

PHASE 1 HERITAGE IMPACT ASSESSMENT

**DEVELOPMENT OF THE ERAND GARDENS ESTATE
JOHANNESBURG METROPOLITAN MUNICIPALITY, GAUTENG PROVINCE.**

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EXECUTIVE SUMMARY

Archaeology Africa was appointed by *WSP Environmental (Pty) Ltd* to undertake a Phase 1 Heritage Impact Assessment for the proposed Erand Gardens Estate development situated on holdings 192 and 194 of Erand Agricultural Holdings Ext 1 as well as portions 619 and 620 of the farm Randjesfontein 405-JR, Gauteng Province.

No heritage resources were found within the proposed development area.

It is the opinion of the authors of this report that the development may continue and that no heritage reasons can be given for it to be altered or stopped.

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1. PROJECT BACKGROUND

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2. DESCRIPTION OF STUDY AREA AND PROPOSED DEVELOPMENT

2.1 Study Area

The study area's eastern boundary is formed by Fourteenth Avenue, its northern boundary by George Street and its western boundary by a small stream. It is situated within one of South Africa's fastest growing urban areas. It is therefore not surprising that its southern, eastern and northern sides are already developed. The only undeveloped area bordering on the site is on the west where the small stream is located.

The proposed development area can be described as disturbed. This is due to both recent and historic human activities. The maps dating from the late 1930s and early 1940s (see below), indicate that large sections of the study area were used for agricultural activities. More recently sections of the development area have been disturbed by earthmoving activities. A number of trenches have also been excavated over the development area, and a road is in the process of being constructed across the site.

2.2 Proposed Development

The description of the proposed development was obtained from *WSP Environmental (Pty) Ltd*. The proposed Erand Gardens estate will see the development of a residential estate and a commercial office park. The proposed development will involve the clearing of the property and construction of the residential and office parks and the development of a river corridor which will be managed by City Parks to protect the riverine environment. The residential estate comprises approximately 110 units per hectare on portion 619 and 40 units per hectare on holding 194 and portion 620 giving a total of 555 units for the entire development area. The Public Open Space managed by City Parks will cover the remaining extent with a minimum of 0.9ha. Gazebo's and swimming pools for each village will be constructed and are referred to as Village Greens.



Plate 1 General view of a section of the proposed development area.



Plate 2 View along the eastern boundary of the study area on Fourteenth Avenue.



Plate 3 Panoramic view of a section of the study area. The road construction is visible in the foreground.

3. METHODOLOGY

3.1 Desktop Study

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

3.2 Field Surveys

The field survey took place on Monday, 7 May 2007. It consisted of a foot survey of the study area.

No heritage sites were located.

3.3 Consulting with Local Interested and/or Affected Parties

A public participation process has been undertaken for the proposed development. No heritage issues were raised during this process.

3.4 Aspects regarding Visibility and Constraints

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

4. FINDINGS

4.1 Desktop Study Findings

4.1.1 Cartographic findings

The study of historic and archival maps represents a valuable tool in the identification of heritage sites within a defined area.

4.1.1.1 2528CC Topographical Sheet, First Edition

Figure 1 below depicts the first edition of the 1:50 000 2528CC topographical sheet. The map was surveyed and drawn by the Trigonometrical Survey Office in 1938/1939. It was photo-lithographed by the Government Printer in 1939.

No heritage features are indicated for the study area itself. However, a number of buildings and features are depicted in the general vicinity. These include an extensive black settlement to the north-east as well as a single 'hut' to the south-east of the development area. A building is shown to the south and another to the east of the development area.

4.1.1.2 2528CC Topographical Sheet, Second Edition

Figure 2 below depicts the second edition of the 1:50 000 2528CC topographical sheet. The map was surveyed and drawn by the Trigonometrical Survey Office in 1943. Field revision was undertaken by the 45 Survey Company S.A.E.C. during June 1943. The specific depicted sheet is a reprint undertaken in 1953.

No heritage features are indicated for the study area itself. Exactly the same features are again shown in the surrounding area as was indicated on the first edition map.

