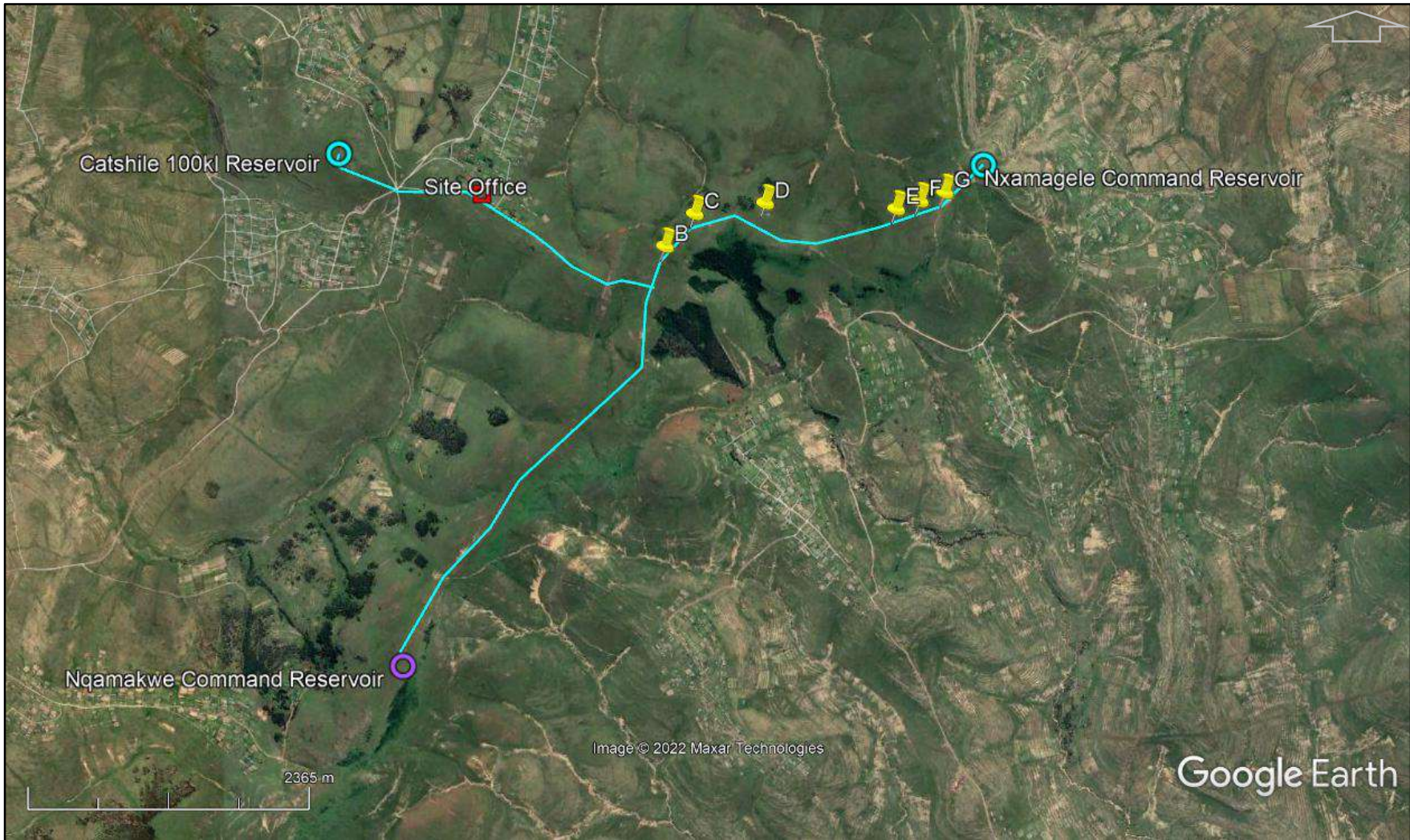
Map 3: General locality of the Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road development [3]



Map 4: General locality of the Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road development [1:50,000 Map Ref – 3227BB and 3228AA]



Map 5: General locality of the Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road development [4]



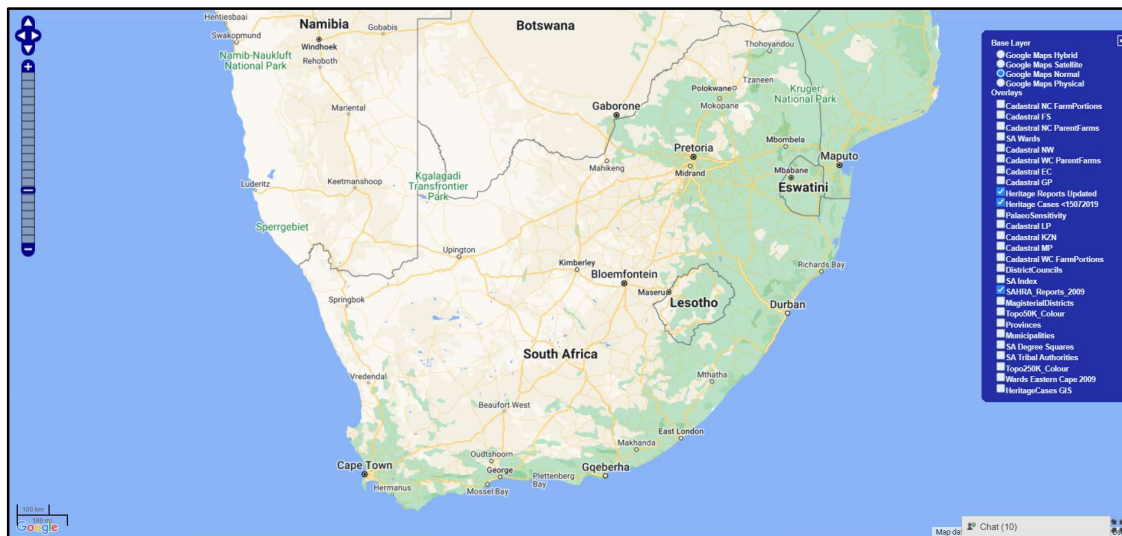
Map 6: Line route sections B–C, D–E, F–G, and the Nxamagele Command Reservoir are subject to an EA for development purposes

2.1. METHODOLOGY

The AIA desktop / pre-feasibility assessment is based on the Appendix A schematic outline of South Africa's pre-colonial and colonial past, associated with introductory archaeological and cultural heritage general- and scientific literature available and relevant to the existing area, including the area that will be directly affected by the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development and its surrounds. Databases consulted include the SAHRA 2009 Mapping Project Database (SAHRA 2009 MPD), the South African Heritage Resources Information System (SAHRIS) and the SAHRA National- and Provincial Heritage Site (SAHRA–NHS, SAHRA–PHS) databases, Eastern Cape.

2.2. THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY 2009 MAPPING PROJECT DATABASE (SAHRA 2009 MPD) AND THE SOUTH AFRICAN HERITAGE RESOURCES INFORMATION SYSTEM (SAHRIS)

The SAHRA 2009 MPD and SAHRIS [Cases & Reports map] were down between 14–20 April 2022: a geospatial database search was resultantly not possible for purposes of this study.



Map 7: The SAHRA 2009 MPD and SAHRIS [Cases & Reports map]: inoperable from 14–20 April 2022

A SAHRIS “keyword” search yielded very little but including four (4) CRM AIA studies done within an approximate 40km radius from the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site. Two (2) AIA studies are listed, but with reports not downloadable, while the other two (2) AIA studies are available for archaeological and cultural heritage site distribution and -sensitivity inquiry. Mentioned AIA reports are listed / referenced as:

- Anderson, G. (Umlando). 2009. Heritage Survey for the Chris Hani Cluster 9 Water Project, Eastern Cape. (SAHRA 2009 MPD CaseID CTS-309702).
- Van Ryneveld, K. 2011a. Phase 1 AIA. Utilization of borrow pits, ADM, Eastern Cape. (Listed).
- Van Ryneveld, K. 2011b. Phase 1 AIA. Cluster 9 Bulk Water Supply Backlog: Amendment – Tsomo, CHDM, Eastern Cape. (Listed).
- Van Ryneveld, K. (ArchaeoMaps). 2022. Phase 1 Archaeological and Cultural Heritage Impact Assessment (AIA) – Cluster 9 Tsomo Water Treatment Works Upgrade. (SAHRIS CaseID 18207).

[The redaction of submitted AIA reports by SAHRA to a listing status poses sincere concerns with reference to: 1) The purpose of a central heritage resources database and the transparency with which it is managed; 2) The quality of information available for preliminary archaeological and cultural heritage theme sensitivity screening; and 3) The quality of information available for inquiry and inclusion in desktop / pre-feasibility assessments to meet SAHRA stipulated requirements in terms of the NHRA 1999 and the SAHRA (2007) Minimum Standard guidelines.

It is accordingly requested that the EC PHRA instructs SAHRA to reinstate all redacted and deleted SAHRIS submitted AIA reports for reasons stated, or alternatively provide reasons for said redactions and deletions.]

2.3. THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY'S NATIONAL- AND PROVINCIAL HERITAGE SITE (SAHRA–NHS, SAHRA–PHS) DATABASES, EASTERN CAPE

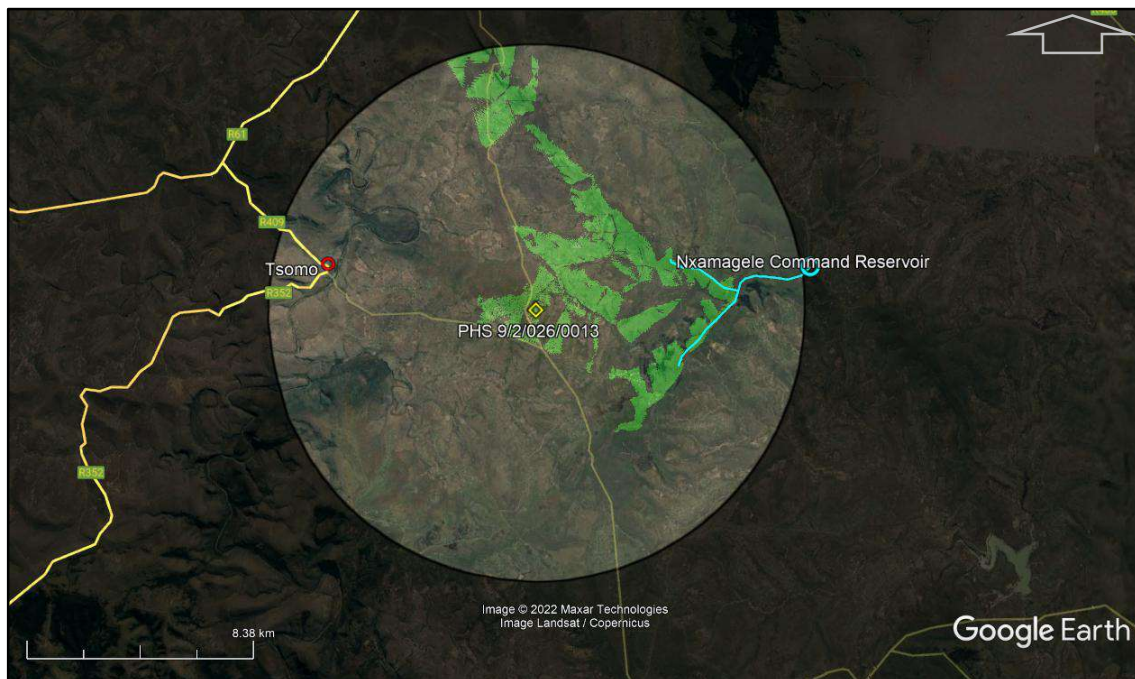
The SAHRA–NHS database does not allow interactive geospatial display; however, no declared NHSs, Eastern Cape, are situated within an approximate 5km radius from the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site.

One (1) geo-referenced declared PHS is recorded in the SAHRA–PHS database, Eastern Cape, and situated within an approximate 5km radius (5.3–5.6km) from the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site (https://en.wikipedia.org/wiki/List_of_heritage_sites_in_Eastern_Cape). The said PHS is referenced as:

- SAHRA Identifier 9/2/026/0013: Cuthbert's Building, 110 Oxford Street, East London – PHS – S32°00'54"; E27°54'12".

The SAHRA Identifier 9/2/026/0013 site record is evidently erroneous and not reflective of PHS sensitivity in the vicinity of the study site.

In conclusion, there are no NHSs or (correctly recorded) PHSs situated within an approximate 5km radius from the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site.



Map 8: Spatial distribution of geo-referenced PHSs in the SAHRA–PHS, Eastern Cape, database in relation to the study site

2.4. GENERAL ARCHAEOLOGICAL AND CULTURAL HERITAGE SENSITIVITY OF THE STUDY SITE

2.4.1. ARCHAEOLOGICAL AND CULTURAL HERITAGE DATABASE RECORDS AND GENERAL HERITAGE CHARACTERISTICS OF THE STUDY SITE TERRAIN

Limited SAHRA 2009 MPD and SAHRIS database information, with only two (2) CRM AIA studies available for interpretive purposes is problematic. No Stone Age sites, deposits or occurrences are recorded in studies consulted. Iron Age site records are limited to the LIA but representing a fairly prolific later LIA. Anderson (2009) reported on 13 LIA sites from the Cluster 9 Water Supply study site: the majority being LIA settlement sites. Recorded LIA sites

are inferred no older than 100 years, although settlement sites are known from the region dating back to the 1870s. Many LIA settlement sites recorded constitute living heritage sites, with homesteads still occupied, or occupied in part, and generally typified by clusters of huts and associated livestock enclosures. Two (2) LIA settlement sites are associated with family cemeteries, comprising both modern and traditional stone cairn graves. One (1) recorded site constitute a cemetery of some eight (8) graves, including both modern and traditional stone cairn and stone marked graves, whilst another site is typified by a single stone marked grave site, associated with nineteenth century stone walling and terracing of typical Colonial Period style. The Colonial Period record comprises a meagre two (2) records, including the Fairview Villa Trading Store and the Mbulukwera Store. Van Ryneveld (2022) reported on two (2) "izivivane" from the Cluster 9 Tsomo study site, preliminary ascribed to the LIA, but with site identification and cultural affiliation pending further investigation.

2.4.2. HISTORY OF THE GREATER NQAMAKWE REGION

The greater Nqamakwe region was settled in 1865 and the village of Nqamakwe founded in 1876 as an amaMfengu residing, with the Mfengu, a refugee group from the Mfecane wars further north, first afforded residency in Gcalekaland in 1818, by the Xhosa chief / king Hintsas (Hintsas kaKhawuta, c. 1780–1835) of the Gcaleka (<https://www.sahistory.org.za/place/nqamakwe>):

"In 1865 a number of Mfengu clans were resettled in the area around Nqamakwe. As refugees from the Mfecane wars further north, they had relatively few links to their former rural tribal economy and, at a relatively early stage, came under the guidance of European missionaries. Realising the need for an education in the colonial economy they were now attempting to enter, they began, on their own initiative, to collect funds and to lay down the groundwork for the establishment of a technical training institute.

The village of Nqamakwe was established in 1876 as the seat of the new Government Agent to the amaMfengu, and the College was opened in 1877 on a site located a short distance outside Nqamakwe. It was named Blythswood in honour of Capt MT Blyth, the Government Agent to Fingoland.

