
PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

***KIDD'S BEACH GOLFING ESTATE,
PORTIONS OF FARMS 1075, 1076, 1077, 1078, 1079 & 1086,
KIDD'S BEACH, EAST LONDON, EASTERN CAPE, SOUTH AFRICA***

DATE: 2008-12-03



REPORT TO:

CONROY VAN DER RIET (Biotechnology & Environmental Specialist Consultancy / BESC)
Tel: 043 726 4242; Fax: 043 726 3199; Postal Address: P.O. Box 8241, Nahoon, 5210;
E-mail: conroy@besc.co.za

DR. ANTONIETA JERARDINO (South African Heritage Resources Agency / SAHRA - APM Unit)
Tel: 021 462 4505; Fax: 021 462 4509; Postal Address: P.O. Box 4637, Cape Town, 8000;
E-mail: ajerardino@sahra.org.za

JENNIFER KITTO (South African Heritage Resources / SAHRA - BGG Unit)
Tel: 011 403 2460; Fax 011 339 3347; Postal Address: P.O. Box 32272, Braamfontein, 2017;
E-mail: Jkitto@sat.sahra.org.za

THANDUXOLO LUNGILE (SAHRA - Eastern Cape)
Tel: 043 722 1740/2/6; Fax: 043 722 1749; Postal Address: P.O. Box 759, East London, 5200;
E-mail: tlungile@ec.sahra.org.za

PREPARED BY:

KAREN VAN RYNEVELD (ArchaeoMaps Archaeological Consultancy)
Tel: 084 871 1064; Fax: N/A; Postal Address: P.O. Box 28530, Danhof, 9310 (Bloemfontein);
E-mail: ArchaeoMaps.karen@iburst.co.za

PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

*KIDD'S BEACH GOLFING ESTATE,
PORTIONS OF FARMS 1075, 1076, 1077, 1078, 1079 & 1086
KIDD'S BEACH, EAST LONDON, EASTERN CAPE, SOUTH AFRICA*

• **CONTENTS**

1) TERMS OF REFERENCE	4
1.1) DEVELOPMENT LOCATION AND IMPACT	4
1.2) THE NATURAL ENVIRONMENT	7
2) THE PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT	9
2.1) ARCHAEOLOGICAL LEGISLATIVE COMPLIANCE	9
2.2) COVERAGE & GAP ANALYSIS	9
2.3) METHODOLOGY.....	9
2.4) PHASE 1 AIA ASSESSMENT FINDINGS	10
2.4.1) Site Descriptions.....	15
2.4.1.1) Area 1 - Historical Period Site (Farmstead)	16
2.4.1.2) Area 2 - Historical Period Site (Farm workers' village & graves)	18
2.4.1.3) Area 3 - Historical Period Site / Oral History (Farm workers' village & graves).....	22
2.5) CONCLUSION.....	24
3) RECOMMENDATIONS	25
4) REFERENCES CITED	26

• **TABLES**

Table 1: Cultural heritage site significance assessment and mitigation recommendations.....	10
Table 2: Heritage Area 1 co-ordinates, phase 1 AIA findings & recommendations.....	17
Table 3: Heritage Area 2 co-ordinates, phase 1 AIA findings & recommendations.....	21
Table 4: Heritage Area 1 co-ordinates, phase 1 AIA findings & recommendations.....	23
Table 5: The proposed Kidds' Beach Golfing Estate development area	24

• **FIGURES**

Figure 1: East London, Eastern Cape, South Africa	5
Figure 2: Locality of the proposed Kidd's Beach Golfing Estate in relation to East London.....	5
Figure 3: The proposed Kidd's Beach Golfing Estate development area	5
Figure 4: Proposed <i>conceptual development layout</i> of the northern portion of the proposed Kidd's Beach Golfing Estate	6
Figure 5: Proposed <i>conceptual development layout</i> of the southern portion of the proposed Kidd's Beach Golfing Estate	7
Figure 6: Spatial display of Phase 1 AIA findings	11
Figure 7: View of the eastern part of the study site.....	11
Figure 8: View of the central development area.....	11
Figure 9: Vegetation along the Mlele River	12
Figure 10: View of the southern portion of the site	12
Figure 11: The Mlele River banks proved continuously anthropically sterile	12
Figure 12: Close-up of the Mlele River banks.....	12
Figure 13: 1+m high culturally sterile sand sections.....	13
Figure 14: A sub-surface section from the south central part of the development area	13
Figure 15: Sub-surface anthropically sterile sand sections	13
Figure 16: Red sub-surface sections of 1+m in depth from the northern part of the development area.....	13
Figure 17: Exposed dam wall sections yielded no artefactual material.....	13
Figure 18: Anthropically sterile dam wall sections	13
Figure 19: View of the quarry located on Portion of Farm 1086	14
Figure 20: Close-up of quarry sections	14
Figure 21: Close-up of anthropically sterile dump material	14
Figure 22: Close-up of quarry sections	14
Figure 23: The contemporary Shaw residence.....	15