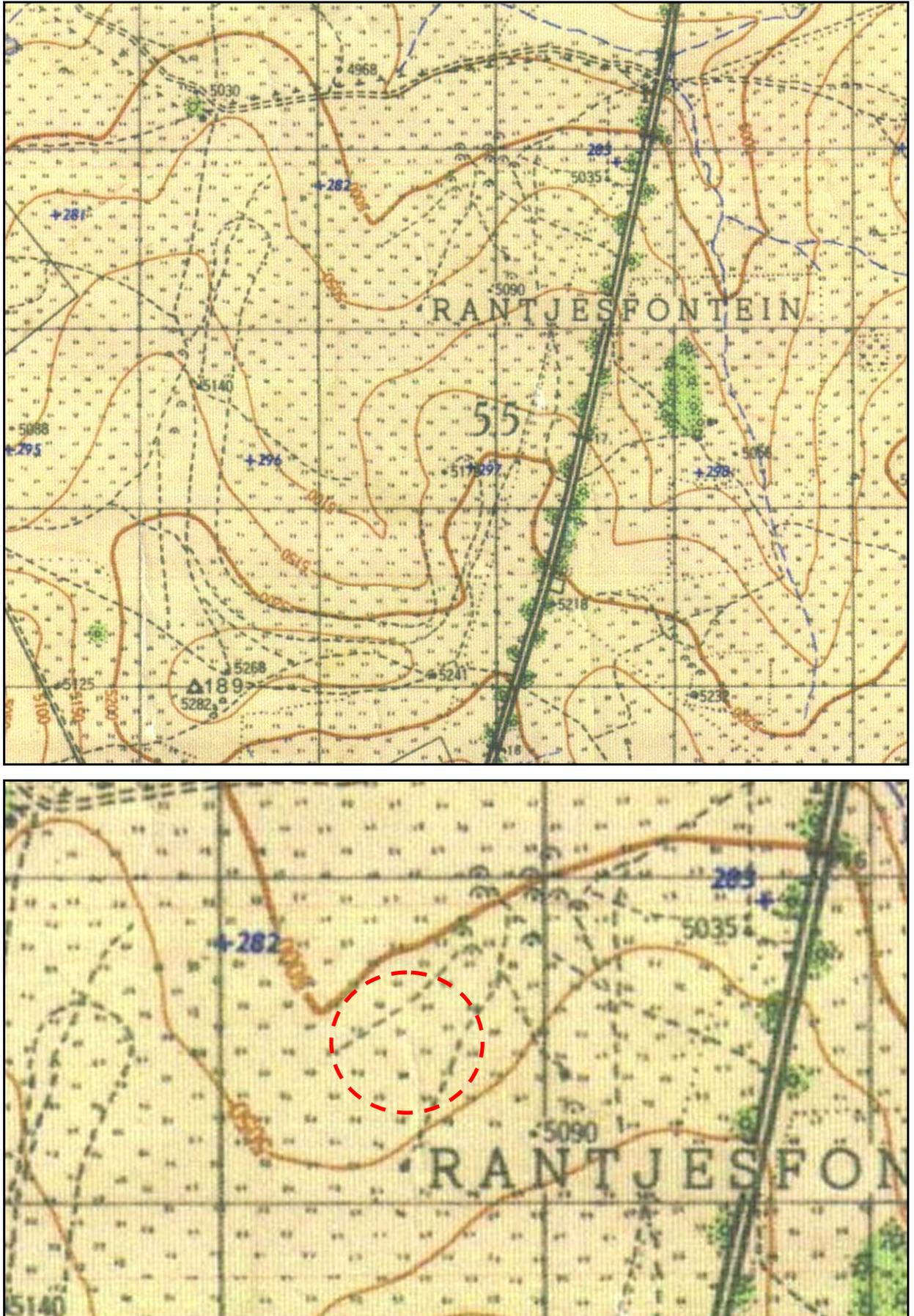


Figure 1 First edition of the 2528CC Topographical Map, dated 1939