The 1904 census indicated that Nqamakwe had a population of 90. Mfengu, also called Fingo, people living in Eastern Cape province of South Africa and traditionally speaking a Xhosa language (one of the Bantu languages). The Mfengu are descendants of refugees from the Mfecane (massive migrations of Nguni peoples) in Natal, largely of Hlubi, Bhele, and Zizi origin, who made their way to the Eastern Cape, where they were succoured by local chiefs. In the wars of 1835, 1846, and 1851–53, the Mfengu fought on the British side and were granted lands in the frontier districts of the Transkei and Ciskei, at Xhosa expense and in order to act as a buffer against further Xhosa invasions of the colony. With their social organization shattered during the Mfecane, the Mfengu were receptive from an early date to Christianity and Western education, and in the 19th century many became wealthy peasant-farmers, providing some of the first Western-type political leaders among Cape Africans. In the 20th century many Mfengu demanded their own Bantustan, or black state, in the lands granted them by the British in the 19th century, which were incorporated in the Cape Colony in 1879.

Some Mfengu still follow traditional ways of life, with the men herding cattle and the women raising crops. Other Mfengu, however, are a part of the modern economy, employed as businessmen, civil servants, lawyers, and teachers in the large cities."

Rodger (1977) further explores the history of the Nqamakwe region through the Blythswood Mission and College established in 1877. A brief extract of his work highlights the early relationship between the British government, the missionaries and the Mfengu:

"The Mfengu, or Fingos, of the Transkei were a mixed group of refugees. Originally driven from Natal during the Mfecane, they moved into the Transkei and then the Ciskei. In the 1860's some were allowed by the Cape government to settle in an area in the Western Transkei which it had recently seized. The majority of those who moved were opposed to mission work and education.

When therefore the government agent for Fingoland, Captain Blyth, and a Free Church of Scotland missionary, Richard Ross, gained the support of a few headmen for an educational Institution in the Transkei, and approached Dr James Stewart of Lovedale to found such an Institution on the lines of Lovedale, they had very slender support. Stewart agreed on condition the Mfengu subscribe £1000 towards the cost. Support for this somewhat startling and, to some, unpalatable request was gained mainly because it was known that the

government intended introducing a hut tax which would be far more onerous than the levy which, it was estimated, would be required to find the sum Stewart was asking. Blyth was able to use the agreement to a voluntary levy for an institution to persuade the government to postpone the tax.

The Institution was built on a larger scale than had been planned, for the Mfengu made two subscriptions, each larger than the total requested, and Stewart raised money in Scotland.

From the first Stewart envisaged Blythswood as a fairly small branch Institution, which would concentrate on primary school ('elementary') education and a certain amount of industrial (i.e. technical) instruction, so as to relieve Lovedale of some of its elementary work. The first principal, the Rev. James MacDonald tried to widen the scope of the work considerably. At the same time he mismanaged Blythswood badly. The Presbytery of Kaffraria became involved in the bitter clash between MacDonald and Stewart, as some members tried to use the issue to assert control over Blythswood. This was an expression of a deep division in the Mission over the status and policies of Lovedale under Stewart.

The Foreign Mission Committee [FMC] of the Free Church moved MacDonald and appointed John A. Bennie, a teacher from Lovedale, as temporary principal. He did very good work in reorganising the Institution and putting it on a sound educational and administrative basis, but his health would not allow him to stay longer than two years (1881–82). During his time the FMC settled the vexed question of Blythswood's status by removing it from Lovedale's control, but making its principal directly responsible to the Committee, so that the Presbytery could not gain control of the Institution either.

The Rev. James McLaren was the first principal to work independently of Lovedale, but he did not have an entirely smooth course. Criticism of his discipline and administration from Stewart and others and the dissatisfaction of Blyth and the advisory Native Committee over the separation from Lovedale led to an unsuccessful attempt to persuade the FMC to bring Blythswood under Lovedale once more.

McLaren stayed for fifteen years and was able to steer the Institution along the road to full independence and viability. Educational standards were raised, a semi-separate girls' Institution built and many new extramural activities started. Though there was unpleasant friction at times, the staff generally worked hard, both in school and in promoting the spiritual work of the Institution.

Blythswood survived its earlier vicissitudes to become more widely accepted and influential in the community, and though it remained similar in many respects to Lovedale, did develop an identity of its own."

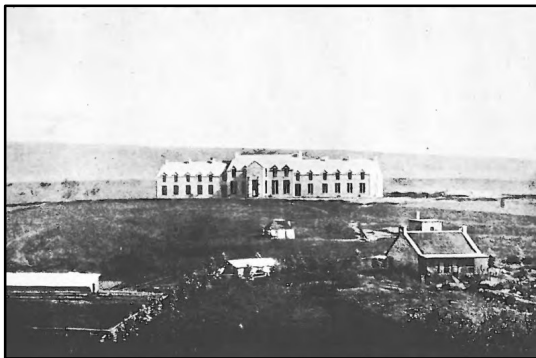


Plate 1: Blythswood Mission and College, Nqamakwe, 1877 (Rodger 1977)



Plate 2: Blythswood Mission and College, Nqamakwe, c. 1890 (Rodger 1977)

Bikitsha (2019) provides a fairly extensive historical–anthropological account of the Mfengu. Regrettably, for purposes of this desktop / pre-feasibility assessment, space allows only an abbreviated extract:

"Introduction –

[...] Fingoism / Fingoness is endangered because of amaMfengu themselves who are indifferent, overlooking the notion of 'who they are,' a sense of ethnicity (identity + culture), a nation that has history traced back from the era of 'Mumbo–Abembi–Abambo' tribe of the 15th century in the Great Lakes, traversing and evolving to the current generation of the 21st century of amaMfengu.

AbaMbo demonstrated their skills in mineral digging (abembi-ukomba), trade and warfare in the 16th century [...]. 'Fingoness developed out of a lifestyle and world view that emphasized agriculture and

trade and rejected established systems of Xhosa authority', [... this] emphasis [...] on social practice [...] was reliant on Xhosa chiefs which was modified and adapted by Mfengu as they compulsorily participated in farming and trade. For survival and sustainability, the abaMbo / Mfengu who came to Gcaleka in the 1800s had to establish themselves, among other things, merging their culture with two different British and amaXhosa cultures.

AmaMfengu, brilliantly grasped British economic perspectives for advancement. Consequently, they were the first Bantu in South Africa to use a plough and plant wheat as was demonstrated to them by missionaries. The reality is that the 19th century was an era of intense socio-political turbulence, implicating African tribes, who were absorbed in rival perpetual conflicts, for the accomplishment of supremacy and territorial control. War and conflict provocations were complicated by the infiltration and invasion of colonial forces into the native territory. Various tribes were migrating, sometimes under duress, geographically scattered, settled and resettled in different Southern African terrains. According to Inskeep (cited by Schoeman [1987]) 'the history of the Southern lands was one of [...] continuous migration.' Various tribes and their people were moving at different periods, away from their native lands and, it was during that era, that, a group of abaMbo clans, dominated by Zizi, Hlubi, Bhele, and Ntlangwini arrived in kwa-Gcaleka in 1818 [...]. AmaMfengu is a legitimate group of people whose origin can be traced back to the Mfecane wars and have thus been referred to as the descendants of the refugees who survived the massive migrations of the Nguni communities during the uprising [...]; amaMfengu signifies a group of people who moved and settled in amaXhosa land while fleeing from the Mfecane wars which happened during the first half of the nineteenth century.

[...] According to Theal (1910), the Fingo people had their traditional leaders, who were the chiefs bestowed with the responsibility of guiding their people, in the years of migration [...]. [...] Although, Pieter G. Boon (2018), from the 'Moravian, Encounters with refugees in South Africa: A Contribution to the Debate on the Origins of the Fingos' concludes that abaMbo who came to Gcaleka were individual clans, not a tribe. Boon might be correct; however, one should take into account that those clans progressively adapted and advanced their culture and religion to united Fingoness [...].

Hintsas's nation-building strategy and siyamfenguza –

When abaMbo were welcome[d], named 'amaMfengu,' and offered land by Hintsas ka-Gcaleka, they were bonded and ennobled as 'a people.' Welcoming, naming and granting land to people who were rather desperate and terrified of a possible demise, was philanthropic. Hintsas was imbued with an element of Ubuntu, giving hope to those clans so that they could establish themselves as a community. [...] Hintsas, the son of Khawuta from the Great House, born 1789, took the reign in 1809. He was the chief during the arrival of abaMbo, 1818, in Kwa-Gcaleka. He embraced the Abambo in Zizi, Hlubi, Bhele, Ntlangwini clans who were refugees. Peires' [1982] version is: Hintsas had arrived in his place from the battle of Amalinde in 1818 (Ngqika versus Ndlambe), and he was informed by one of his people that, 'there are strangers who had entered in Gcaleka land, they look hungry and destitute.' [...] Hintsas ordered that amaMfengu should be offered food, shelter, and clothing, he said, 'ngabam nabo' (they are my people also). Zibele Mtumane (2017) in his article, 'The practice of Ubuntu concerning amaMfengu among amaXhosa as depicted in SEK Mqhayi "Ityala Lamawele"' talks about the practice of Ubuntu by the traditional amaXhosa towards amaMfengu who came to them as strangers and refugees during the 19th century. [...] Hintsas could have ordered for the extermination of those strangers, especially that it was a period in which the imperialist forces were devoted to asserting their supremacy in the area. In hindsight, Hintsas might have viewed amaMfengu as possible allies which would increase his army because he was also under political duress, he, nonetheless, received amaMfengu.

The name Mfengu –

Mfengu Siyamfenguza (we are destitute), so, they said, a group of abaMbo clans, such as Zizi, Bhele, Hlubi, and Ntlangwini, who came to Gcaleka in the 1800s. The name amaMfengu meant 'w[a]nderers' and was applied by the Xhosa to the remnants of several tribes which had been broken and scattered by the armies of the Zulu king, Shaka, and a little later by Ngwane of Matiwane. When abaMbo arrived in kwa-Gcaleka, they accepted and adopted the name 'Mfengu' as was given by amaXhosa led by Hintsas. According to Mtumane [2017], amaMfengu is a term that was used to refer to people who came to the land of amaXhosa fleeing from attacks during the Mfecane wars in the 1800s. It was these attacks, wars, and conflicts during migration, passing through other tribes that led to the pathetic state of abaMbo. [...According to] Soga, H. (1930), [...in] 'amaXhosa-life and customs' [...], 'Bantu tribal names through the use of several designations

for one tribe, prove somewhat mystifying to persons unacquainted with the significance of, and reasons for them', hence [...and pertaining] to Mfengu as a relevant name and identity for those who were called abaMbo [...].

Settlement (1818 Mfengu) –

Hints welcome abaMbo and allocated them land to settle in Kwa-Gcaleka, Butterworth district. 'They were allowed to settle among the Gcaleka', says [...] Hammond-Tooke (1956), as evident in the following areas, 'amaZizi settled in Mgomanzi and Mpenduza, amaBhele in Cegcuwana, amaHlubi stayed with Sarhili, the son of Hints' [...], likewise [...] Mndende (2010), shows amaZizi in Mgomanzi and Cerhu, amaBhele in Cegcuwana and eZolo, amaHlubi at Theko, others at Zingqayi and Bika. Allocating land was a noble gesture, not to any other tribe but amaMfengu by Hints. According to Kawa (1928), the Hlubi tribe stayed with Sarhili, son of Hints. Hints said to Sarhili 'aba ngabantwana benkosi ungaboze ubashiyele ukutya esityeni,' translated as, 'These are the children of God you must never give them food-left-overs.' As indicated, during settlement, Kawa concludes that the amaHlubi chiefs shared food with Sarhili, which was an indication of acceptance of amaMfengu by [...] Hints, [...as expressed] by Hints's [...kindness in] asking his people to take good care of amaMfengu, as well as reforming his tribal court for equal treatment. Hints encouraged amaMfengu to look after themselves finally. Despite Hints moral high-ground towards Mfengu, it is imperative to recognize socio-political dynamics during the Xhosa / Mfengu association that was blemished by accusations of oppression by amaXhosa (Ayliff & Whiteside 1912). The Mfengu community who have been in Butterworth for about 17 years, exposed to hostile socio-political challenges, exerted by amaXhosa and British, resulted to amaMfengu crossing the Great Kei River to the west side.

The 1835 Fingo Vows –

In the year 1835, amaMfengu were compelled to confront the prevailing and challenging socio-political circumstances, between Xhosa, Mfengu, and British. They had to determine sustainable life that would be of enormous benefit to them. As a result, decisions pertinent to their envisaged future led to [the] Peddie movement. Pledging of the oath by those Mfengu who moved from Butterworth to Peddie (Ngqushwa), became a turning point for socio-cultural revolution and lifelong impact to amaMfengu and amaXhosa. Fingo vows began to be a guiding principle for an ensuing Fingo culture and a sense of identity whose manifestation [...] is observable in a modern society that is Christianized and educated. The settlement of amaMfengu in Peddie in 1835, had symbiotic bondage between Mfengu and British, a blessing in disguise, resulting in a societal progression that spill over all Mfengu / Xhosa communities. There are everlasting socio-political and educational gains which are evident nowadays as argued by Ndletyana. The pledge of Fingo vows was on the 14/05/1835, in Peddie (Ngqushwa) [...]. Fingo vows were to be continuously commemorated annually on the 14th of May [...]:

- To be faithful to God
- Educate their children
- Support their missionaries
- Respect the current British government

These Fingo vows, among other things, were due to persuasions by the British who were campaigning for the advancement of evangelization of the African people. The amaMfengu became amenable to the idea, mainly because there were promises that they would source land for them, and recognition of all their chiefs will be a priority. Amid Mfengu / Xhosa existence, there were also allegations of Mfengu enslavement and oppression by Xhosa, as some authors [Ayliff & Whiteside; Peires; Stapleton; and Hammond-Tooke] argue. Ayliff and Whiteside (1912: 19) write, 'Fingo were liable to be robbed, reviled, or killed at the will of a Gcaleka chief.' The alleged Xhosa heartlessness could have deterred the Mfengu who ultimately went to Peddie; hence, they possibly sided with British. When amaMfengu joined the British, Peires (1982) regarded that as a form of Mfengu salvation, he concluded that 'the old (Shaka and Gcaleka), had led them (Mfengu) to a life of wandering and misery, the new (British) one seemed to offer peace and prosperity.' AmaMfengu, Rev Ayliff, and Sir Benjamin Durban crossed [the] Great Kei River to Peddie (Ngqushwa). AmaMfengu left with their belongings, including livestock. In contrast to the claim authored by Mvenene [2014], that amaMfengu drove cattle which belonged to amaXhosa, he, however, fails-to-note that amaMfengu have been in Butterworth for more than 15 years. During that period, they were very productive and, as a result, amaMfengu are acknowledged as naturally bright and diligent [...], Mfengu participated productively in farming, agriculture, and trade, therefore, cattle that Mfengu drove when they crossed [the] Kei River in 1835 must have been a product of their sweat. Webster, DJ (1986), in 'The Journal of African

Studies' - Cambridge.org, [...makes] mention of a high economic activity in the 1870s that led to colossal production and sale of corn and wool crop by Fingoland, which supports the notion [of] a hardworking community.

The 1865 Fingoland –

The area between Bashee and the Great Kei Rivers, is currently and mainly inhabited, by three distinct tribes, the Gcalekaland / amaXhosa (a kingdom) situated in the lower terrain bordering [the] Indian ocean, Western Thembuland / abaThembu Base-Rhoda (a kingdom) located in the upper Kei River, and Fingoland / amaMfengu (not yet a kingdom), located almost in the middle, between Xhosa and Thembu Kingdoms. Fingoland was geographically demarcated and established in 1865 by amaMfengu who crossed [the] Kei River from Ciskei, simultaneously with the Western Thembu land (Tambookie Location), emigrant Thembuland which was established by Chiefs Mathanzima-Madiba, Gecelo-Gcina, Stokwe-Vundle, and Ndarhala-Ndungwane, (commission to determine Mathanzima and Dalindybo Paramountcies).

