
PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

**UPGRADING OF THE BRICKFIELDS PRE-TREATMENT
WORKS (ERF 1, WELLS ESTATE), MOTHERWELL,
PORT ELIZABETH, EASTERN CAPE, SOUTH AFRICA**

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1) TERMS OF REFERENCE

Aurecon Environmental has been appointed as independent environmental consultant by the project proponent, the Nelson Mandela Bay Municipality (NMBM), to prepare the Environmental Impact Assessment (EIA) for the proposed *Upgrading of the Brickfields Pre-Treatment Works* at Motherwell, Port Elizabeth, Eastern Cape. ArchaeoMaps Archaeological Consultancy has been appointed by Aurecon Environmental to conduct the Phase 1 Archaeological Impact Assessment (AIA) as specialist sub-section to the EIA.

1.1) *Development Location, Details & Impact*

PROJECT LOCALITY: The proposed *Upgrading of the Brickfields Pre-Treatment Works* will be situated on the municipally owned Erf 1, Wells Estate, Motherwell, Port Elizabeth [1:50:000 Map reference – 3325DC]. The approximate 5ha study site is situated at the edge of the escarpment above the Swartkops River (Lukhozi 2010).

PURPOSE OF THE DEVELOPMENT: The Brickfields pre-treatment works was built by the Eastern Cape Development Board in 1985 and inherited by the NMBM. The purpose of the works is to remove inorganic solids from the sewage before it flows into the inverted siphon across the Swartkops River. The works comprises of an inlet works, holding pond and operations building. The 14,000m³ holding pond is situated immediately downstream of the inlet works and provides attenuation storage for peak flows as well as emergency storage for maintenance of the siphon. The 7km long siphon has low points at the river and is at a flat gradient from the river crossing to the Fishwater Flats Waste Water Treatment Works (WWTW) (Lukhozi 2010).

Mechanical and electrical equipment at the works is unserviceable due to old age and flood damage in April 2010, when the entire inlet works was flooded by sewage due to a closed valve on the siphon. The civil and structural components of the works are still in fairly good condition (Lukhozi 2010).

The Sewage Master Plan (2010) indicated that the works has sufficient capacity to accommodate future loading and given the good condition of concrete structures is has been recommended that the Brickfields pre-treatment works be upgraded and that mechanical and electrical equipment be replaced, and the works returned to service. Upgrading activities will include (Lukhozi 2010):

1. An upgrade of the holding pond capacity from 14,000m³ to 37,000³ (NMBM 2010); and
2. The construction of a pump station to pump screened sewage to the proposed Coega WWTW.

DEVELOPMENT IMPACT: Development impact can be described as localized but total; implying the loss of all surface and sub-surface heritage resources situated on the approximate 5ha proposed *Upgrading of the Brickfields Pre-Treatment Works* study site, comprising of Erf 1, Wells Estate, Motherwell, Port Elizabeth.