Figure 24: A contemporary water trough located on the proposed development area	15
Figure 25: The Area 1 Historical Period site containing Sites H1 & H2	16
Figure 26: View of the H1 residence at circa 1940.....	17
Figure 27: View of the H1 residence - front	17
Figure 28: View of the H1 residence - back.....	17
Figure 29: General view of the H2 residence	17
Figure 30: The Area 2 Historical Period site containing at least 6 grave site localities.....	18
Figure 31: View of the contemporary farm workers' village	20
Figure 32: View of the G1 grave site.....	20
Figure 33: One of the graves comprising site G2.....	20
Figure 34: The mound constituting the 2 nd G2 grave site	20
Figure 35: Two graves comprising the G3 site locality	20
Figure 36: View of the G4 grave mounds (adult & child?).....	20
Figure 37: The G5 adult grave mound	21
Figure 38: Residential remains associated with the G5 grave site.....	21
Figure 39: View of the G6 grave.....	21
Figure 40: Overgrown structure foundations associated with G6	21
Figure 41: The Area 3 site located south west of line A-B where residential remains & burial places may well be encountered	22
Figure 42: View of the general area south west of line A-B	23
Figure 43: General view of the Area 3 site.....	23

1) TERMS OF REFERENCE

Biotechnology and Environmental Specialist Consultancy (BESC) has been appointed as independent environmental consultant by the developer, Altivex 103 (Pty) Ltd, to prepare the Environmental Impact Assessment (EIA) for the proposed Kidd's Beach Golfing Estate, applied for under 2 separate applications, to be located on Portions of Farms 1075, 1076, 1077, 1078, 1079 & 1086, Kidd's Beach, East London, Eastern Cape, South Africa (BESC 2008). ArchaeoMaps Archaeological Consultancy has been appointed by BESC to conduct the Phase 1 Archaeological Impact Assessment (AIA) as specialist sub-section to the EIA.

1.1) DEVELOPMENT LOCATION AND IMPACT

The proposed approximate 200ha Kidd's Beach Golfing Estate development, to be located on Portions of Farms 1075, 1076, 1077, 1078, 1079 & 1086, Kidd's Beach, East London, will comprise of an 18 hole golf course, clubhouse complex, hotel, retail and residential components, a workshop / storage facility and associated supporting infrastructure including bulk services such as storm water management, water supply, sanitation, roads and electricity. The study site is located west (W) of Kidd's Beach and approximately 600m south (S) of the R72 running from East London to Port Alfred. The Mlele River meanders through the western (W) portion of the proposed site [1:50,000 map reference - 3327BA] (BESC 2008a; 2008b).

The study site falls within the 'urban edge' of the Kidd's Beach Node as identified in the Buffalo City Municipality's Spatial Development Framework (SDF). The SDF has further classified Kidd's Beach as a Spatial Management Area (BESC 2008a).

The proposed development area is currently zoned as 'Agricultural' and 'Residential'. The majority of surrounding land is zoned as 'Agricultural' with a commercial fuel station neighboring the development on the Kidd's Beach access road. 'Residential' land borders the development area to the east (E). The Coastal Forest Reserve (Erf 213) and Municipal Commonage Land (Erven 192 & 193) is located along the southern (S) boundary (BESC 2008a; 2008b).

Development impact on the site will be *total*: In accordance with the *conceptual development layout* impact will result in the loss of all surface and sub-surface archaeological and cultural heritage resources that may be located within the proposed development area.

The Phase 1 AIA covered the total of the approximate 200ha Kidd's Beach Golfing Estate development area. Access to the development area is via the established Kidd's Beach access road.