Hammond-Tooke (1956) confirms that the cattle-killing episode in 1857 resulted in depopulated large tracks of Gcaleka territory that was settled by the Cape Government and Fingo. In his paper 'A social and economic history of the African people of Gcaleka land 1830 to 1913', Mvenene [2014] regards amaMfengu of 1865 as 'undesirable' Africans dumped from Kaffraria (Ciskei), still, in his biased mind [he] seems to be excluding the Western Thembuland from his unwarranted insult (undesirable Africans), despite the fact that, its establishment was similar to that of Fingoland. Furthermore, the British of that era, desperately desired amaMfengu of their military prowess and possible proliferation of the gospel as envisaged by British missionaries. Soga (1930) mentions about 40,000 amaMfengu moved from Peddie to a territory between upper Kei, [and] Peires (1982), confirms, the fact that amaMfengu resided along the banks of Ciskei and Transkei. Fingoland which has no king yet seems to be conveniently under Xhosa kingdom, probably because there are amaMfengu populace in Gcalekaland (Willowvale / Idutywa) areas which they occupied after the Ngqayechibi war of 1877.

The current geographic arrangement is that Fingoland and Gcalekaland have a total of seven Districts, with Fingo land (Butterworth, Tsomo, Ngqamakwe [Nqamakwe]), and Gcaleka land (Willowvale, Kentane, Idutywa, and Xhora). At least amaMfengu have land of their own in Fingoland, well established in all aspects of life, something that amaMfengu should treasure as Mfengu heritage [...]. It is too much a demand by anybody who envisages abandoning ubumfengu (fingoism, fingoiness), because, amaMfengu will lose their inheritance [...]."

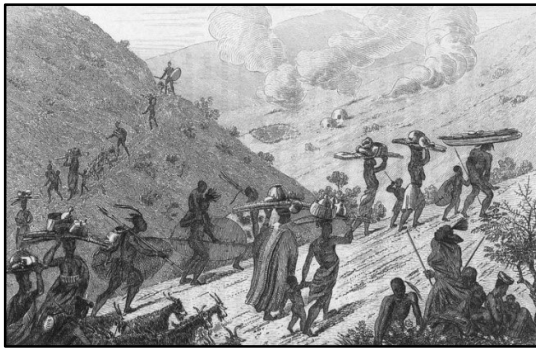


Plate 3: The migration of the Mfengu to Gcalekaland, 1818
(https://en.wikipedia.org/wiki/Fengu_people)

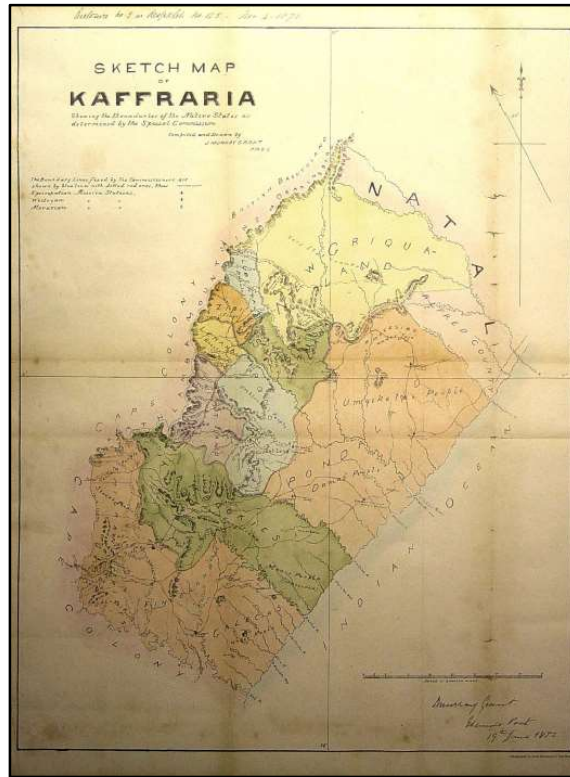


Plate 4: A Mfengu village at Port Elizabeth, c. 1870
(https://en.wikipedia.org/wiki/Fengu_people)

Bikitsha (2019) describes the primary Mfengu tribes of the greater Nqamakwe region of Fingoland as the amaHlubi, the amaZizi and the amaBhele.

Tsomo, originally founded as the Tsomo's Post military station in 1877, is named after the Tsomo River on which it is situated, and purported to have been thus named after a Xhosa chief who resided nearby where the bridge now stands (<https://en.wikipedia.org/wiki/Tsomo>). Originally included in the Transkeian territory of Fingoland, Bikitsha (2019) similarly records the primary Mfengu tribes of the greater Tsomo region as the amaHlubi, the amaZizi and the amaBhele.

An early Anglican Mission was established at Nxamagele (<https://www.sahistory.org.za/article/mission-stations>). However, no further information on the village of Nxamagele, nor said mission station, or its date of establishment could be obtained from available literary resources.



Map 9: Sketch map of the Transkei, 1872 (Braun 2008)



Map 10: Map of Fingoland (white), and surrounding regions of the Eastern Cape Frontier, 1911 (https://en.wikipedia.org/wiki/Fengu_people)



Map 11: Plan of the Transkeian Territories, Sheet No. 10, 1912, indicating the districts of Tsomo, Nqamakwe, Butterworth, Willowvale and Kentani
 (<https://digitalcollections.lib.uct.ac.za/islandora/object/islandora%3A30112/datastream/OBJ/view>)



Map 12: Current map of the Nqamakwe region (Maphill)

3.1. METHODOLOGY AND SUMMARY OF FINDINGS

The field assessment for the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development was done over a two (2) day period (12 April and 3 May 2022). Geographic Positioning System (GPS) coordinates were taken with a Garmin Montana 680 (Datum: WGS84). Photographic documentation was done with a Canon EOS 1300D camera. A combination of Garmap (Base Camp) and Google Earth software is used in the display of spatial information. Archaeological and cultural heritage site significance ratings and mitigation recommendations are based on the combined NHRA 1999 Section 7(1) and SAHRA (2007) system, summarised as:

SAHRA HERITAGE SITE SIGNIFICANCE RATING SYSTEM			
SITE SIGNIFICANCE	FIELD RATING	GRADE	RECOMMENDED MITIGATION
High Significance	National Significance	Grade I	Heritage site conservation / Heritage site development
High Significance	Provincial Significance	Grade II	Heritage site conservation / Heritage site development
High Significance	Local Significance	Grade III-A	Heritage site conservation or extensive mitigation prior to development / destruction
High Significance	Local Significance	Grade III-B	Heritage site conservation or extensive mitigation prior to development / destruction
High / Medium Significance	Generally Protected A	Grade IV-A	Heritage site conservation or mitigation prior to development / destruction
Medium Significance	Generally Protected B	Grade IV-B	Heritage site conservation or mitigation / test excavation / systematic sampling / monitoring prior to or during development / destruction
Low Significance	Generally Protected C	Grade IV-C	On-site sampling, monitoring or no heritage mitigation required prior to or during development / destruction

Table 2: SAHRA heritage site significance assessment rating system and associated mitigation recommendations

A total of 14 archaeological and cultural heritage resources / sites, as defined and protected by the NHRA 1999, are recorded, situated within or in direct proximity to the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site. Identified heritage resources are labelled Sites C9P5-01 to C9P5-14. Eleven (11) archaeological and cultural resources comprise LIA sites, while three (3) are Colonial Period sites.

The initial field assessment, scheduled for 12 April 2022, was cancelled: rainy weather resulted in notably poor road conditions with access bridges washed away, and the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site could not be reached. Two (2) archaeological and cultural heritage resources were, however, recorded, further describing the general heritage sensitivity of the terrain. Both recorded sites, Site C9P5-01 and Site C9P5-02, comprise Colonial Period resources that will not be affected by the proposed development.

The second field assessment, on 3 May 2022, resulted in the recording of nine (9) heritage resources namely Sites C9P5-03 to C9P5-11:

- Sites C9P5-03 (Colonial Period), C9P5-04 (LIA) and C9P5-05 (LIA) are situated along the eastern extremity of the study site: individual temporary conservation measures during the tenure of construction works in the vicinity of these sites are recommended.
- Sites C9P5-06 to C9P5-10 comprise Sensitive Area 1 (S32°02'25.5"; E27°59'58.6" to S32°02'29.1"; E27°59'02.3" = 1.6km). The Sensitive Area 1 LIA site cluster is of research significance with reference to early Mfengu settlement pattern, preliminary inferred to date from 1818 onwards. A number of line route realignment proposals resulted in the final route to the south of the cluster of sites – from an archaeological and cultural heritage and IEM point of view deemed a best development option. It is recommended that a temporary conservation corridor be maintained for the period of construction works at Sensitive Area 1. Archaeological environmental-heritage monitoring including sketch plan layout recordings of the Sensitive Area 1 settlement pattern should be submitted to the EC PHRA.
- Site C9P5-11 denotes Sensitive Area 2 (S32°02'37.2"; E27°58'41.3" to S32°02'12.7"; E27°57'50.3" = 1.5km) typified by a cluster of kraals adjacent to Mdlokolo Village. No site features are associated with the kraals: the line route will primarily follow the existing access road meandering through the kraal cluster only towards the east of the kraal cluster. Based on the heritage sensitivity of the area it is recommended that a temporary conservation corridor be maintained for the period of construction works at the site and that archaeological / ECO monitoring be done and a (photographic) report submitted to EC PHRA.

Sites C9P5-12, C9P5-13, and C9P5-14 all constitute aerially identified LIA sites situated more than 80–100m from the line route. These site records serve to further describe the general heritage sensitivity of the greater study site terrain, but the sites will not be impacted on and based on distance from the line route, no additional conservation measures on behalf of the developer are necessary for development purposes.

3.2. ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES / SITE DESCRIPTIONS

3.2.1. Site C9P5-01: Colonial Period – Residence (former trading store) – S32°03'03.9"; E28°00'01.3"

The site comprises a Colonial Period residence, most possibly in years prior having had served the dual function of residence and trading store. The site is older than 60 years – seemingly well older than 100 years – and is formally protected by the NHRA 1999. Site conservation can be described as fair, the sole result of continued use.

- **Site significance and recommendations:** Site C9P5-01 is ascribed a *SAHRA High / Medium Significance* with a *Generally Protected Grade IV-A Field Rating*. The site, situated more than 1km from any development aspect, will not be impacted – the site will by implication be conserved, without additional heritage conservation compliance measures on the part of the developer.

3.2.2. Site C9P5-02: Colonial Period – Anglican Mission, Nxamagele (?) – S32°03'56.3"; E28°00'08.8"

Site ruins are inferred to represent the former Nxamagele Anglican Mission; with the ruins seemingly well older than 100 years and of archaeological origin, the site is formally protected by the NHRA 1999.

The two (2) most distinctive site features include: 1) A sandstone platform or foundation, reasonably inferred to have served as the base for a building, most probably that of the church / school; and 2) Standing brick wall ruins are interpreted as former staff quarters and related outbuildings. Smaller structure remains and overgrown mounds are scattered about the site. The site is situated about 3km from Nxamagele village, considered a reasonable distance with reference to the preliminary site interpretation as the former Nxamagele Anglican Mission, since it is known that missions were often established at some distance from the villages.

- **Site significance and recommendations:** Site C9P5-02 is ascribed a *SAHRA High Significance* with a *Local Grade III-B Field Rating*. Further archaeological investigation would confirm or dispel the preliminary site assignment as the Nxamegele Anglican Mission – and if thus confirmed, the site holds definite potential for future research. However, the before said does not pertain to *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* developer compliance. Site C9P5-02 is situated more than 2km from any development aspect and the heritage site will be conserved, in-situ, by the proposed development, without additional heritage conservation compliance measures on the part of the developer.

3.2.3. Site C9P5-03: Colonial Period – Nxamagele Trigonometric Beacon – S32°02'08.1"; E28°00'39.1"

Duesimi (2022) explains that "[t]he physical framework for South Africa's geodetic reference comprises approximately 30,000 trigonometrical beacons. The erection and surveying of these trigonometrical beacons commenced in 1834. A robust countrywide geodetic network was realised by 1836 after which the secondary and tertiary triangulation commenced and was completed in the early 1980s."

The metal cap of the stone built Nxamagele trigonometric beacon (or beacon nr. 27 – Lunda) is missing; with the beacon itself possibly having had been of the mid-1830s erected beacons and thus constituting an almost 200-year-old site. The current conservation status of the beacon is resultantly described as fair to poor. According to the Land Survey Act, Act No. 8 of 1997 (LSA 1997), Section 43(1): "*Except with the consent of the Chief Surveyor-General, no person shall place any fence-post, fence-anchor or any other erection or make any excavation within one metre of any trigonometrical station, excluding a town survey mark.*"

- **Site significance and recommendations:** Site C9P5-03 is ascribed a *SAHRA High Significance* with a *Local Grade III-B Field Rating*. The site is situated in direct proximity to the planned Nxamagele Command Reservoir, but without direct development impact on the beacon. Consultation between the appointed

consulting engineers, Maluti GSM, and the Chief Directorate of Surveys and Mapping (CDSM) indicated that a minimum 1–3m buffer should be maintained between development and the beacon, and it is recommended that this (maximum) requirement be adhered to for heritage purposes: a 3m conservation buffer will allow suitable space for construction works to proceed, resulting ultimately in some 8m between the beacon and the completed Nxamagale reservoir. The Site C9P5-03 beacon should be temporarily fenced with construction netting or a similar visual demarcation for the tenure of construction works in the vicinity of the site and with signage indicating the heritage resource as a “*Heritage Site – No Entry*” zone. All temporary heritage conservation measures should be removed upon completion of construction works in the vicinity the reservoir.

3.2.4. Site C9P5-04: Later Iron Age (LIA) – Monolith – S32°02’10.0”; E28°00’39.2”

The stone monolith is preliminary ascribed to the LIA and interpreted as a territorial marker. The site may well date to early post-1818 contact between the Mfengu and Xhosa when Hintsas afforded land to the then refugee arrivals in Gcalekaland. Alternatively, the site may date to the 1865 Colonial Period resettlement of amaMfengu in the area by the then British government, associated with the establishment of Fingoland as one of the Transkeian territories. The site is situated in direct proximity to shallow earth works, seemingly of recent origin and related to brick making.

- **Site significance and recommendations:** Site C9P5-04 is ascribed a *SAHRA Low Significance* and a *Generally Protected IV-C Field Rating*. The monolith is situated some 50m from the line route footprint and will not be impacted by development. However, based on proximity, it is recommended that temporary conservation measures be instated during the course of construction works in the vicinity of the site, including temporary fencing (construction netting) with an approximate 5m conservation buffer around the site and signage indicating the area as a “*Heritage Site – No Entry*” zone. All temporary conservation measures are to be removed upon completion of construction works in the vicinity of the site.

3.2.5. Site C9P5-05: Later Iron Age (LIA) – Monolith – S32°02’19.2”; E28°00’26.3”

The Site C9P5-05 stone monolith is, similarly to the Site C9P5-04 monolith, preliminary described as a LIA territorial marker, most probably dating to the post-1818 granting of land by the Xhosa to the Mfengu, but not excluding the possibility of a Colonial Period origin related to the 1865 establishment of Fingoland as a Transkeian territory.