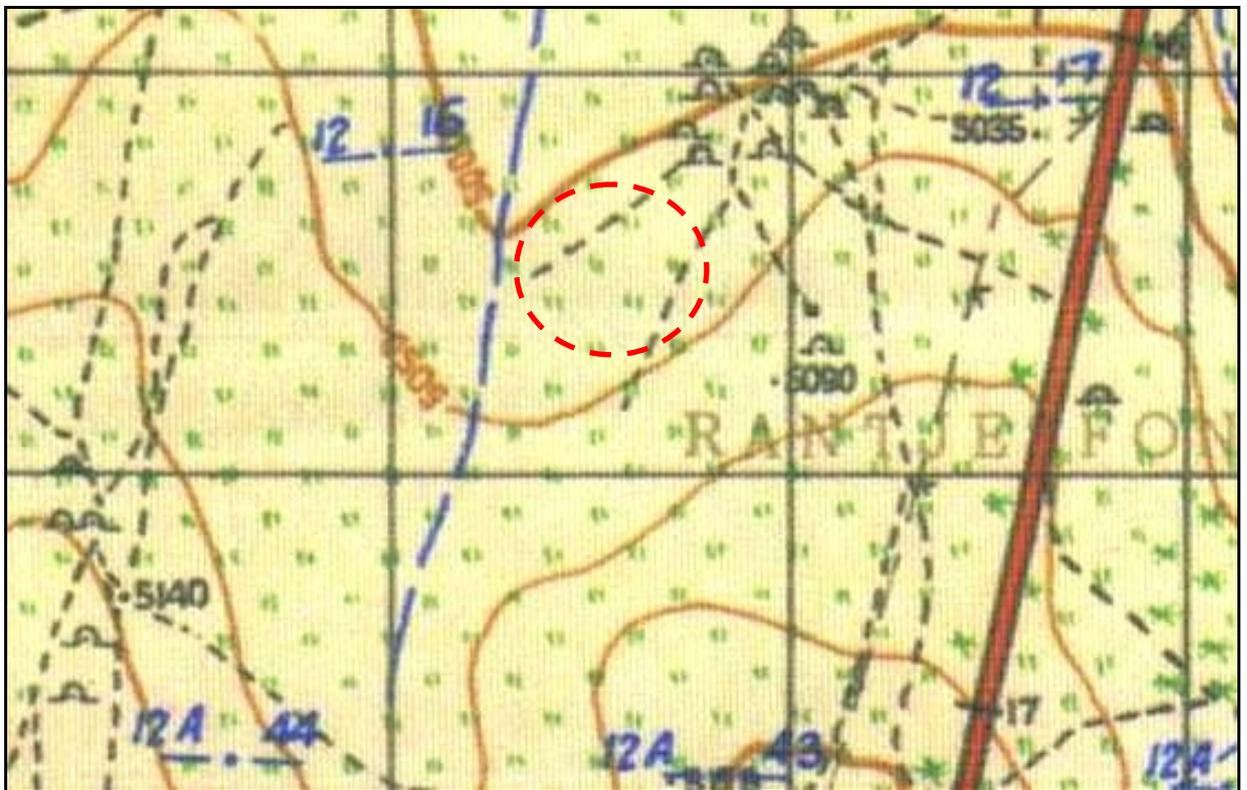
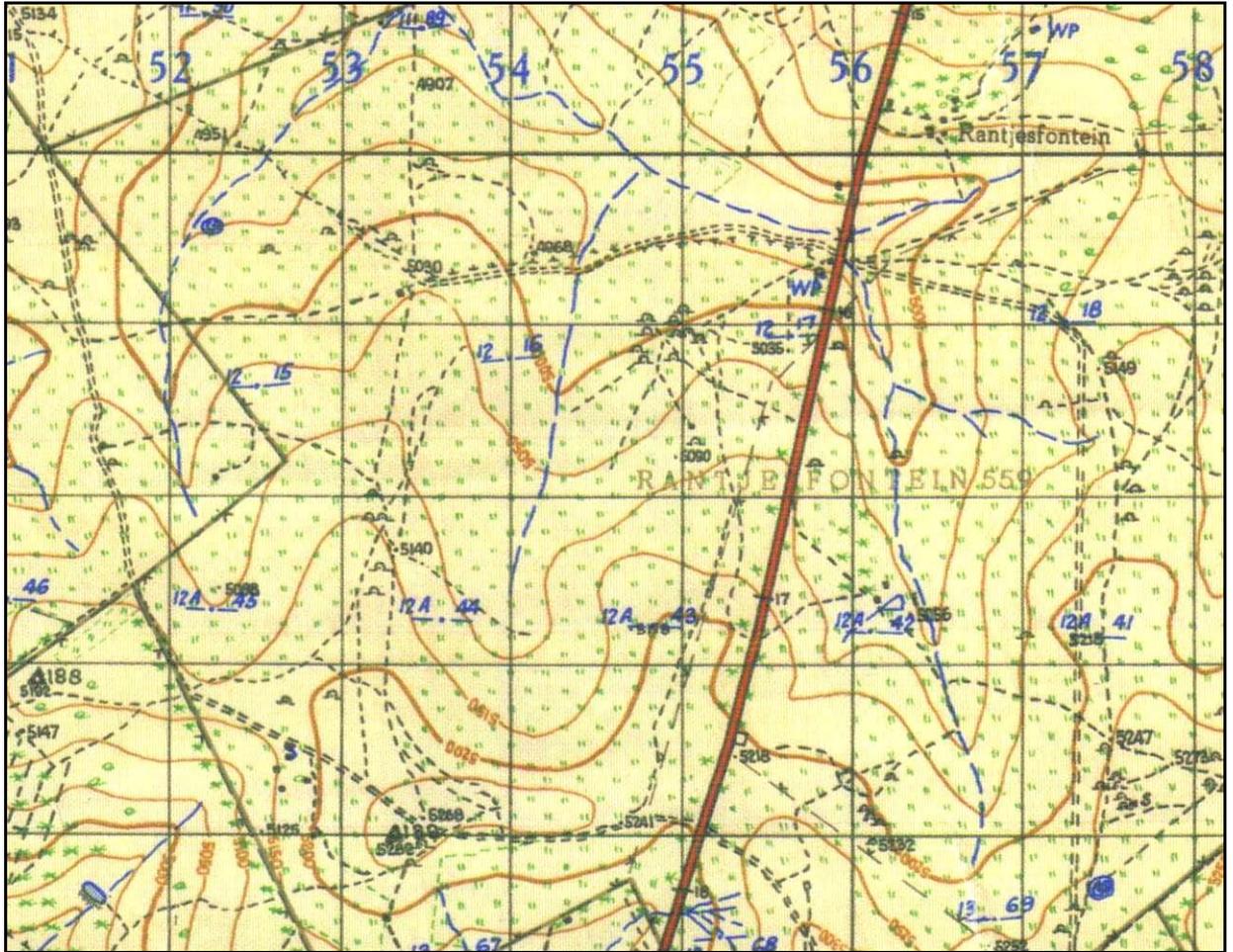