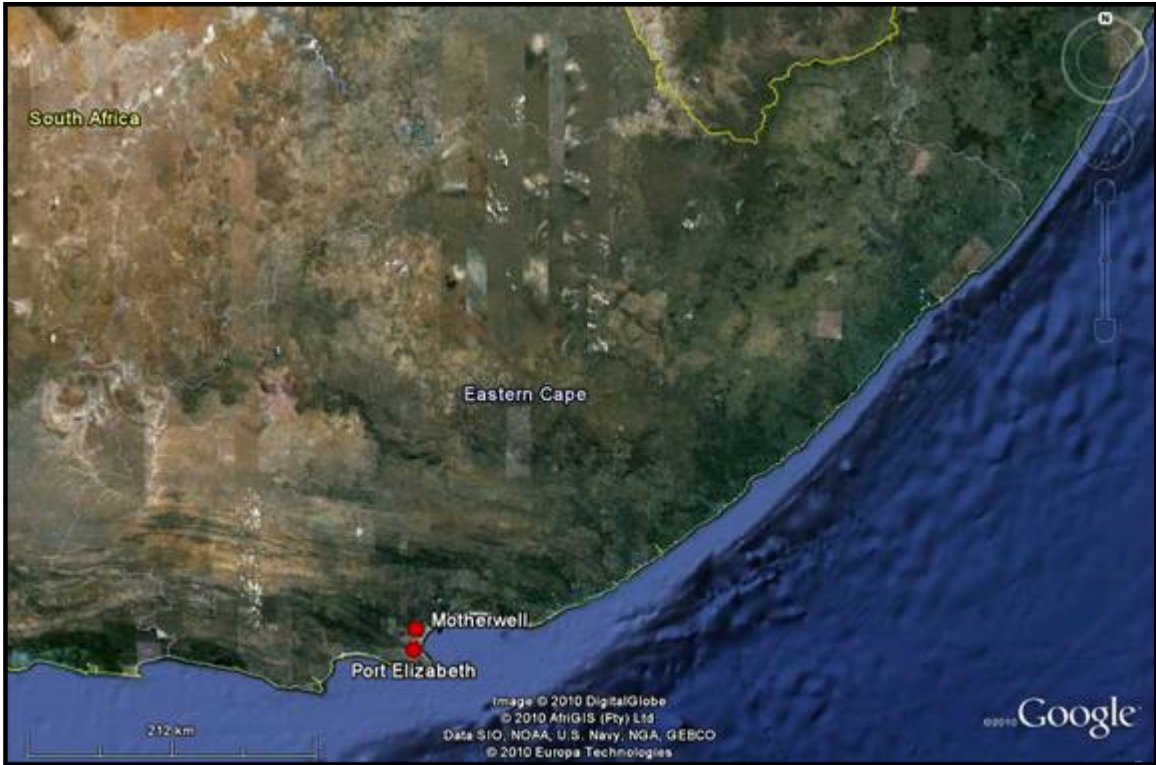


Figure 1: Motherwell, Port Elizabeth, Eastern Cape

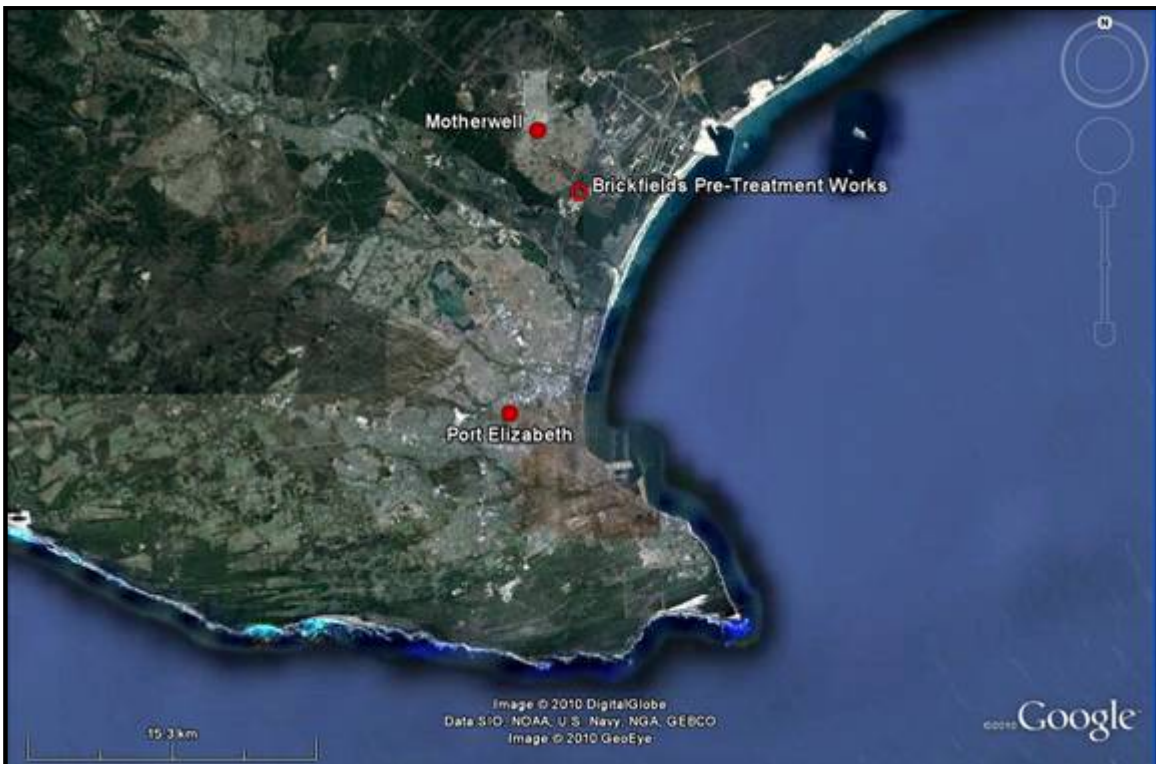


Figure 2: General locality of the proposed Brickfields pre-treatment works study site in relation to Motherwell and Port Elizabeth