- **Site significance and recommendations:** Site C9P5-05 is ascribed a *SAHRA Low Significance* and a *Generally Protected IV-C Field Rating*. The monolith is situated approximately 25m from the proposed line route; the heritage resource will not be directly impacted by development. Based on proximity it is, however, recommended that temporary conservation measures be instated during the course of construction works in the vicinity of the site: temporary fencing (construction netting) with an approximate 5m conservation buffer around the site and signage indicating the area as a “*Heritage Site – No Entry*” zone is recommended. All temporary conservation measures should be removed upon completion of construction works in the vicinity of the site.

3.2.6. Site C9P5-06: Later Iron Age (LIA) – Homestead – S32°02’20.0”; E27°59’50.0”

The Site C9P5-06 LIA homestead marks the rough eastern extremity of Sensitive Area 1. The site is characterised by a squarish approximate 50x50m homestead yard. The yard boundary is typified by mound remains, reasonably inferred to have originally been constructed with, or primarily with, organic material. Mound kraal demarcations are visible within the homestead yard; exterior kraal mound remains, directly bordering the yard to the north-west, measures some 25x25m in size. Circular hut mound remains of a single hut, measuring approximately 3m in diameter, as well as a rough 1.5m in diameter stone feature – an unidentified activity area, but not excluding the possible of a grave site – further signals notable site features within the yard. More site features may well be present, but time constraints prohibited a more thorough inspection.

- **Site significance and recommendations:** Site C9P5-06 is ascribed a *SAHRA Medium Significance* and a *Generally Protected IV-B Field Rating*. The site is situated some 170m from the line route – a very safe

distance from the line route – albeit within the general Sensitive Area 1 conservation corridor. Based on proximity to the line route and the density of heritage sites along Sensitive Area 1 it is recommended that a Sensitive Area 1 conservation corridor be erected for the tenure of construction works in the area. The conservation corridor should be temporarily fenced (construction netting) with signage affixed to the sides of the corridor indicating the areas alongside the corridor as a “Heritage Area – No Entry” zone. The conservation corridor must allow for a minimum 15–20m conservation buffer between the heritage sites and the development demarcation; and the developer must ensure that construction activities are contained within the Sensitive Area 1 development demarcation. Environmental–heritage monitoring must be done during construction works in Sensitive Area 1; and an environmental–heritage monitoring report accordingly submitted to the EC PHRA. Temporary Sensitive Area 1 conservation corridor measures should be removed upon completion of construction works in the area.

3.2.7. Site C9P5-07: Later Iron Age (LIA) – Homestead – S32°02’25.3”; E27°59’45.1”

The Site C9P5-07 homestead yard boundary mound measures approximately 50x50m in size, with the homestead typified by three (3) circular hut mounds, of some 6–7m each in diameter, situated in row-like manner along the inside of the yard’s southern boundary. The remains of a rectangular stone kraal measuring some 50x15m in size is situated within the homestead yard. Southern extensions to the Site C9P5-07 homestead yard include a line of three (3) hut mound remains of roughly 6–7m in diameter situated at unit 7-1 (S32° 02’26.7”; E27°59’45.6”) and evidence of earth moving activity that may relate to either the construction of Site C9P5-07 structures or levelling for further building activity is situated at unit 7-2 (S32°02’27.0”; E27°59’44.4”).

- Site significance and recommendations: Site C9P5-07 is ascribed a *SAHRA Medium Significance* and a *Generally Protected IV-B Field Rating*. The site – at unit 7-2 – is situated within 8m from the line route; the 15–20m Sensitive Area 1 conservation corridor will thus be compromised in the vicinity of the site. Various proposed line route realignments at Sensitive Area 1, however, warrants the current alignment as a best-case scenario with consideration to the principles of IEM, and recommendations for environmental–heritage monitoring associated with sketch plan layout recordings along Sensitive Area 1 is deemed suitable as mitigation measure. Site C9P5-07 will not be directly impacted on by development, despite proximity to the line route and the compromising of the Sensitive Area 1 conservation corridor in the vicinity of the site.

3.2.8. Site C9P5-08: Later Iron Age (LIA) – Homestead – S32°02’23.1”; E27°59’35.3”

Similar to Site C9P5-07, the Site C9P5-08 homestead yard boundary mound measures approximately 50x50m in size, with the homestead typified by three (3) circular hut mounds, of some 6–7m each in diameter, situated in row-like manner along the inside of the yard’s south-western boundary. The remains of a rough rectangular shaped kraal measuring some 10x6m in size is situated within the homestead yard. A faintly discernible external kraal mound is indicative of an approximate 30x35m structure immediately adjoining the yard to the north-west.

- Site significance and recommendations: Site C9P5-08 is ascribed a *SAHRA Medium Significance* and a *Generally Protected IV-B Field Rating*. The nearest site feature is situated some 60m from the line route and the site will be conserved within the Sensitive Area 1 conservation corridor.

3.2.9. Site C9P5-09: Later Iron Age (LIA) – Farmstead – S32°02’14.0”; E27°59’28.7”

Site C9P5-09 comprises an extended farmstead site. The site is typified by the circular mound remains of two (2) huts (site co-ordinate: S32°02’14.0”; E27°59’28.7”) measuring 3m and 6–7m in diameter respectively, around which the livestock enclosure units are scattered. Livestock enclosure unit 09-1 (S32° 02’13.0”; E27°59’31.0”), situated to the north-east of the hut remains, measures some 100x100m in size. Evidence points toward a double boundary to the square shaped livestock, or kraal, unit: an inner wall of stone, and an outer wall of organic material, most probably originally of branch and thorn to serve as protection against wild animals – and having had decayed into an earth mound. Internal kraal encampment and other linear stone features are present in the unit. To the south-west of the hut remains livestock enclosure unit 09-2 (S32°02’17.0”; E27°59’19.6”), similarly, measures approximately 100x100m in size: again, containing a number of smaller encampments and linear stone features, but without clear

evidence of an outer organic wall. Livestock enclosure unit 09-3 (S32°02'18.2"; E27°59'19.6") is situated to the south-east of unit 09-2. The unit is roughly 50x50m in size and contains smaller encampments and other stone features. No evidence for an outer organic wall is present. To the north-east of the residential remains and north of unit 09-2 mound remains indicate an approximate 60x45m in size kraal, while further kraal mound remains of similar size link unit 09-2 with unit 09-3.

- **Site significance and recommendations:** Site C9P5-09 is ascribed a *SAHRA High Significance* with a *Local Grade III-B Field Rating*. The site, at unit 09-3, is situated some 25m from the line route and will be conserved within the Sensitive Area 1 conservation corridor.

Site C9P5-09 holds definite potential for future research pertaining to Mfengu history and settlement pattern. Square and rectangular shaped livestock enclosure units and complex interior configuration of units are scientifically unreported on, aside from the generalisation that square / rectangular livestock enclosures are deemed evidence of Colonial Period acculturation – a generalisation that seems thwarted by the likes of Site C9P5-09, reasonably inferred to have been constructed post-1818 but most probably prior to dominant Colonial Period Western influence. The immediate precursor of this settlement pattern is most likely to be found in KwaZulu-Natal.

3.2.10. Site C9P5-10: Later Iron Age (LIA) – Farmstead – S32°02'22.5"; E27°59'06.7"

A stone monolith (10-1: S32°02'22.5"; E27°59'00.2"), or territorial marker, is situated some 200m from Site C9P5-10 and may well be related to the site's locale. Site C9P5-10 is typified by three (3) circular hut mounds: two (2) of which with a rough 3m diameter and the other of 6–7m in diameter (site co-ordinate: S32°02'22.5"; E27°59'06.7"). To the north of the hut remains a rough 50x50m area seems to have been formerly organically encamped (10-2: S32°02'21.5"; E27°59'04.6"). The camp contains the remains of stone-built livestock enclosures with a particularly interesting funnel structure facing the nearby stream and water hole. To the east of the hut remains and unit 10-2 a second roughly 50x50m originally encamped homestead unit, unit 10-3 (S32°02'19.6"; E27°59'09.9"), is present. Unit 10-3 site features include a stone-built livestock enclosure, situated centrally in the homestead encampment, and the mound remains of three (3) huts, roughly 6–7m in diameter, aligned in row-like manner along the southern yard boundary. To the east of unit 10-3, unit 10-4 (S32°02'20.8"; E27°59'14.4") is typified by the mound remains of at least one (1) hut; some 15–20m north of the hut remains an earth mound is indicative of a rectangular kraal measuring roughly 60x45m in size.

- **Site significance and recommendations:** Site C9P5-10 is ascribed a *SAHRA High Significance* with a *Local Grade III-B Field Rating*. The site, at the unit 10-4 feature, is situated a mere 10m from the line route, impacting on the heritage status quo of the site. The site will, however, not be directly impacted on by development. As in the case of Site C9P5-07, line route proximity to Site C9P5-10, warrants further consideration: Sensitive Area 1 conservation corridor mitigation recommendations including environmental–heritage monitoring associated with sketch plan layout recordings suffices to meet developer compliance requirements.

As in the case of Site C9P5-09, Site C9P5-10 holds future research potential regarding Mfengu history and settlement pattern with the promise to shed light on early changing settlement pattern across Sensitive Area 1 from the early post-1818 pattern to later observably acculturated patterns (Sensitive Area 2), as evidenced also in brief site records included in this report.

3.2.11. Site C9P5-11: Later Iron Age (LIA) – Mdlokolo Village Kraal Cluster – S32°02'26.7"; E27°58'19.3"

The Site C9P5-11 coordinate refers to an approximate 1.5km section of the line route at Mdlokolo Village, along the Nxamagale–Catshile link to Catshile Reservoir portion of the line route, where development will traverse through an area rich in livestock enclosures. The ruins of more than 20 stone-built kraals are present in the area. Kraal ruins are of varying size but commonly in the region of roughly 60x45m; some of the smaller enclosures, routinely constructed adjoining larger kraals, may well be calf kraals. No associated hut remains or other site features are present in association with the kraals, excepting at some evidently abandoned village plot units along the northern or village side of the access road that will not be directly impacted. It is inferred that the Site C9P5-11 kraals were build and used during early establishment and occupation of the village.

- **Site significance and recommendations:** The Site C9P5-11 kraal cluster is ascribed a *SAHRA High / Medium Significance* with a *Generally Protected Grade IV-A Field Rating*. Development will traverse through the kraal cluster, nearer Mdlokolo Village along the road between the village and the livestock enclosure remains. The area is designated Sensitive Area 2, and similar to Sensitive Area 1, it is recommended that the developer establishes a Sensitive Area 2 conservation corridor, demarcated with construction netting, or a similar visual demarcation, with signage affixed to the sides of the corridor indicating designated kraal areas as a "*Heritage Area – No Entry*" zone, thereby confining construction activities to demarcated areas. Kraal structures are spaced to allow a general 5–7+m conservation buffer around individual kraal structures and construction activity areas, deemed sufficient considering the absence of associated site features and hence the visibility and easy identification of heritage features. Environmental–heritage monitoring must be done during construction works at Sensitive Area 2; and an environmental–heritage monitoring report accordingly submitted to the EC PHRA. Temporary Sensitive Area 2 conservation corridor measures should be removed upon completion of construction works in the area.

3.2.12. Site C9P5-12: Later Iron Age (LIA) – Livestock Enclosures – S32°02'58.8"; E27°58'36.2"

Site C9P5-12 is situated between 250–290m from the line route and will not be impacted by development. The initially aerially identified site was not assessed for purposes of the AIA. A subsequent site visit by Isi-Xwiba resulted in a report of extensive stone-built kraals with photographic documentation thereof supplied courtesy Isi-Xwiba.

- **Site significance and recommendations:** Site C9P5-12 was not assessed for purposes of the AIA, a SAHRA site significance assignment is, therefore, not possible. The site – situated some 250–290m from the line route – will not be impacted by development; the site will by implication be conserved. The site record, however, serves to further describe the general archaeological and cultural heritage sensitivity of the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site terrain.

3.2.13. Site C9P5-13: Later Iron Age (LIA) – Livestock Enclosure – S32°03'23.2"; E27°58'10.9"

Site C9P5-13, typified by an aerially identified small approximate 10x10m cluster of trees, is interpreted as a livestock enclosure. The site is situated some 160m from the line route and will not be impacted by development – the site will be conserved. The livestock enclosure marks the nearest site feature of a number of related identified site features located downslope from the Site C9P5-13 enclosure, away from the line route alignment.

- **Site significance and recommendations:** Site C9P5-13 was not assessed for purposes of the AIA, a SAHRA site significance assignment is resultantly not possible. The site is situated roughly 160m from the line route and will be conserved. The site record serves to further describe the general archaeological and cultural heritage sensitivity of the greater study site terrain.

3.2.14. Site C9P5-14: Later Iron Age (LIA) – Livestock Enclosures – S32°03'48.7"; E27°57'45.2"

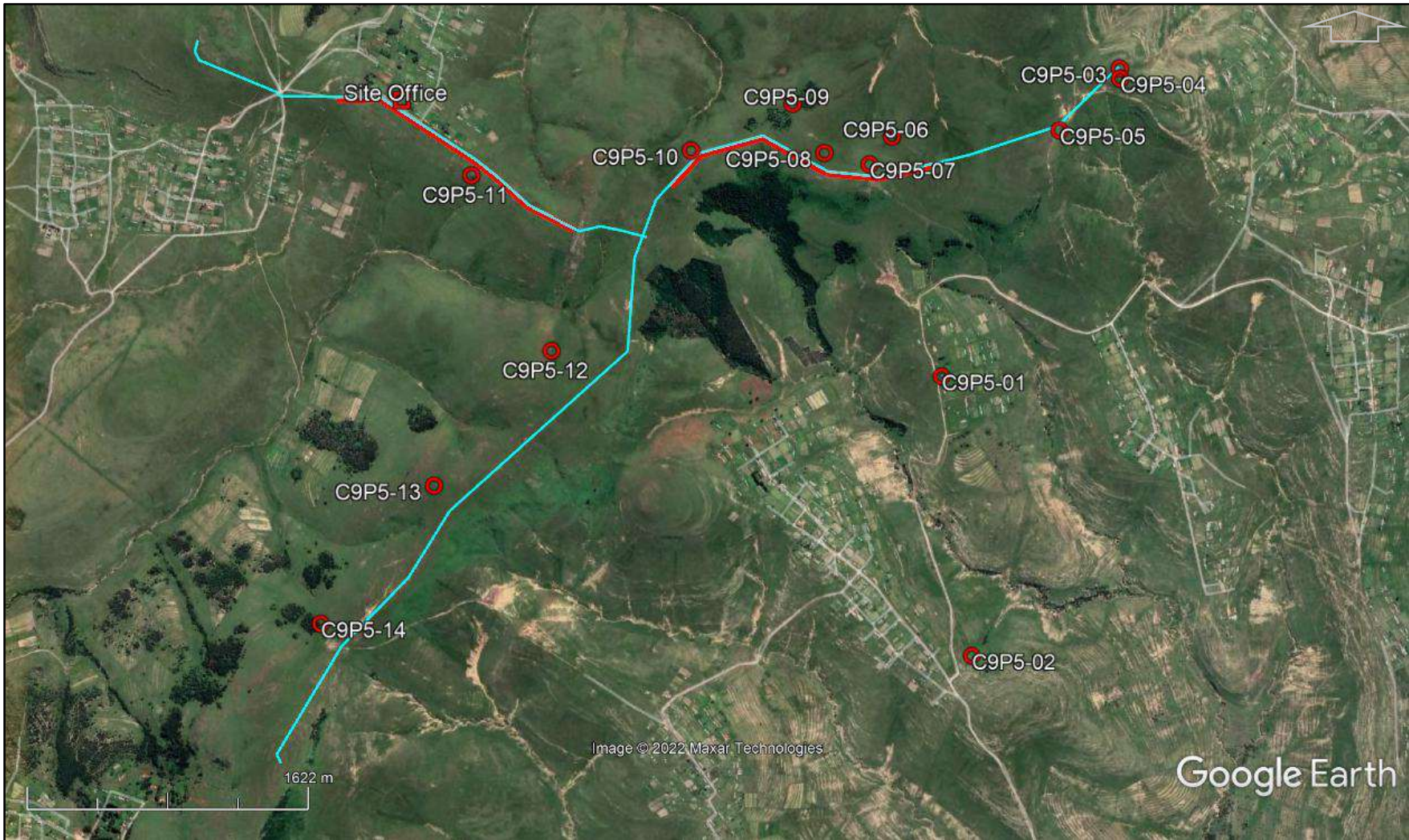
The aerially identified Site C9P5-14 was not visited due to AIA time constraints. The site is typified by two (2) clusters of trees interpreted as livestock enclosure units, each measuring approximately 100x100m in size. Smaller clusters of trees in the immediate surrounds are preliminary deemed representing associated site features.