Figure 1: East London, Eastern Cape, South Africa



Figure 2: Locality of the proposed Kidd's Beach Golfing Estate in relation to East London



Figure 3: The proposed Kidd's Beach Golfing Estate development area

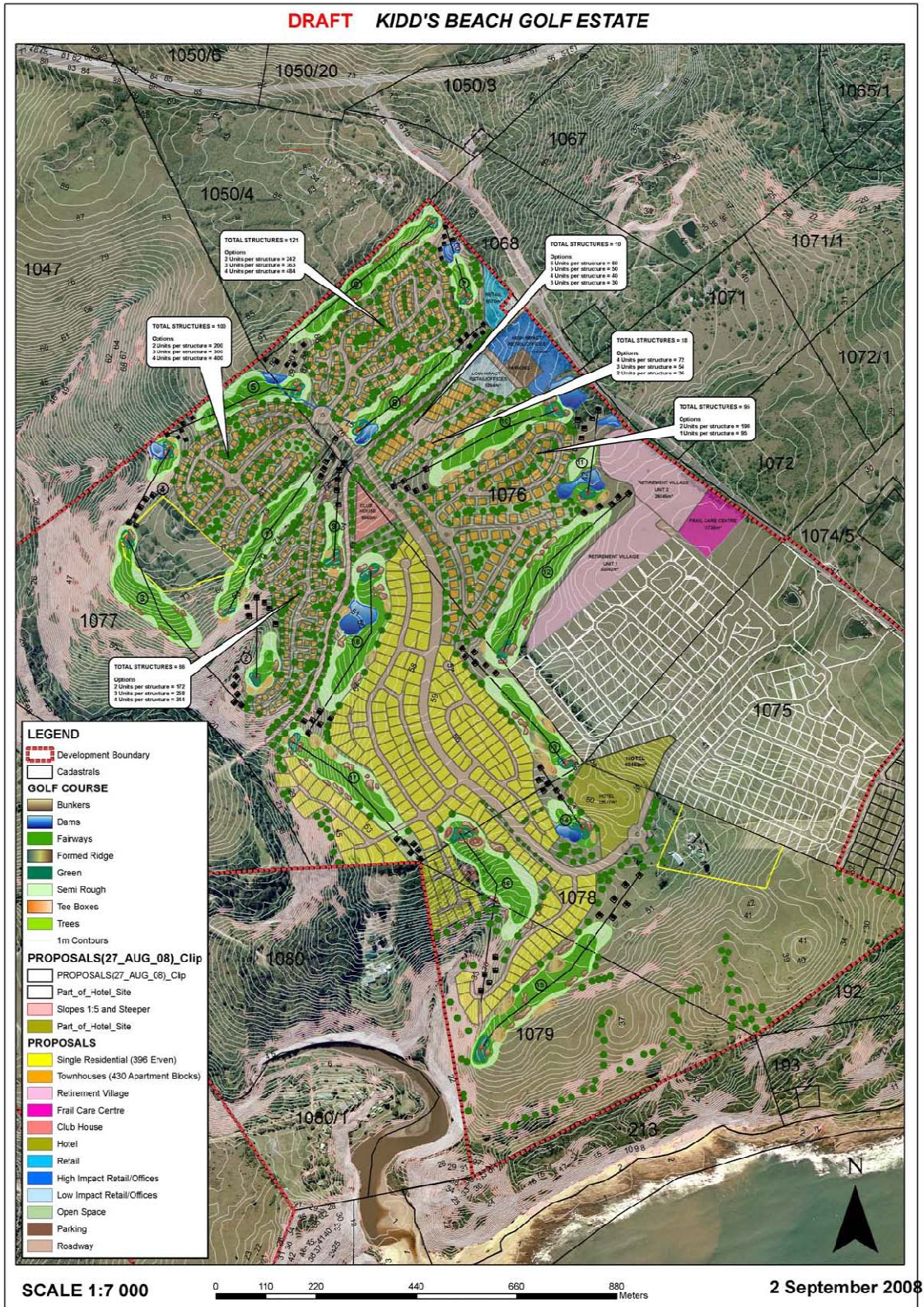


Figure 4: Proposed *conceptual development layout* of the northern portion of the proposed Kidd's Beach Golfing Estate



Figure 5: Proposed *conceptual development layout* of the southern portion of the proposed Kidd's Beach Golfing Estate

1.2) THE NATURAL ENVIRONMENT

GEOLOGY: The proposed development area is geologically underlain by the Nanaga and Katberg Formations of the Tarkastad Subgroup, a part of the Beaufort Group of the Karoo sequence. Widespread intrusions of dolerite occur through the region (BESC 2008a).