Figure 3: General locality of the proposed Brickfields pre-treatment works study site



Figure 4: Locality of the proposed Brickfields pre-treatment works study site

2) THE PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

2.1) *Archaeological Legislative Compliance*

The Phase 1 Archaeological Impact Assessment (AIA) was requested by the South African Heritage Resources Agency (SAHRA) mandatory responsible for the National Heritage Resources Act, Act No 25 of 1999 (NHRA 1999). The Phase 1 AIA comprises one of three parts of the Heritage Impact Assessment (HIA) for purposes of development compliance to requirements set out in the NHRA 1999, being:

- 1) The Palaeontological Impact Assessment (PIA);
- 2) The Archaeological Impact Assessment (AIA); and
- 3) The Socio-cultural Impact Assessment (SCIA).

The Phase 1 AIA aimed to locate, identify and assess the significance of cultural heritage resources, inclusive of archaeological deposits / sites, built structures older than 60 years, burial grounds and graves, graves of victims of conflict and cultural landscapes or views as defined and protected by the NHRA 1999, that may be affected by the proposed development.

- Palaeontological deposits / sites as defined and protected by the NHRA 1999 are not included as subject to this report.
- No socio-cultural consultation was conducted with the aim to identify intangible heritage resources or sites of cultural significance associated with oral histories. Comments on potential socio-cultural aspects are included in the AIA section of the report.

Based on current environmental requirements, as specified in the National Environmental Management Act, Act No 107 of 1998 (NEMA 1998) and EIA Regulations (2010), the *Upgrading of the Brickfields Pre-Treatment Works* does not require environmental authorization because none of the activities listed in the Regulations will be carried out in the project. A Basic Assessment was requested based on proximity of the treatment works to the Swartkops River. Additional space required for the new holding pond is situated to the north-west of the existing treatment works on the property Erf 1, Wells Estate Motherwell, Port Elizabeth. Upgrading activities on the property (Brickfields Pre-Treatment Works study site) may be subjected to either a Basic Assessment or a full EIA (Lukhozi 2010).

2.2) *Methodology & Assessor Accreditation*

The Phase 1 AIA was conducted over a 1 day period (2010-11-24) by one archaeologist in the company of Theuns Duvenhage (Aurecon). The assessment was done by foot and limited to a Phase 1 surface survey; no excavation or sub-surface testing was done. GPS co-ordinates were taken with a Garmin GPSmap 60CSx GPS (Datum: WGS84). Photographic documentation was done with a Pentax K20D camera. A combination of Garmap and Google Earth software was used in the display of spatial information.

The assessment was done by Karen van Ryneveld (ArchaeoMaps):

- Qualification: MSc Archaeology (2003) WITS University.
- Accreditation:
 1. 2004 – Association of Southern African Professional Archaeologists (ASAPA) – Professional Member.

2. 2005 – ASAPA CRM Section: Accreditation – Field Director (Stone Age, Iron Age, Colonial Period).
3. 2010 – ASAPA CRM Section: Accreditation – Principle Investigator (Stone Age).

Karen van Ryneveld is a SAHRA listed CRM archaeologist.

Archaeological and cultural heritage site significance assessment and associated mitigation recommendations were done according to the system prescribed by SAHRA (2007).