- **Site significance and recommendations:** Site C9P5-14 was not assessed for purposes of the AIA, a SAHRA site significance assignment is resultantly not possible. The nearest point of the site is situated roughly 160m from the line route, from where the site lies in a north-westerly direction away from the development alignment – Site C9P5-14 will by implication be conserved. The site record serves to further describe the general archaeological and cultural heritage sensitivity of the greater study site terrain.

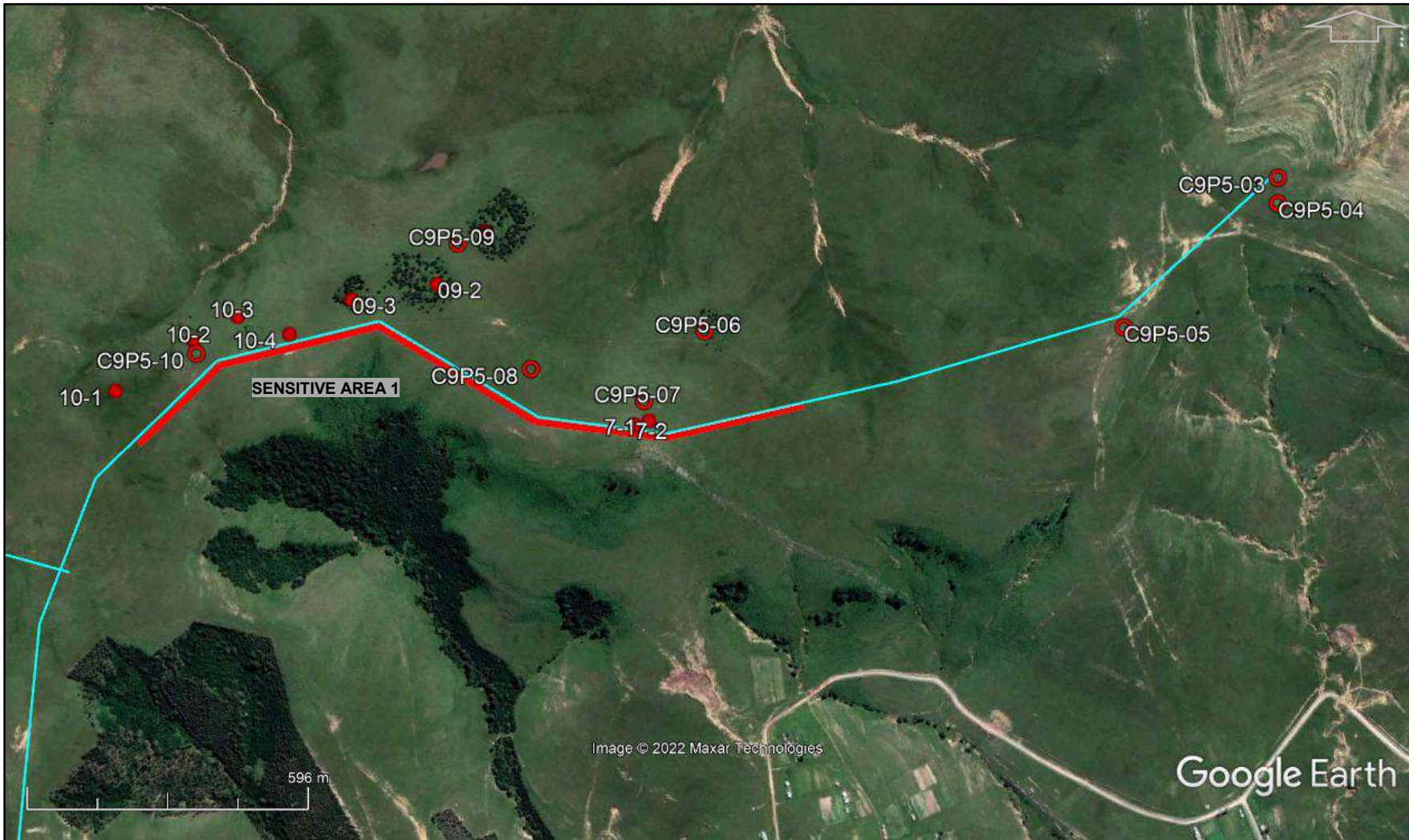
ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES SUMMARY – CLUSTER 9 PHASE 5 AND CLUSTER 8 LINKAGE, WATER SUPPLY AND ACCESS ROAD, NXAMAGELE AND CATSHILE, NEAR TSOMO, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE				
CLUSTER 9 PHASE 5, WATER SUPPLY AND ACCESS ROAD – S32°02'08.0"; E28°00'38.9"				
MAP CODE	SITE	COORDINATE	SITE SIGNIFICANCE	RECOMMENDATIONS
C9P5-01	Colonial Period – Residence (former trading store)	S32°03'03.9"; E28°00'01.3"	SAHRA High / Medium Significance – Generally Protected Grade IV-A Field Rating	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-02	Colonial Period – Anglican Mission, Nxamagale (?)	S32°03'56.3"; E28°00'08.8"	SAHRA High Significance – Local Grade III-B Field Rating	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-03	Colonial Period – Nxamagale Trigonometric Beacon	S32°02'08.1"; E28°00'39.1"	SAHRA High Significance – Local Grade III-B Field Rating	Site Conservation: Temporary conservation measures (fence with a 3m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the site. [Conservation buffer in consultation with CDSM]
C9P5-04	LIA – Monolith	S32°02'10.0"; E28°00'39.2"	SAHRA Low Significance – Generally Protected IV-C Field Rating	Site Conservation: Temporary conservation measures (fence with a 5m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the site.
C9P5-05	LIA – Monolith	S32°02'19.2"; E28°00'26.3"	SAHRA Low Significance – Generally Protected IV-C Field Rating	Site Conservation: Temporary conservation measures (fence with a 5m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the site.
C9P5-06	LIA – Homestead	S32°02'20.0"; E27°59'50.0"	SAHRA Medium Significance – Generally Protected IV-B Field Rating	Site Conservation – Sensitive Area 1 Conservation Corridor: <ol style="list-style-type: none"> Temporary conservation corridor (fence with 15–20m conservation buffer and signage) ensuring that construction activities are contained within the demarcated development area. Archaeological environmental-heritage monitoring of construction works and submission of monitoring report to EC PHRA. The archaeological monitoring report must include a sketch plan layout recording of the Sensitive Area 1 settlement pattern.
C9P5-07	LIA – Homestead	S32°02'25.3"; E27°59'45.1"	SAHRA Medium Significance – Generally Protected IV-B Field Rating	
C9P5-08	LIA – Homestead	S32°02'23.1"; E27°59'35.3"	SAHRA Medium Significance – Generally Protected IV-B Field Rating	
C9P5-09	LIA – Farmstead	S32°02'14.0"; E27°59'28.7"	SAHRA High Significance – Local Grade III-B Field Rating	
C9P5-10	LIA – Farmstead	S32°02'22.5"; E27°59'06.7"	SAHRA High Significance – Local Grade III-B Field Rating	
C9P5-11	LIA – Mdlokolo Village Kraal Cluster	S32°02'26.7"; E27°58'19.3"	SAHRA High / Medium Significance – Generally Protected Grade IV-A Field Rating	Site Conservation – Sensitive Area 2 Conservation Corridor: <ol style="list-style-type: none"> Temporary conservation corridor (fence with 5–7m conservation buffer and signage) ensuring that construction activities are contained within the

				demarcated development area. 2. Archaeological / ECO environmental-heritage monitoring of construction works and submission of monitoring report to EC PHRA.
C9P5-12	LIA – Livestock Enclosures	S32°02'58.8"; E27°58'36.2"	N/A	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-13	LIA – Livestock Enclosure	S32°03'23.2"; E27°58'10.9"	N/A	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.
C9P5-14	LIA – Livestock Enclosures	S32°03'48.7"; E27°57'45.2"	N/A	Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures.

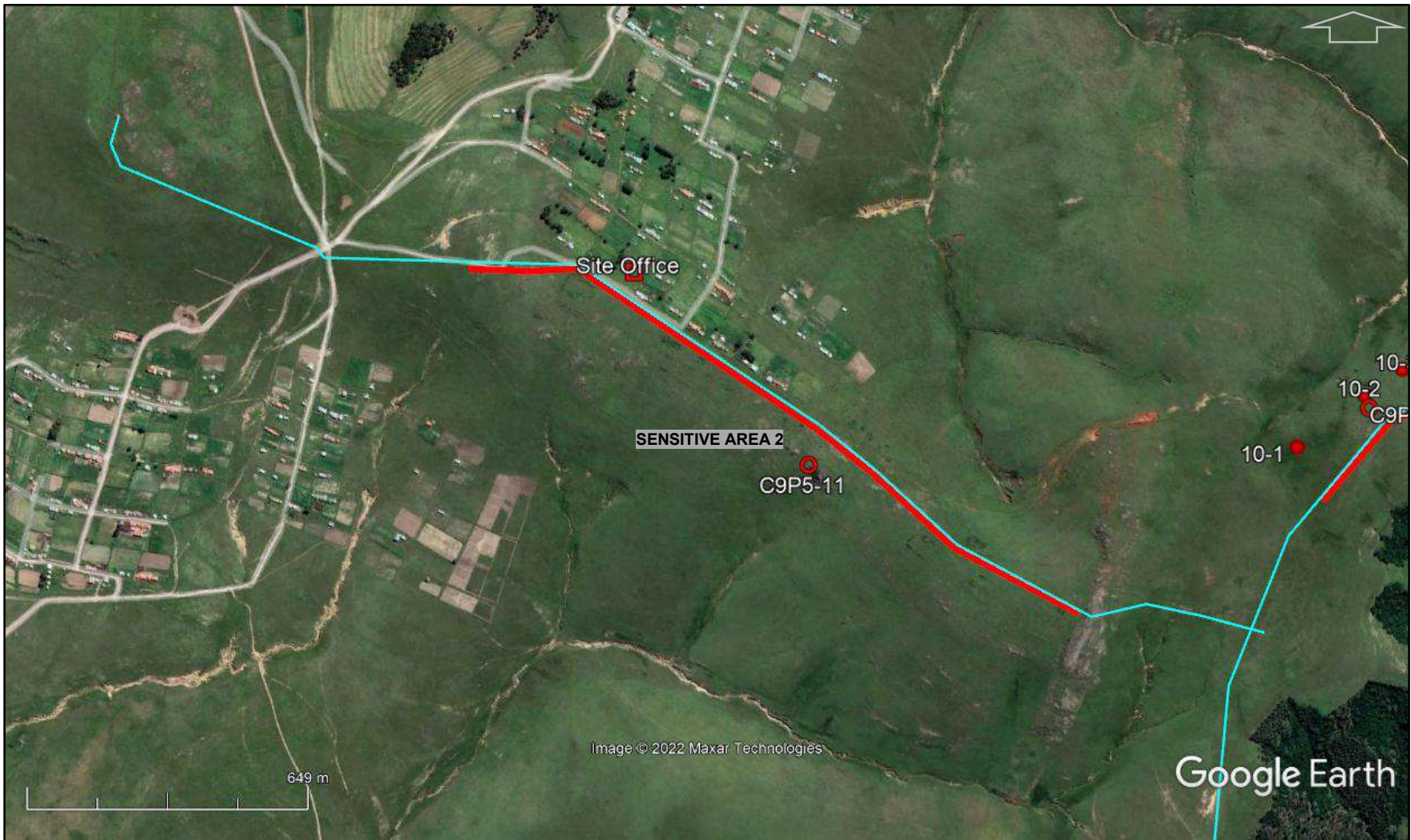
Table 3: Field assessment findings: archaeological and cultural heritage resources summary



Map 13: Field assessment results – the Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road development



Map 14: Close up of Sensitive Area 1



Map 15: Close up of Sensitive Area 2



Plate 5: General view from the Nxamagele Command Reservoir beacon



Plate 7: General view of the line route between Nxamagele and the Nxamagele-Catshile link [2]



Plate 6: General view of the line route between Nxamagele and the Nxamagele-Catshile link [1]



Plate 8: General view of the terrain at the Nxamagele-Catshile link



Plate 9: General view of the line route between the Nxamagele-Catshile link and the Catshile Reservoir [1]



Plate 11: General view of the line route between the Nxamagele-Catshile link and the Catshile Reservoir [2]



Plate 10: View of the Site Office property situated along the Nxamagele-Catshile link to Catshile portion of the line route



Plate 12: General view of the line route between the Nxamagele-Catshile link and the Catshile Reservoir [3]



Plate 13: General view from the Catshile Reservoir beacon (courtesy Isi-Xwiba)



Plate 15: Livestock enclosures along the Nxamagele–Catshile link to the Nqamakwe Command Reservoir portion of the line route



Plate 14: General view of the line route between the Nxamagele–Catshile link and the Nqamakwe Command Reservoir [1]



Plate 16: The Nqamakwe Command Reservoir beacon (courtesy Isi-Xwiba)



Plate 17: View of the Site C9P5-01 Colonial Period residence



Plate 19: Structure remains at Site C9P5-02 [1]



Plate 18: View of the Site C9P5-02 inferred Colonial Period Nxamagale early Anglican Mission site



Plate 20: Structure remains at Site C9P5-02 [2]



Plate 21: View of the Site C9P5-03 Colonial Period Nxamagale trigonometrical beacon



Plate 23: View of the Site C9P5-05 LIA monolith



Plate 22: View of the Site C9P5-04 LIA monolith



Plate 24: Circular hut remains at the Site C9P5-06 LIA homestead



Plate 25: A stone feature (possible grave) at Site C9P5-06



Plate 27: Circular hut mound remains at Site C9P6-07 (courtesy Isi-Xwiba)