Figure 2 Second edition of the 2528CC Topographical Sheet, dated 1953

4.1.2 General heritage resources from the farm Randjesfontein

In 1998 a document titled *A Survey of Cultural Resources in the Midrand Municipal Area, Gauteng Province* was compiled by the *National Cultural History Museum for Newtown Associates*. A copy of the report was obtained from the Midrand Public Library. The report lists nine sites within the farm Randjesfontein 405-JR, namely:

- The original farmstead of Randjesfontein consisting of a homestead and various outbuildings. The farmstead was established during the 1870s by Daniël Jacobus Erasmus. The site is situated approximately 2.5 kilometres north-east of the study area. A historic cemetery is located in the vicinity of the farmstead.
- St. Saviour's Presbyterian Church that was originally constructed in Pietermaritzburg during 1868 and relocated to its present position in 1976. The church is situated on Java Street, and is approximately 2.5 kilometres north-east of the study area.
- Grand Central Airport that was established in 1937. The airport is situated approximately 3.5 kilometres south-east of the present development area.
- Later Stone Age and Late Iron Age archaeological site which has been incorporated into *The Boulders* shopping centre. The site is situated approximately 3.3 kilometres south-by-southeast of the proposed development area.
- Old eucalyptus trees lining both sides of the old Pretoria-Johannesburg road. At its closest point this old road is situated one kilometre directly east of the present study area.
- The Grand Central Racetrack and Speedway that was established in 1948. The site is situated approximately 3.5 kilometres south-east of the proposed development.
- *The Train Restaurant* consisting of four historic railway coaches namely the Umgeni (1924), Kowie (1928), Riet (1928) as well as an unnamed Lounge Car (1924). The site is situated in the vicinity of *The Boulders* shopping centre, and is therefore approximately 3.3 kilometres from the study area.
- The grave of Petrus Jacobus Maree (1895-1942) situated to the west of Austin Street at least one kilometre from the study area.

4.2 Social Consultation Findings

No issues with regard to heritage were raised during the public participation process.

4.3 Survey Findings

No heritage resources were located within the study area.