SAHRA ARCHAEOLOGICAL AND CULTURAL HERITAGE SITE SIGNIFICANCE ASSESSMENT			
<i>SITE SIGNIFICANCE</i>	<i>FIELD RATING</i>	<i>GRADE</i>	<i>RECOMMENDED MITIGATION</i>
High Significance	National Significance	Grade 1	Site conservation / Site development
High Significance	Provincial Significance	Grade 2	Site conservation / Site development
High Significance	Local Significance	Grade 3A / 3B	Site conservation or extensive mitigation prior to development / destruction
High / Medium Significance	Generally Protected A	-	Site conservation or mitigation prior to development / destruction
Medium Significance	Generally Protected B	-	Site conservation or mitigation / test excavation / systematic sampling / monitoring prior to or during development / destruction
Low Significance	Generally Protected C	-	On-site sampling, monitoring or no archaeological mitigation required prior to or during development / destruction

Table 1: SAHRA archaeological and cultural heritage site significance assessment

2.3) Coverage and Gap Analysis

The Phase 1 AIA was focused on the north-western portion of the property Erf 1, Wells Estate, Motherwell, Port Elizabeth, where the existing Brickfields pre-treatment works have not yet impacted on, but included a brief assessment of the south-eastern already developed portion of the property. The north-western portion of the Brickfields Pre-Treatment Works study site is however characterized by major surface disturbance comprising of overgrown and exposed primarily construction debris and dumps and former earth moving activities allowing for very little visible in-tact surface areas. In addition to the Brickfields Pre-Treatment Works study site the assessment included a brief assessment of the area towards the north of the study site, which despite disturbance yielded a better in-tact surface for purposes of a basic interpretation of the general area.

2.4) Phase 1 AIA Assessment Findings

No archaeological or cultural heritage resources, as defined and protected under the NHRA 1999, were identified during the Phase 1 AIA of the proposed *Upgrading of the Brickfields Pre-Treatment Works* project. General observations include:

- **The south-eastern portion of the Brickfields pre-treatment works study site / Erf 1, Wells Estate, Motherwell:**

The portion of the property is largely already impacted on. Inspection of a churned section, a result of former construction activities, yielded limited sub-surface information where pebbles and stones were found within the dam wall ridge running towards the north-west of the existing pond. Sub-surface material proved to be unanimously anthropically sterile.

- **The north-western portion of the Brickfields pre-treatment works study site / Erf 1, Wells Estate, Motherwell:**

Surface inspection of the area yielded no archaeological or cultural heritage resources. However, the current surface is inferred to be of fairly recent origin, dating to the 1980's and thereafter and in general characterized by overgrown and exposed primarily construction dumps, a situation that would have covered / impacted on resources even if they were present. A small portion of inferred in-tact surface area is situated towards the central part of the north-western assessment area, but with findings echoing surface anthropic sterility.

Sub-surface interpretation were based on fairly shallow exposed sections (approximately 50cm in depth) at a borrow pit located towards the south of the area. Sub-surface sections yielded no cultural member, supporting sub-surface findings of the south-eastern study site assessment.

- **Assessment of the general area towards the north of the Brickfields pre-treatment works study site:**

Based on the small in-tact surface area present at the proposed Brickfields pre-treatment works study site the assessment was extended towards the general area north of the study site where, despite surface disturbance more in-tact surface areas were present for purposes of a basic interpretation. Brief assessment of this general area again yielded no archaeological or cultural heritage surface resources. Sub-surface sections were particularly limited and no additional sub-surface information could be obtained that might be relevant to the proposed Brickfields pre-treatment works study site.



Figure 5: Existing development on the south-eastern portion of the proposed Brickfields pre-treatment works study site - 1



Figure 6: Existing development on the south-eastern portion of the proposed Brickfields pre-treatment works study site - 1



Figure 7: Churned sub-surface sections at the south-eastern part of the study site proved to be anthropically sterile



Figure 8: General view of the north-western part of the study site from the south-eastern existing development



Figure 9: General view of the north-western part of the Brickfields study site



Figure 10: View of the in-tact central surface area at the north-western part of the Brickfields pre-treatment works study site



Figure 11: Shallow exposed sections and associated rubble dumps towards the southern part of the north-western portion of the Brickfields pre-treatment works study site



Figure 12: Rubble dumps characterizing the general terrain of the Brickfields treatment works



Figure 13: In-tact anthropically sterile surface areas towards the north of the proposed Brickfields pre-treatments works study site

3) CONCLUSION AND RECOMMENDATIONS

No archaeological or cultural heritage resources, as defined and protected under the NHRA 1999, were identified either on the surface or within exposed sub-surface sections during the Phase 1 AIA of the proposed *Upgrading of the Brickfields Pre-Treatment Works* study site (Erf 1, Wells Estate, Motherwell, Port Elizabeth). **It is recommended that, with reference to cultural heritage compliance requirements as per the NHRA 1999, the *Upgrading of the Brickfields Pre-Treatment Works* development proceeds as applied for.**

NOTE: Should any archaeological or cultural heritage resources as defined and protected by the NHRA 1999 and not reported on in this report be identified during the course of development the developer should immediately cease operation in the vicinity of the find and report the site to SAHRA / ASAPA accredited CRM archaeologist.