Plate 26: Livestock enclosure / yard boundary remains at Site C9P5-06

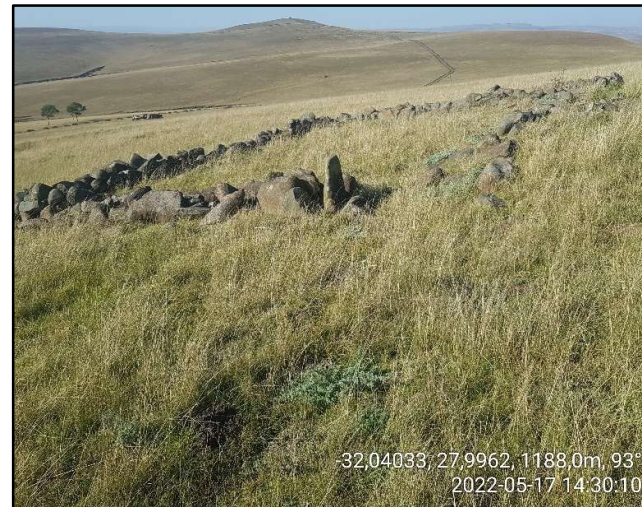


Plate 28: Rectangular stone kraal remains at Site C9P5-07 (courtesy Isi-Xwiba)



Plate 29: View of the Site C9P5-07, unit 7-2 earth moving and activity area (courtesy Isi-Xwiba)



Plate 31: Circular hut remains at the Site C9P5-09 LIA farmstead site



Plate 30: Stone kraal remains at Site C9P5-08 (courtesy Isi-Xwiba)



Plate 32: Circular hut remains at site C9P5-09



Plate 33: Stone kraal remains at Site C9P5-09 (09-1)



Plate 35: Stone kraal remains at Site C9P5-09 (09-2) [2]



Plate 34: Stone kraal remains at Site C9P5-09 (09-2) [1]



Plate 36: Stone kraal remains at Site C9P5-09 (09-3)



Plate 37: A stone monolith (10.3) situated in proximity to the Site C9P5-10 LIA farmstead site



Plate 39: Circular hut remains at Site C9P5-10 [2]



Plate 38: Circular hut remains at Site C9P5-10 [1]



Plate 40: Stone kraal remains at Site C9P5-10 (10-1) [1]



Plate 41: Stone kraal remains at Site C9P5-10 (10-1) [2]



Plate 43: Stone kraal remains at Site C9P5-10 (10-1) [4]



Plate 42: Stone kraal remains at Site C9P5-10 (10-1) [3]



Plate 44: Stone kraal remains at Site C9P5-10 (10-2)



Plate 45: General view of the eastern extremity of the Site C9P5-11 LIA Mdllokolo Village kraal cluster



Plate 47: View of the Site C9P5-11 terrain [2]



Plate 46: View of the Site C9P5-11 terrain [1]



Plate 48: View of the Site C9P5-11 terrain [3]



Plate 49: View of the Site C9P5-11 terrain [4]



Plate 51: View of the western extremity of Site C9P5-11



Plate 50: View of the Site C9P5-11 terrain [5]

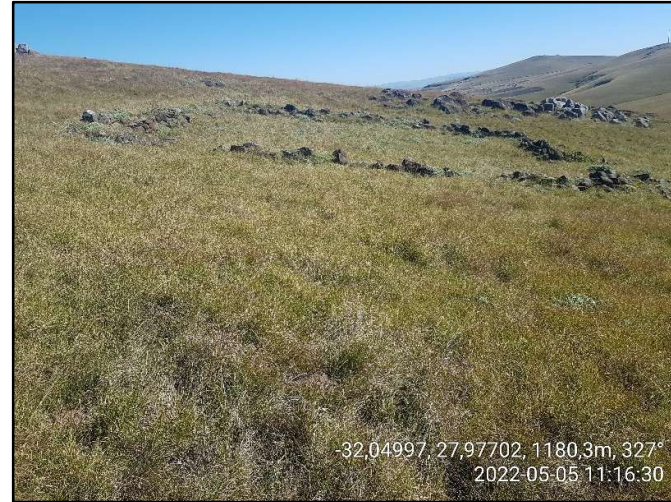


Plate 52: General view of the Site C9P5-12 LIA livestock enclosures (courtesy Isi-Xwiba)

4 – ENVIRONMENTAL IMPACT ASSESSMENT RATING

AIA identified archaeological and cultural heritage resources are ascribed an Environmental Impact Assessment (EIA) rating, in accordance with the NEMA 1998 Regulations 2014 as per Government Notice (GN) R982/2014 and R1816/2022, based on the outline presented below, to provide a significance rating of development impact on resources, both during the 1) construction and 2) implementation or use phases of development.

ENVIRONMENTAL IMPACT ASSESSMENT CRITERIA AND RATING SCALES	
CRITERIA	RATING
Overall Nature	1) Negative (negative impact on affected biophysical or human environment); or 2) Positive (benefit to the affected biophysical or human environment).
Type	1) Direct (caused by the action and occur at the same time and place); 2) Indirect or secondary (caused by the action and are later in time or farther removed in distance but reasonably foreseeable); or 3) Cumulative (impact which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions; can result from individually minor, but collectively significant actions taking place over a period of time).
Spatial Extent	1) Site (immediate area of activity, incorporating a 5m zone from the edge of the affected area); 2) Local (area up to and/or within 10km from the 'site' as defined above); 3) Regional (entire community, basin or landscape); or 4) National (South Africa).
Duration	1) Short-term (impact would last for the duration of activities; quickly reversible); 2) Medium-term (impact would affect project activity; reversible over time); 3) Long-term (impact would continue beyond project activity); or 4) Permanent (impact would continue beyond decommissioning).
Severity	1) Low ; 2) Medium ; or 3) High ; being +) Positive ; or -) Negative (based on separately described categories examining whether the impact is destructive or benign, whether it destroys the impacted environment, alters its functionality or slightly alters the environment itself).
Reversibility	1) Completely reversible (completely reversible impact with implementation of correct mitigation measures); 2) Partly reversible (partly reversible impact with implementation of correct mitigation measures); or 3) Irreversible (impact cannot be reversed, regardless of mitigation or rehabilitation measures).
Replaceability	1) Resource will not be lost (resource will not be lost provided mitigation measures are implemented); 2) Resource will be partly lost (partial loss or destruction of the resource will occur even though management and mitigation measures are implemented); or 3) Resource cannot be replaced (resource is irreplaceable no matter which management or mitigation measures are implemented).
Probability	1) Unlikely (<40% probability); 2) Possible (40% probability); 3) Probable (>70% probability); or 4) Definite (>90% probability).
Mitigation potential	1) High or completely mitigatable (relatively easy and cost effective to manage. Specialist expertise and equipment generally not required. Nature of impact easily understood and may be mitigated through implementation of a management plan or "good housekeeping", including regular monitoring and reporting regimes. Significance of the impact after mitigation is likely to be low or negligible); 2) Moderate or partially mitigatable (management requires higher level of expertise and resources to maintain impacts with acceptable levels. Mitigation can be tied up in the design of the project. Significance of the impacts after mitigation is likely to be low to moderate. It may not be possible to mitigate the impact entirely, with residual impacts resulting); or 3) Low or un-mitigatable (will not be possible to mitigate the impact entirely, regardless of expertise and resources. Potential to manage the impacts may be beyond the scope of the project. Management of the impact is not likely to result in a measurable change in the level of significance).
Impact significance	1) Negligible ; 2) Low (largely of HIGH mitigation potential, after consideration of other criteria); 3) Moderate (largely of MODERATE or partial mitigation potential, after consideration of other criteria); or 4) Substantial (largely of LOW mitigation potential, after consideration of other criteria).

Table 4: EIA criteria and rating scales

ENVIRONMENTAL IMPACT ASSESSMENT RATING – CLUSTER 9 PHASE 5 AND CLUSTER 8 LINKAGE, WATER SUPPLY AND ACCESS ROAD, NXAMAGELE AND CATSHILE, NEAR TSOMO, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE												
Potential Impacts	Overall nature	Type	Spatial extent	Duration	Severity	Reversibility	Replaceability	Probability	MITIGATION POTENTIAL	IMPACT SIGNIFICANCE		MITIGATION MEASURES
										Without mitigation	With mitigation	
SITE: Sites C9P5-01, C9P5-02, C9P5-12, C9P5-13, and C9P5-14												
Construction phase	Positive	Cumulative	Local	Permanent	High (+)	N/A	Resource will not be lost	Definite	N/A	N/A	N/A	Non-compliance Site Conservation
Operational phase	Positive	Cumulative	Local	Permanent	High (+)	N/A	Resource will not be lost	Definite	N/A	N/A	N/A	
SITE: Sites C9P5-03, C9P5-04, and C9P5-05												
Construction phase	Negative	Direct	Site	Short-term	Low (-)	Partly reversible	Resource will be partly lost	Possible	High or completely mitigatable	Low	Negligible	Site Conservation
Operational phase	Positive	Cumulative	Local	Permanent	High (+)	N/A	Resource will not be lost	Definite	N/A	N/A	N/A	
SITE: Sensitive Area 1 – Sites C9P5-06, C9P5-07, C9P5-08, C9P5-09, and C9P5-10												
Construction phase	Negative	Direct	Site	Short-term	High (-)	Irreversible	Resource cannot be replaced	Probable	Moderate or partially mitigatable	Moderate	Negligible	Sensitive Area 1 – Site Conservation
Operational phase	Positive	Cumulative	Regional	Permanent	High (+)	N/A	Resource will not be lost	Definite	N/A	N/A	N/A	
SITE: Sensitive Area 2 – Site C9P5-11												
Construction phase	Negative	Direct	Site	Short-term	Med (-)	Partly reversible	Resource will be partly lost	Probable	High or completely mitigatable	Low	Negligible	Sensitive Area 2 – Site Conservation
Operational phase	Positive	Cumulative	Local	Permanent	High (+)	N/A	Resource will not be lost	Definite	N/A	N/A	N/A	
MITIGATION DETAILS: Sites C9P5-01, C9P5-02, C9P5-12, C9P5-13, and C9P5-14 ❖ Non-compliance Site Conservation: In-situ conservation without the developer having to comply with additional site conservation measures. Sites C9P5-03, C9P5-04, and C9P5-05 ❖ Site Conservation: Temporary conservation measures (fence with a 5m / 15–20m conservation buffer and signage) to be instated for tenure of construction works in the vicinity of the sites. Sensitive Area 1 – Sites C9P5-06, C9P5-07, C9P5-08, C9P5-09, and C9P5-10 ❖ Sensitive Area 1 Conservation Corridor: 1) Temporary conservation corridor (fence with 15–20m conservation buffer and signage) ensuring that construction activities are contained within the demarcated development area; 2) Archaeological environmental–heritage monitoring of construction works and submission of monitoring report to EC PHRA; and 3) The archaeological monitoring report must include a sketch plan layout recording of the Sensitive Area 1 settlement pattern. Sensitive Area 2 – Site C9P5-11 ❖ Sensitive Area 2 Conservation Corridor: 1) Temporary conservation corridor (fence with 5–7m conservation buffer and signage) ensuring that construction activities are contained within the demarcated development area; and 2) Archaeological / ECO environmental–heritage monitoring of construction works and submission of monitoring report to EC PHRA.												

Table 5: EIA rating: Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road development

5 – CONCLUSION AND RECOMMENDATIONS

The Screening Report (2022a, 2022b) for the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development indicates the archaeological and cultural heritage theme for the study site as of "Low Sensitivity". The SSV by means of an AIA dispels the "Low Sensitivity" rating. Concerns related to the SAHRIS database may well, at least in part, be related to the erroneous sensitivity rating.

A total of 14 archaeological and cultural heritage resources / sites, as defined and protected by the NHRA 1999, are recorded, situated within or in direct proximity to the *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* study site. Identified heritage resources are labelled Sites C9P5-01 to C9P5-14. Eleven (11) archaeological and cultural resources comprise LIA sites, while three (3) are Colonial Period sites. Five (5) recorded sites – Sites C9P5-01, C9P5-02, C9P5-12, C9P5-13, and C9P5-14 – are situated at such distance from the line route that no additional conservation measures on behalf of the developer are warranted for purposes of development; these sites will be conserved in situ. Recommended conservation measures for Sites C9P5-03 to C9P5-11 are summarised as:

- Sites C9P5-03, C9P5-04 and C9P5-05: individual temporary conservation measures during the tenure of construction works in the vicinity of these sites are recommended.
- Sites C9P5-06 to C9P5-10 comprise Sensitive Area 1 (S32°02'25.5"; E27°59'58.6" to S32°02'29.1"; E27°59'02.3" = 1.6km). The Sensitive Area 1 LIA site cluster is of research significance with reference to early Mfengu settlement pattern, preliminary inferred to date from 1818 onwards. A number of line route realignment proposals resulted in the final route to the south of the cluster of sites – from an archaeological and cultural heritage and IEM point of view deemed a best development option. It is recommended that a temporary conservation corridor be maintained for the period of construction works at Sensitive Area 1. Archaeological environmental-heritage monitoring including sketch plan layout recordings of the Sensitive Area 1 settlement pattern should be submitted to the EC PHRA.
- Site C9P5-11 denotes Sensitive Area 2 (S32°02'37.2"; E27°58'41.3" to S32°02'12.7"; E27°57'50.3" = 1.5km) typified by a cluster of kraals adjacent to Mdlokolo Village. No site features are associated with the kraals: the line route will primarily follow the existing access road meandering through the kraal cluster only towards the east of the cluster. Based on the heritage sensitivity of the area it is recommended that a temporary conservation corridor be maintained for the period of construction works at the site and that archaeological / ECO monitoring be done and a (photographic) report submitted to EC PHRA.

Despite the heritage significance of the study site the development design does not pose any *Fatal Flaws*. Based on the necessity of the development, consideration of a *No Development* option cannot be supported.

With reference to archaeological and cultural heritage compliance, as per the requirements of the NHRA 1999, it is recommended that the proposed *Cluster 9 Phase 5 and Cluster 8 Linkage, Water Supply and Access Road* development proceeds as applied for, provided developer compliance with relevant heritage recommendations / requirements.

The EC PHRA-APM Unit HIA Comment will state legal requirements for development to proceed, or reasons why, from a heritage perspective, development may not be further considered.

NOTE: It is requested that the EC PHRA instructs SAHRA to reinstate all redacted and deleted SAHRIS submitted AIA reports, or alternatively provide reasons for said redactions and deletions.

Should any registered Interested & Affected Party (I&AP) wish to be consulted in terms of Section 38(3)(e) of the NHRA 1999 (Socio-cultural consultation / SAHRA Social Impact Assessment) it is recommended that the developer ensures that the consultation be prioritized within the timeframe of the EIA process.