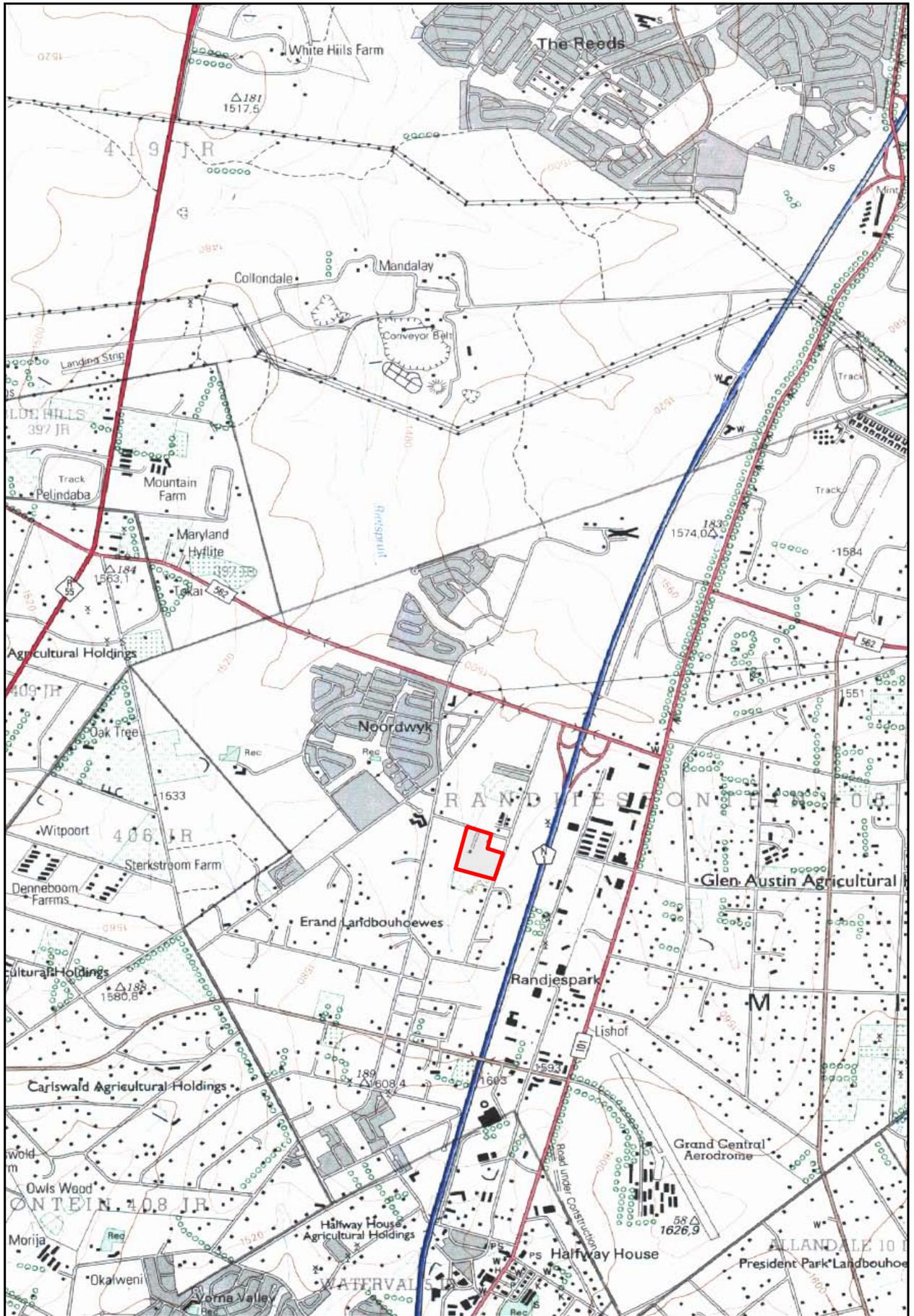
5. CONCLUSIONS AND GENERAL RECOMMENDATIONS

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ANNEXURE A – LOCALITY PLAN



ANNEXURE B – LEGISLATIVE FRAMEWORK

LEGISLATIVE FRAMEWORK

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

1. National Heritage Resources Act 25 of 1999

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

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

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

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

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

Structures are defined by the Heritage Resources Act as *“...any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures,*

fittings and equipment associated with it." In section 34 of the Act the general protection for structures is stipulated. It is important to note that only structures older than 60 years are protected. Section 34(1) of the National Heritage Resources Act reads as follows: "*No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.*"

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

"No person may, without a permit issued by the responsible heritage resources authority-

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;*
- (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;*
- (c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or*
- (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites."*

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

- "(a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;*
- (b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10m of such representation;*

- (c) wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic, as defined respectively in sections 3, 4 and 6 of the Maritime Zones Act, 1994 (Act No. 15 of 1994), and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation; and
- (d) features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found;..."

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

"No person may, without a permit issued by SAHRA or a provincial heritage resources authority –

- a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;*
- b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or*
- c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals."*

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

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

- a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and*

- b) *reached agreements with such communities and individuals regarding the future of such grave or burial ground."*

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

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

"Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority-

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

2. Other Legislation

In terms of graves, other legislative measures which may be of relevance include the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925), the Human Tissues Act 65 of 1983, the Ordinance on Excavations (Ordinance no. 12 of 1980) as well as any local and regional provisions, laws and by-laws that may be in place.