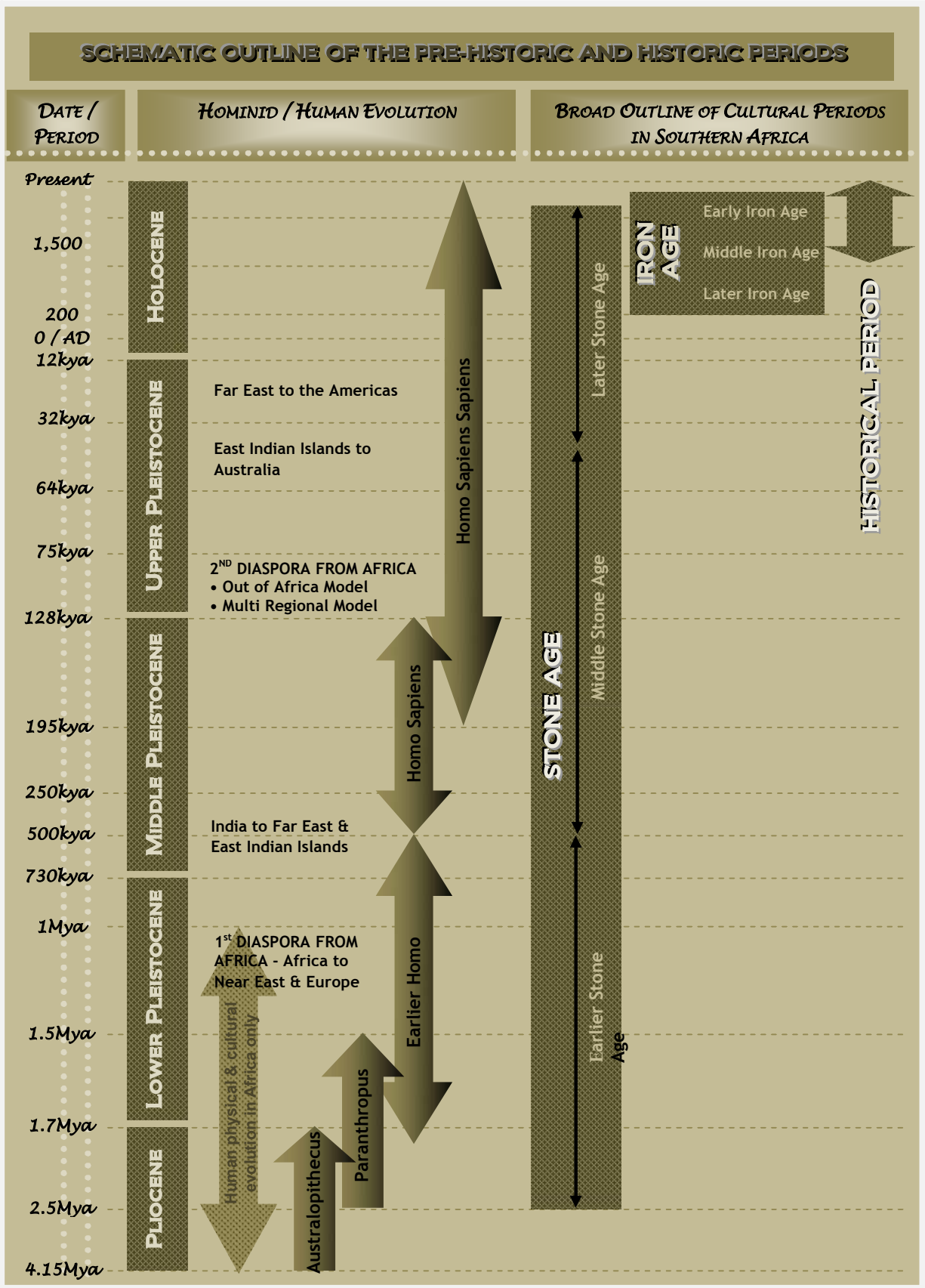
UPGRADING OF THE BRICKFIELDS PRE-TREATMENT WORKS					
ERF 1, WELLS ESTATE, MOTHERWELL, PORT ELIZABETH					
MAP SITE CODE		TYPE / PERIOD	DESCRIPTION	CO-ORDINATES	PRELIMINARY RECOMMENDATIONS
DEVELOPMENT AREA					
B1	-	-	-	S33°49'40.6"; E25°36'34.8"	N/A
B2	-	-	-	S33°49'43.3"; E25°36'41.2"	N/A
B3	-	-	-	S33°49'50.7"; E25°36'37.4"	N/A
B4	-	-	-	S33°49'47.3"; E25°36'27.2"	N/A
B5	-	-	-	S33°49'42.0"; E25°36'31.3"	N/A
B6	-	-	-	S33°49'40.9"; E25°36'33.1"	N/A