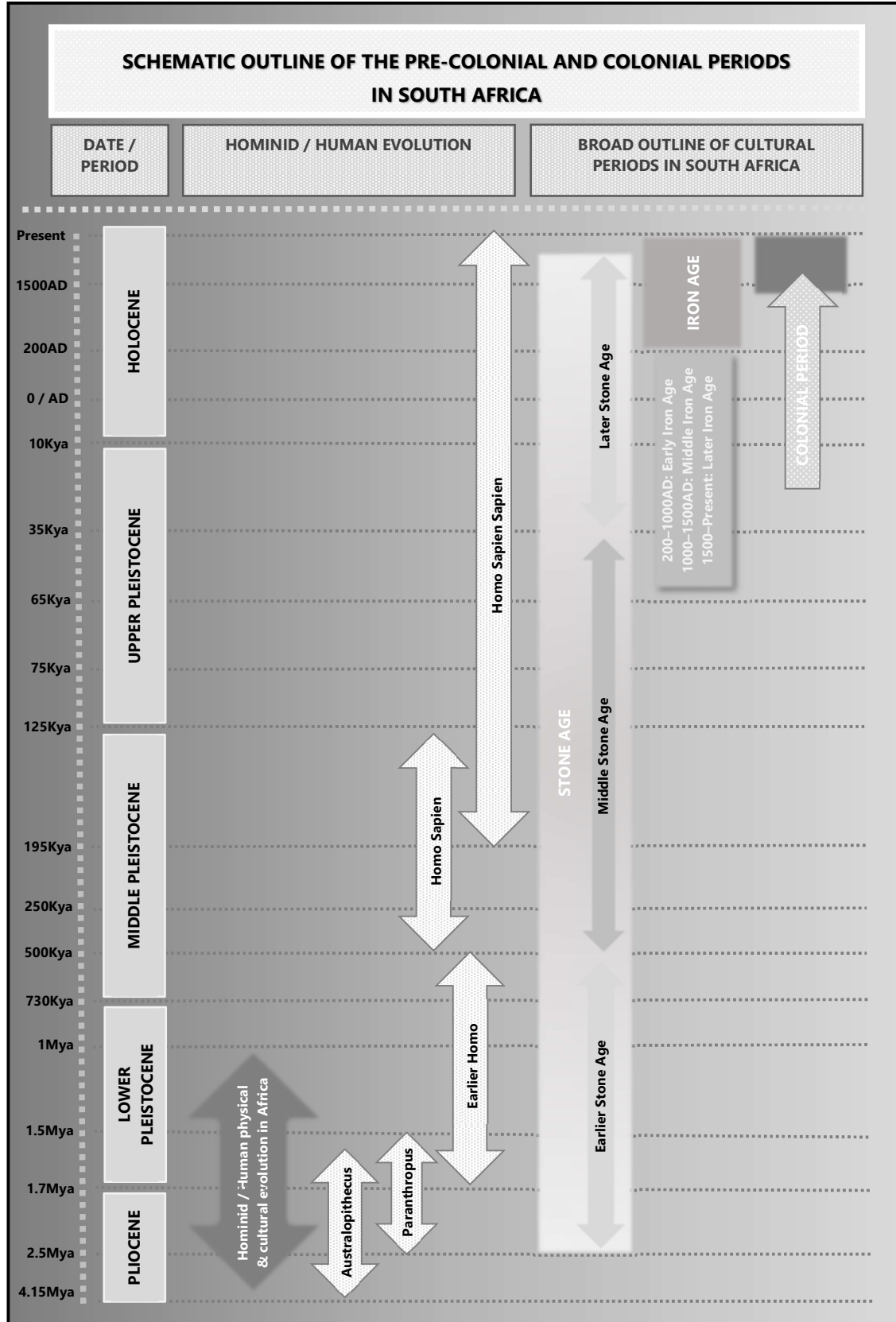
6 – ACRONYMS AND ABBREVIATIONS

LIST OF ACRONYMS AND ABBREVIATIONS	
AD	Anno Domini (the year 0)
ADM	Amathole District Municipality
AIA	(Phase 1) Archaeological and Cultural Heritage Impact Assessment
ASAPA	Association of Southern African Professional Archaeologists
BAR	Basic Assessment Report
BC	Before the Birth of Christ (the year 0)
BCE	Before the Common Era (the year 0)
BP	Before the Present (the year 1950AD)
CHDM	Chris Hani District Municipality
CRM	Cultural Resources Management
DEDEAT	Department of Economic Development, Environmental Affairs and Tourism
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EC PHRA	Eastern Cape Provincial Heritage Resources Authority
EMPr	Environmental Management Programme
Ha	Hectare
HIA	Heritage Impact Assessment
IEM	Integrated Environmental Management
Kl	Kilo litre
Km	Kilometre
Kya	Thousands of years ago
LIA	Later Iron Age
M	Metre
m ²	Square metre
MI	Mega litre
Mm	Millimetre
Mya	Millions of years ago
NEMA 1998	National Environmental Management Act, Act No. 107 of 1998
NHRA 1999	National Heritage Resources Act, Act No. 25 of 1999
NHS	National Heritage Site
PHS	Provincial Heritage Site
SAHRA	South African Heritage Resources Agency
SAHRA 2009 MPD	South African Heritage Resources Agency 2009 Mapping Project Database
SAHRA–NHS	South African Heritage Resources Agency National Heritage Site (database)
SAHRA–PHS	South African Heritage Resources Agency Provincial Heritage Site (database)
SAHRIS	South African Heritage Resources Information System
SSV	Site Sensitivity Verification
ToR	Terms of Reference

Table 6: List of acronyms and abbreviations

1. Anderson, G. (Umlando). 2009. Heritage Survey for the Chris Hani Cluster 9 Water Project, Eastern Cape. (SAHRA 2009 MPD CaseID CTS-309702).
2. Bikitsha, M. 2019. AmaMfengu – Re-thinking Fingoism / Fingoness: Contextualizing Hintsas's approach, the 1835 "Fingo Vows" and its effect to the progressed socioeconomic development of the Eastern Cape in the 183 years, with a view to Mfengu identity (an act of who you are), and self-determination. https://www.sahistory.org.za/sites/default/files/archive_files/AmaMfengu
3. Bradfield, C. (Isi-Xwiba). 2022. Chris Hani District Municipality. Cluster 9 Phase 5 and Cluster 8 Linkage. Background Information Document.
4. Braun, L.F. 2008. The Colonial Archive and Maps of the Western Transkei 1857 – 1898. Symposium on "Shifting Boundaries: Cartography of the 19th and 20th Centuries". Portsmouth University, Portsmouth, United Kingdom. Hosted by the International Cartographic Association (ICA). <https://history.icaci.org/wp-content/uploads/2016/09/Braun.pdf>
5. https://en.wikipedia.org/wiki/Fengu_people [Accessed: April 2022].
6. https://en.wikipedia.org/wiki/List_of_heritage_sites_in_Eastern_Cape [Accessed: April 2022].
7. <https://en.wikipedia.org/wiki/Tsomo> [Accessed: April 2022].
8. <https://www.sahistory.org.za/article/mission-stations> [Accessed: April 2022].
9. <https://www.sahistory.org.za/place/nqamakwe> [Accessed: April 2022].
10. Ravenscroft, P. (Maluti GSM). 2021. Draft Design Report. Cluster 9 Water Supply Project. Phase 5 Link Pipeline & Command Reservoir for Bulk Water Supply from Cluster 9 to Cluster 8.
11. Rodger, A. 1977. The Early History of Blythwood Missionary Institution. (Thesis in partial fulfilment of the degree of B.A. Divinity.) Rhodes University, Grahamstown.
12. Screening Report. 2022a. Screening Report for an Environmental Authorization as Required by the 2014 EIA Regulations – Proposed Site Environmental Sensitivity: CHDM Cluster 9 Phase 5. Nxamagale Pipeline.
13. Screening Report. 2022a. Screening Report for an Environmental Authorization as Required by the 2014 EIA Regulations – Proposed Site Environmental Sensitivity: CHDM Cluster 9 Phase 5. Nxamagale Reservoir.
14. South African Government. (Act No. 8 of) 1997. Land Survey Act.
15. South African Government. (Act No. 107 of) 1998. National Environmental Management Act.
16. South African Government. (Act No. 25 of) 1999. National Heritage Resources Act.
17. South African Heritage Resources Agency (SAHRA). 2007. Minimum Standards for the Archaeological and Palaeontological Components of Impact Assessment Reports.
18. Van Ryneveld, K. (ArchaeoMaps). 2022. Phase 1 Archaeological and Cultural Heritage Impact Assessment (AIA) – Cluster 9 Tsomo Water Treatment Works Upgrade. (SAHRIS CaseID 18207).

**Appendix A:
SCHEMATIC OUTLINE OF THE PRE-COLONIAL AND COLONIAL PERIODS IN SOUTH AFRICA**



Appendix B:
HERITAGE PROTOCOL FOR INCIDENTAL FINDS DURING THE CONSTRUCTION PHASE OF DEVELOPMENT

Site Sensitivity Verification (SSV) and Phase 1 Archaeological and Cultural Heritage Impact Assessment (AIA) –

**CLUSTER 9 PHASE 5 AND CLUSTER 8 LINKAGE, WATER SUPPLY AND ACCESS ROAD,
NXAMAGELE AND CATSHILE, NEAR TSOMO, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE**

Should any archaeological or cultural heritage resources, including cemeteries / grave sites (human remains), as defined and protected by the NHRA 1999¹, be identified during the construction phase of development, including as a norm during vegetation clearing, surface scraping / levelling, trenching and excavation, the process described below should be followed:

❖ **ON-SITE REPORTING PROCESS**

1. The identifier should immediately notify his / her supervisor of the find.
2. The identifier's supervisor should immediately (and within 24 hours after reporting by the identifier) report the incident to the on-site SHE / SHEQ² officer.
3. The on-site SHE / SHEQ officer should immediately (and within 24 hours after reporting by the relevant supervisor) report the incident to the appointed ECO / ELO³. [Should the find relate to human remains the SHE / SHEQ officer should immediately notify the nearest SAPS⁴ station informing them of the find].
4. The ECO / ELO should ensure that the find is within 72 hours after the SHE / SHEQ officer's report reported on SAHRIS⁵ / EC PHRA⁶ / project heritage specialist, and arrangements should be made for a heritage site inspection by a suitably qualified and accredited heritage specialist. [Should the find relate to human remains the ECO / ELO should ensure that the heritage site inspection coincides with a SAPS site inspection, to verify if the find is of forensic, authentic (informal / older than 60 years), or archaeological (older than 100 years) origin].
5. The appointed heritage specialist should compile a heritage site inspection report based on site-specific conditions / findings. The site inspection report should make recommendations for the destruction, conservation or mitigation, as may apply, of the find, and prescribe a recommended way forward for development. The heritage site inspection report should be submitted to the ECO / ELO, who should ensure submission thereof on SAHRIS / to the EC PHRA⁷, or arrange with the heritage specialist to ensure submission of the report on SAHRIS / to the EC PHRA.
6. The EC PHRA will state legal requirements for development to proceed in the EC PHRA Comment on the heritage site inspection report.

¹ NHRA 1999 – National Heritage Resources Act, Act No. 25 of 1999.

Simplified Guide to the Identification of Archaeological Sites:

- ❖ **Stone Age** – Knapped stone produces stone (lithic) assemblages, including core and flake artefacts, and associated debris, that appear unnatural and may be found infrequently scattered, in concentrated clusters, or as layers or lenses, on the ground surface or within a distinct member / layer of the geological stratigraphy. Earlier Stone Age (ESA) shapes may represent 'pear' or oval shaped stones, often in the region of 10cm or larger. Middle Stone Age (MSA) types include blade- and flake-like artefacts, often associated with randomly shaped lithics or flakes that display use- or edge-wear around the rim of the artefact and can vary greatly in size. Later Stone Age (LSA) lithics appear similar to MSA types, but are generally smaller (≤3cm in size), often informally shaped, and may be found in association with bone, pieces of charcoal and ceramic sherds.
 - **Rock Art** – Includes both painted and engraved images.
 - **Shell Middens** – Include compact shell lenses that may be quite extensive in size or small ephemeral scatters of shell food remains, often associated with LSA artefact remains, but may also be of MSA and Iron Age cultural association.
- ❖ **Iron Age** – Iron Age sites are typified by stone features, i.e. the remains of former livestock enclosures or household remains that may be found in an exposed or buried context. Characteristic artefacts include ceramic remains, beads and trade goods, and metal artefacts (including jewellery). Iron Age remains are, based on signatory characteristics of the site or artefact assemblage, classed as Earlier Iron Age (EIA), Middle Iron Age (MIA) or Later Iron Age (LIA). Remains of the "Liberation Struggle" – events, histories and landmarks associated therewith are often, based on cultural assignation, classed as part of the LIA heritage of South Africa.
- ❖ **Colonial Period** – Many built-environment remains, either urban or rural, are of Western cultural assignation, with typical artefacts representing early Western culture, including typical household remains, trade and manufactured goods, such as old bottle, porcelain and metal artefacts that may be found in an exposed or buried context. War memorial remains, including the vast array of associated graves and the history of the Industrial Revolution form part of South Africa's Colonial Period heritage.
- ❖ **Cemetery / grave sites (human remains)** – Marked cemetery / grave sites are routinely associated with the LIA and the Colonial Period. Unmarked grave sites associated with the Stone Age, Iron Age and Colonial Period may be uncovered during the course of development.

² SHE / SHEQ – Safety, Health and Environment / Safety, Health, Environment and Quality.

³ ECO / ELO – Environmental Control Officer / Environmental Liaison Officer.

⁴ SAPS – South African Police Service.

⁵ SAHRIS – South African Heritage Resources Information System (<https://sahris.sahra.org.za/>).

⁶ EC PHRA – Eastern Cape Provincial Heritage Resources Authority (T/M: 043 492 1942 / 081 434 3544; E: info@ecphra.org.za).

⁷ In the event of a National Heritage Site (NHS) situated in the Eastern Cape the report should be made directly to the South African Heritage Resources Agency (SAHRA) with a copy forwarded for the attention of EC PHRA, and the SAHRA process, very similar to the EC PHRA process described in this Protocol, should be followed.

7. The developer should proceed with implementation of EC PHRA Comment requirements. EC PHRA Comment requirements may stipulate permit specifications for development to proceed:
- Should EC PHRA permit specifications stipulate further Phase 2 archaeological investigation [including cemetery / grave site (human remains) exhumation and relocation) a suitably accredited heritage specialist should be appointed to conduct the work according to the applicable EC PHRA process. The heritage specialist should apply for the permit. Upon issue of the EC PHRA permit the Phase 2 heritage mitigation programme may commence.
 - Upon completion of the Phase 2 heritage mitigation programme the heritage specialist will submit a Phase 2 mitigation report to the ECO / ELO, who should in turn ensure submission thereof on SAHRIS / to the EC PHRA, or arrange with the heritage specialist to do the relevant report submission. Report recommendations may include that the remainder of a heritage site be destroyed under an EC PHRA permit, or be conserved under recommended alterations to development design and layout.
 - Should the find relate to human remains of forensic origin the matter will be directly addressed by the SAPS: an EC PHRA permit will not be applicable.
 - Should EC PHRA permit specifications stipulate destruction of the find under an EC PHRA permit the developer should immediately proceed with the permit application. Upon the issue of the EC PHRA permit the developer may legally proceed with destruction of the heritage resource.

NOTE: EC PHRA permit requirements relating to the mitigation of human remains is subject to a prescribed process, including public consultation, health and heritage permissions, mitigation and re-interment / deposition of remains.

❖ DUTIES OF THE SUPERVISOR

1. The supervisor should immediately upon reporting by the identifier ensure that all work in the vicinity of the find is ceased.
2. The supervisor should ensure that the location of the find is immediately secured (and within 12 hours of reporting by the identifier), by means of a temporary conservation fence (construction netting or similar measures) allowing for a 5–10m heritage conservation buffer zone around the find. The temporary conserved area should be sign-posted as a "No Entry – Heritage Site" zone.
3. Where development has impacted on the resource, no attempt should be made to remove artefacts / objects / remains further from their context, and artefacts / objects / remains that have been removed should be collected and placed within the conservation area or kept for safekeeping with the SHE / SHEQ officer. It is imperative that where development has impacted on heritage resources the context of the find be preserved as good as possible for interpretive and sampling / testing purposes.

The supervisor should record the name, company and capacity of the identifier and compile a brief report describing the events surrounding the find. The report should be submitted to the SHE / SHEQ officer at the time of the incident report.

❖ DUTIES OF THE SHE / SHEQ OFFICER

1. The SHE / SHEQ officer should ensure that the location of the find is recorded with a GPS. A photographic record of the find (including implementation of temporary conservation measures) should be compiled. Where relevant a scale bar or object that can indicate scale should be inserted in photographs for interpretive purposes.
2. The SHE / SHEQ officer should ensure that the supervisors report, GPS co-ordinate(s) and photographic record of the find be submitted to the ECO / ELO. [Should the find relate to human remains the SHE / SHEQ officer should ensure that the mentioned reporting be made available to the SAPS at the time of the incident report].
3. Any retrieved artefacts / objects / remains should, in consultation with the ECO / ELO, be deposited in a safe place (preferably on-site) for safekeeping.

❖ DUTIES OF THE ECO / ELO OFFICER

1. The ECO / ELO should ensure that the incident is reported on SAHRIS. (The ECO / ELO officer should ensure that he / she is registered on the relevant SAHRIS case / request the heritage specialist to ensure reporting on SAHRIS on his / her behalf).
2. The ECO / ELO should ensure that the incident report is forwarded to the heritage specialist for interpretive purposes at his / her soonest opportunity and prior to the heritage site inspection.
3. The ECO / ELO should facilitate appointment of the heritage specialist by the developer / construction consultant for the heritage site inspection.
4. The ECO / ELO should facilitate access by the heritage specialist to any retrieved artefacts / objects / remains that have been kept in safekeeping.
5. The ECO / ELO should facilitate coordination of the heritage site inspection and the SAPS site inspection in the event of a human remains incident report.
6. The ECO / ELO should facilitate heritage reporting to, and heritage compliance requirements by SAHRA / the relevant PHRA, between the developer / construction consultant, the heritage specialist, the SHE / SHEQ officer (where relevant) and the SAPS (where relevant).

❖ DUTIES OF THE DEVELOPER / PRINCIPAL ENGINEERING OR CONSTRUCTION CONSULTANT

The developer / principal engineering or construction consultant should ensure that an adequate heritage contingency budget is accommodated within the project budget to facilitate and streamline the heritage compliance process in the event of incidental heritage resources being uncovered during the course of development, including as a norm during vegetation clearing, surface scraping / levelling, trenching and excavation phases, when resources not visible at the time of the surface assessment may well be exposed.

NOTE: Officer designations used in the *Heritage Protocol for Incidental Finds during the Construction Phase of Development* may well vary from that used on-site, in which case it is the responsibility of the developer / principal engineering or construction consultant to ensure that described duties be assigned to designated staff.

Appendix C:
**THE EC PHRA NHRA 1999 SECTION 38 PROCESS, THE SAHRA PHASE 1–3 HIA PROCESS, AND THE SAHRA
 HERITAGE SITE SIGNIFICANCE RATING AND MITIGATION SYSTEM**

1) THE EC PHRA⁸ NHRA 1999⁹ SECTION 38 PROCESS

NHRA 1999 SECTION 38 – HERITAGE RESOURCES MANAGEMENT

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

- (a) The construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) The construction of a bridge or similar structure exceeding 50m in length;
- (c) Any development or other activity which shall change the character of a site –
 - (i) Exceeding 5,000m² in extent; or
 - (ii) Involving three or more existing erven or subdivisions thereof; or
 - (iii) Involving three or more erven or subdivisions thereof which have been consolidated within the past five years; or
 - (iv) The costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- (d) The re-zoning of a site exceeding 10,000m² in extent; or
- (e) Any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,

Must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

(2) The responsible heritage resources authority must, within 14 days of receipt of a notification in terms of subsection (1) –

- (a) If there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact report. Such report must be compiled at the cost of the person proposing the development, by a person or persons approved by the responsible heritage resources authority with relevant qualifications and experience and professional standing in heritage resources management; or
- (b) Notify the person concerned that this section does not apply.

(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.

(4) The report must be considered timeously by the responsible heritage resources authority which must, after consultation with the person proposing the development, decide –

- (a) Whether or not the development may proceed;
- (b) Any limitations or conditions to be applied to the development;
- (c) What general protections in terms of this Act apply, and what formal protections may be applied, to such heritage resources;
- (d) Whether compensatory action is required in respect of any heritage damaged or destroyed as a result of the development; and
- (e) Whether the appointment of specialists is required as a condition of approval of the proposal.

(5) A provincial heritage resources authority shall not make any decision under subsection (4) with respect to any development which impacts on a heritage resource protected at national level unless it has consulted SAHRA.

⁸ EC PHRA – Eastern Cape Provincial Heritage Resources Authority.

⁹ NHRA 1999 – National Heritage Resources Act, Act No. 25 of 1999.

- (6) The applicant may appeal against the decision of the provincial heritage resources authority to the MEC, who –
- (a) Must consider the views of both parties; and
 - (b) May at his or her discretion –
 - (i) Appoint a committee to undertake an independent review of the impact assessment report and the decision of the responsible heritage authority; and
 - (ii) Consult SAHRA; and
 - (c) Must uphold, amend or overturn such decision.

(7) The provisions of this section do not apply to a development described in subsection (1) affecting any heritage resource formally protected by SAHRA unless the authority concerned decides otherwise.

(8) The provisions of this section do not apply to a development as described in subsection (1) if an evaluation of the impact of such development on heritage resources is required in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989), or the integrated environmental management guidelines issued by the Department of Environmental Affairs and Tourism, or the Minerals Act, 1991 (Act No. 50 of 1991), or any other legislation: provided that the consenting authority must ensure that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of subsection (3), and any comments and recommendations of the relevant heritage resources authority with regard to such development have been taken into account prior to the granting of the consent.

(9) The provincial heritage resources authority, with the approval of the MEC, may, by notice in the *Provincial Gazette*, exempt from the requirements of this section any place specified in the notice.

(10) Any person who has complied with the decision of a provincial heritage resources authority in subsection (4) or of the MEC in terms of subsection (6) or other requirements referred to in subsection (8), must be exempted from compliance with all other protections in terms of this Part, but any existing heritage agreements made in terms of section 42 must continue to apply.

2) THE SAHRA¹⁰ PHASE 1–3 HIA¹¹ PROCESS

3. STAGES OF ASSESSMENT¹²

3.1. Phase 1 Impact Assessments

Phase 1 Archaeological Assessments generally involve a field survey of the proposed development and will include:

- (e) Details of the property to be developed and the type of assessment [s.38 (1 or 8)];
- (f) Location of the sites that are found;
- (g) Short description of the characteristics of each site;
- (h) Short assessment of the importance of each site, indicating which should be conserved and which mitigated;
- (i) Assessment of the potential impact of the development on the site/s;
- (j) In some cases, a shovel test, to establish the extent of a site, or collection of material might be required to identify the associations of the site. (A pre-arranged permit is required); and
- (k) Recommendations for conservation or mitigation.

The report is intended to inform the client about the legislative protection of heritage resources and their significance and make appropriate recommendations. It is essential that it also provides the heritage authority with sufficient information about the sites to enable it to assess with confidence:

- (a) Whether or not it has objections to a development;
- (b) What the conditions are upon which such development might proceed;
- (c) Which sites require permits for destruction;
- (d) Which sites require permits for mitigation and what this should comprise;
- (e) Whether sites must be conserved and what alternatives can be proposed that may re-locate the development in such a way as to conserve other sites, for example, by incorporating them in a wilderness area, or under a parking space; and what measures should/can be put in place to protect the sites that should be conserved.

[...] When a Phase 1 is part of an EIA¹³, wider issues such as public consultation and assessment of the spatial and visual impacts of the development may be undertaken as part of the general study and may not be required from the archaeologist. If however the Phase 1 forms a major component of an HIA it will be necessary to ensure that the study addresses such issues and complies with section 38 of the National Heritage Resources Act.

¹⁰ SAHRA – South African Heritage Resources Agency.

¹¹ HIA – Heritage Impact Assessment.

¹² South African Heritage Resources Agency (SAHRA). 2007. Minimum Standards for the Archaeological and Palaeontological Components of Impact Assessment Reports.

¹³ EIA – Environmental Impact Assessment.

Phase 1 Specialist Reports (AIAs) will be assessed by the relevant heritage resources authority. If the decision is that sites are of low significance, they may, after recording, be destroyed to make way for development. The final decision about this should be taken by the heritage resources authority, which should give formal permission for the destruction.

In the case of AIAs that are part of EIAs or EMPs¹⁴, the heritage resources authority will issue comment or a record of decision (ROD) that may be forwarded to the consultant or developer, relevant government department or heritage practitioner and where feasible to all three.

When a property is either very disturbed (e.g. has been quarried or mined) or is very small and the archaeologist can see that it is highly unlikely that any archaeological remains will be found, a "*Letter of Recommendation for Exemption*" from a full Phase 1 report may be supplied. This must be accompanied by a map and photograph indicating landscape features. (Remember. *Absence of evidence is not necessarily evidence of absence* and use this option with caution).

3.2. Phase 2 Archaeological Mitigation

If sites that cannot or need not be saved from development carry information of significance about the past, the archaeologist will recommend a Phase 2 Archaeological Mitigation. The purpose is to obtain a general idea of the age, significance and broader cultural meaning of the site that is to be lost and to store a sample that can be consulted at later date for research, education and promotion of our cultural heritage at large. Artefacts may be collected from the surface, or there might be excavation of representative samples of the artefactual and faunal and possibly botanical material to allow characterization of the site and dating. It may be necessary to record or even rescue rock art. The heritage resources authority will require a permit for any disturbance of the site.

Should further material be discovered during the course of development this must be reported to the archaeologist or to the heritage resources authority and the developer may need to give the archaeologist sufficient time to assess and document the finds and if necessary rescue a sample.

In situations where the area is considered archaeologically sensitive (e.g. coastal settings) the archaeologist must monitor all earth-moving activities.

Provincial Heritage Authorities may have further special requirements.

Permission for the development to proceed can be given only once the heritage resources authority has received and approved a Phase 2 report and is satisfied that measures are in place to ensure that the archaeological sites will not be damaged by the impact of the development and/or that they have been adequately recorded and sampled. Careful planning can minimize the impact of archaeological surveys on development projects by selecting options that cause the least amount of inconvenience and delay.

This process allows the rescue of information relating to our past heritage for present and future generations. It balances the requirements of developers and the conservation and protection of our cultural heritage as is required of SAHRA and the heritage resources authorities.

3.3. Phase 3

On occasion, a Phase 2 mitigation process may be followed by a Phase 3 programme involving the modification or conservation of the site (or parts of it) or the incorporation of the site into the development itself as a site museum or display. When sites are of public interest the development of interpretative material is recommended and adds value to the development. A Heritage Site Management Plan is usually required for sites that are to be retained to ensure that arrangements are made for the long term maintenance and management of the site(s) so that their heritage value and significance may be preserved. Where possible these should be legally tied into Homeowners Associations or some other body that can maintain the sites.

3) THE SAHRA HERITAGE SITE SIGNIFICANCE RATING AND MITIGATION SYSTEM

NHRA 1999 SECTION 7 – HERITAGE ASSESSMENT CRITERIA AND GRADING

7 (1) SAHRA, in consultation with the Minister and the MEC of every province, must by regulation establish a system of grading of places and objects which form part of the national estate, and which distinguishes between at least three categories –

- (a) Grade I: Heritage resources with qualities so exceptional that they are of special national significance;
- (b) 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
- (c) Grade III: Other heritage resources worthy of conservation,

¹⁴ EMP – Environmental Management Plan / Programme.

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.

(2) A heritage resources authority may prescribe detailed heritage assessment criteria, consistent with the criteria set out in section 3(3), for the assessment of Grade II and Grade III heritage resources in a province.

NHRA 1999 SECTION 3 – NATIONAL ESTATE

- 3 (3) Without limiting the generality of subsection (1) and (2), a place or object is to be considered part of the national estate if it has cultural significance or other special value because of –
- (a) Its importance in the community, or pattern of South Africa's history;
 - (b) Its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
 - (c) Its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
 - (d) Its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
 - (e) Its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
 - (f) Its importance in demonstrating a high degree of creative or technical achievement at a particular period;
 - (g) Its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
 - (h) Its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and
 - (i) Sites of significance relating to the history of slavery in South Africa.

J. FIELD RATING¹⁵

Recommended grading or field significance of the site:

While grading is actually the responsibility of the heritage resources authorities, all reports should include *Field Ratings* for the site(s) discussed (proposals for grading), to comply with section 38 of the national legislation, for example:

- (a) National: This site is considered to be of Field Rating/Grade I significance and should be nominated as such (mention should be made of any relevant international ranking);
- (b) Provincial: This site is considered to be of Field Rating/Grade II significance and should be nominated as such;
- (c) Local: this site is of Field Rating/Grade IIIA significance. The site should be retained as a heritage register site (High significance) and so mitigation as part of the development process is not advised;
- (d) Local: this site is of Field Rating/Grade IIIB significance. It could be mitigated and (part) retained as a heritage register site (High significance);
- (e) "General" Protection A (Field Rating IV A): this site should be mitigated before destruction (usually High/Medium significance);
- (f) "General" Protection B (Field Rating IV B): this site should be recorded before destruction (usually Medium significance);
- (g) "General" Protection C (Field Rating IV C): this site has been sufficiently recorded (in the Phase 1). It requires no further recording before destruction (usually Low significance).

L. RECOMMENDATIONS

Including:

- (a) An assessment of the potential impact of the development on these sites, relative to sustainable social and economic benefits;
- (b) Proposals for *protection* or *mitigation* relating to:
 - (i) Possible alternatives in the development that might allow the protection and conservation of the sites; or
 - (ii) The need for mitigation of adverse impacts; or
 - (iii) The need to conserve certain sites because of their high heritage value.
- (c) Detailed recommendations with regard to *burial grounds and graves*. This must inform the client about the full process and enable the heritage authority to make decisions about permits. This must include:
 - (i) Recommendations for protection of the grave(s) during the development and in the long term, e.g. fencing and plans for maintenance (mini-management plan); OR
 - (ii) Recommendations for relocation of the grave(s), public participation and possibly further archival research, or both (i) & (ii).
- (d) An indication of what must be done at each site:

¹⁵ South African Heritage Resources Agency (SAHRA). 2007. Minimum Standards for the Archaeological and Palaeontological Components of Impact Assessment Reports.

(i) If the site is of Low4 Significance (see Kg above) the recommendation may be that the site must be mapped, documented and then destroyed (with a permit / letter of permission / Record of Decision from the heritage authority);
(ii) If the site is of Medium Significance the recommendation may be for a measure of mitigation after which the site may be destroyed. Mitigation usually involves a requirement to collect or excavate a sample of the cultural and other remains that will adequately allow characterization and dating of the site. (The archaeologist will require a permit for the excavation and collection. If, after this mitigation significant archaeological residues or parts of sites remain, the archaeologist should request the developer to apply for a permit for destruction or fill in the application for them to sign!

In this way the heritage resources authority can help the archaeologist ensure that the recommended mitigation takes place;

(iii) If the site is of High Significance the recommendation may be that it be formally graded and conserved (with provision of boardwalks, fencing, signage, guides) and protected as a heritage resource (either being listed on the Heritage Register or being declared as a Provincial or National Heritage Site).

If sites are to be protected a Site Management Plan should be required. For mini-plans, where small sites are incorporated into developments, this must include an indication of who is responsible for maintenance and how this process will be monitored.