No archaeological or cultural heritage resources, as defined and protected under the NHRA 1999, were identified during the Phase 1 AIA of the proposed *Upgrading of the Brickfields Pre-Treatment Works* study site

Table 2: Development co-ordinates and Phase 1 AIA assessment findings

4) REFERENCES CITED

1. Lukhozi Consulting Engineers (Pty) Ltd (Lukhozi). 2010. *Nelson Mandela Bay Municipality. Brickfields pre-treatment works. Proposed upgrading of works. Preliminary design report.* Unpublished report.
2. South African Government. (No. 107) of 1998. *National Environmental Management Act.*
3. South African Government. (No. 62) of 2008. *National Environmental Management Second Amendment Act.*
4. South African Government. (No. 25) of 1999. *National Heritage Resources Act.*
5. South African Heritage Resources Agency. 2007. *Minimum standards for the archaeological and heritage components of impact assessments.* Unpublished guidelines.



EXTRACTS FROM THE
NATIONAL HERITAGE RESOURCES ACT (No 25 OF 1999)

DEFINITIONS

Section 2

In this Act, unless the context requires otherwise:

- ii. *"Archaeological"* means –
 - a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
 - b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10 m of such representation;
 - c) wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic,... and any cargo, debris, or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation.
- viii. *"Development"* means any physical intervention, excavation or action, other than those caused by natural forces, which may in the opinion of a heritage authority in any way result in a change to the nature, appearance or physical nature of a place, or influence its stability and future well-being, including –
 - a) construction, alteration, demolition, removal or change of use of a place or structure at a place;
 - b) carrying out any works on or over or under a place;
 - c) subdivision or consolidation of land comprising, a place, including the structures or airspace of a place;
 - d) constructing or putting up for display signs or hoardings;
 - e) any change to the natural or existing condition or topography of land; and
 - f) any removal or destruction of trees, or removal of vegetation or topsoil;
- xiii. *"Grave"* means a place of interment and includes the contents, headstone or other marker of such a place, and any other structure on or associated with such place;
- xxi. *"Living heritage"* means the intangible aspects of inherited culture, and may include –
 - a) cultural tradition;
 - b) oral history;
 - c) performance;
 - d) ritual;
 - e) popular memory;
 - f) skills and techniques;
 - g) indigenous knowledge systems; and
 - h) the holistic approach to nature, society and social relationships.
- xxxi. *"Palaeontological"* means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trace;
- xli. *"Site"* means any area of land, including land covered by water, and including any structures or objects thereon;
- xliv. *"Structure"* means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith;

NATIONAL ESTATE

Section 3

- 1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.
- 2) Without limiting the generality of subsection 1), the national estate may include –
 - a) places, buildings, structures and equipment of cultural significance;
 - b) places to which oral traditions are attached or which are associated with living heritage;
 - c) historical settlements and townscapes;
 - d) landscapes and natural features of cultural significance;
 - e) geological sites of scientific or cultural importance
 - f) archaeological and palaeontological sites;
 - g) graves and burial grounds, including –
 - i. ancestral graves;
 - ii. royal graves and graves of traditional leaders;
 - iii. graves of victims of conflict
 - iv. graves of individuals designated by the Minister by notice in the Gazette;
 - v. historical graves and cemeteries; and
 - vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No 65 of 1983)
 - h) sites of significance relating to the history of slavery in South Africa;
 - i) movable objects, including –
 - i. objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - ii. objects to which oral traditions are attached or which are associated with living heritage;
 - iii. ethnographic art and objects;
 - iv. military objects;
 - v. objects of decorative or fine art;
 - vi. objects of scientific or technological interest; and
 - vii. books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1 xiv) of the National Archives of South Africa Act, 1996 (Act No 43 of 1996).

STRUCTURES

Section 34

- 1) No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

ARCHAEOLOGY, PALAEOLOGY AND METEORITES

Section 35

- 3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.
- 4) No person may, without a permit issued by the responsible heritage resources authority –
 - a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
 - b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
 - c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
 - d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.
- 5) When the responsible heritage resources authority has reasonable cause to believe that any activity or development which will destroy, damage or alter any archaeological or palaeontological site is under way, and where no application for a permit has been submitted and no heritage resources management procedure in terms of section 38 has been followed, it may –
 - a) serve on the owner or occupier of the site or on the person undertaking such development an order for the development to cease immediately for such period as is specified in the order;
 - b) carry out an investigation for the purpose of obtaining information on whether or not an archaeological or palaeontological site exists and whether mitigation is necessary;
 - c) if mitigation is deemed by the heritage resources authority to be necessary, assist the person on whom the order has been served under paragraph a) to apply for a permit as required in subsection 4); and
 - d) recover the costs of such investigation from the owner or occupier of the land on which it is believed an archaeological or palaeontological site is located or from the person proposing to undertake the development if no application for a permit is received within two weeks of the order being served.
- 6) The responsible heritage resources authority may, after consultation with the owner of the land on which an archaeological or palaeontological site or meteorite is situated, serve a notice on the owner or any other controlling authority, to prevent activities within a specified distance from such site or meteorite.

BURIAL GROUNDS AND GRAVES

Section 36

- 3) No person may, without a permit issued by SAHRA or a provincial heritage resources authority –
 - a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
 - b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
 - c) bring onto or use at a burial ground or grave referred to in paragraph a) or b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.
- 4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction of any burial ground or grave referred to in subsection 3a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.
- 5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection 3b) unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority –
 - a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and
 - b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.
- 6) Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority –
 - a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and
 - b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.

HERITAGE RESOURCES MANAGEMENT

Section 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 300 m in length;
 - b) the construction of a bridge or similar structure exceeding 50 m in length;
 - c) any development or other activity which will change the character of a site –
 - i. exceeding 5 000 m² 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 which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - d) the rezoning of a site exceeding 10 000 m² 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 assessment 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 2a) ...
- 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 resources 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.

APPOINTMENT AND POWERS OF HERITAGE INSPECTORS

Section 50

- 7) Subject to the provision of any other law, a heritage inspector or any other person authorised by a heritage resources authority in writing, may at all reasonable times enter upon any land or premises for the purpose of inspecting any heritage resource protected in terms of the provisions of this Act, or any other property in respect of which the heritage resources authority is exercising its functions and powers in terms of this Act, and may take photographs, make measurements and sketches and use any other means of recording information necessary for the purposes of this Act.
- 8) A heritage inspector may at any time inspect work being done under a permit issued in terms of this Act and may for that purpose at all reasonable times enter any place protected in terms of this Act.
- 9) Where a heritage inspector has reasonable grounds to suspect that an offence in terms of this Act has been, is being, or is about to be committed, the heritage inspector may with such assistance as he or she thinks necessary–
 - a) enter and search any place, premises, vehicle, vessel or craft, and for that purpose stop and detain any vehicle, vessel or craft, in or on which the heritage inspector believes, on reasonable grounds, there is evidence related to that offence;
 - b) confiscate and detain any heritage resource or evidence concerned with the commission of the offence pending any further order from the responsible heritage resources authority; and
 - c) take such action as is reasonably necessary to prevent the commission of an offence in terms of this Act.
- 10) A heritage inspector may, if there is reason to believe that any work is being done or any action is being taken in contravention of this Act or the conditions of a permit issued in terms of this Act, order the immediate cessation of such work or action pending any further order from the responsible heritage resources authority.