The Nanaga Formation represents Pliocene to Early Pliocene Aeolian deposits occurring 4km inland from the coast. The formation consists of semi to well consolidated calcareous sandstone and sandy limestone with large scale Aeolian cross-bedding dipping at angles of up to 42°. It represents sediments deposited in coastal dune fields, consolidated by re-crystallization of calcite from shells and other organic matter (BESC 2008a; 2008b).

The Lower Triassic Katberg Formation consists almost entirely of light brownish-grey, moderately sorted, fine to medium grained, slightly pebbly, lithic to lithofeldspathic sandstone. Red and grey mudstones are common in the interval between 60-120m above the base of the formation (BESC 2008a).

VEGETATION: Vegetation at the study area can be defined as Transfish Dune mosaic with grassland, with both thicket and grassland mosaic units present. Also present are rocky outcrops of sandstone, providing an important habitat for succulent species. Transfish Dune Thicket is currently classified as not vulnerable. The area can further be classified as 'STEP Corridor' and adjacent to the Christmas Vale

Nature Reserve (Coastal Forest Reserve). A 'STEP Corridor' is a '...system of natural pathways for plants and animals, which if safeguarded, will ensure not only their current existence, but also their future survival and the provision of associated ecosystem services to society'; allowing minimal impact only to these areas (BESC 2008a; 2008b).

Transfish Dune Thicket is restricted to the deep sandy soils of coastal dunes. It is found on both the Schlem Hoek and the Nanaga Formations, consisting of dune sands in which fine shell material and occasionally calcrete lenses occur. Tall woody shrubs and trees dominate, with smaller shrubs and grasses largely restricted to the crests and upper slopes of the foredunes. Fynbos elements typical of the western Dune Thicket systems are species poor. Transfish Dune mosaic with Savanna (Hamburg Dune Thicket) is not restricted to any specific geological formation. It occurs on loamy to sandy soils that are derived from mudstone, sandstone and shale of the Adelaide Subgroup. The matrix vegetation is Savanna in which *Acacia Karoo* is often abundant. Some rare and uncommon herbs and succulents occur. Most of the Hamburg Grassland Thicket is also restricted to the foredune system and water drainage lines. Many riverine Thicket clumps may have been coastal forests in recent times. The original delineation between Thicket, Grassland and Forest has been severely marred by recent burning and grazing practices (BESC 2008a; 2008b).

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 was requested as specialist sub-section to the Environmental Impact Assessment (EIA) in compliance with requirements of the National Environmental Management Act, Act No 107 of 1998 (NEMA 1998) and associated Regulations (2006) and the NHRA 1999 and associated Regulations (2000).

The Phase 1 aimed to locate, identify and assess the significance of cultural heritage resources, inclusive of archaeological deposits / sites, built structures older than 60 years, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict and cultural landscapes and 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.

2.2) COVERAGE & GAP ANALYSIS

The Phase 1 AIA covered the total of the approximate 200ha proposed Kidd's Beach Golfing Estate development area, inclusive of both application areas. Surface assessment was conducted across Portions of Farms 1075, 1076, 1077, 1078 and 1079. The remaining Portion of Farm 1086 area was covered by means of a photographic survey.

Visibility varied from fair to good, a direct result of vegetation cover and directly linked to current farm management (grazing camps) and rain prior to the assessment.

2.3) METHODOLOGY

The Phase 1AIA was conducted over a 2.5 day period (2008-09-01 to 03) by one archaeologist. Assessment was done by foot and off-road vehicle (200cc quad) 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 K10D camera. A combination of Garmap and Google Earth software was used in the display of spatial information.

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

SAHRA ARCHAEOLOGICAL & CULTURAL HERITAGE SITE SIGNIFICANCE ASSESSMENT			
SITE SIGNIFICANCE	FIELD RATING	GRADE	RECOMMENDED MITIGATION
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: Cultural heritage site significance assessment and mitigation recommendations

2.4) PHASE 1 AIA ASSESSMENT FINDINGS

Three archaeological and cultural heritage resources, as defined and protected by the NHRA 1999, were identified during the Phase 1 surface assessment of the approximate 200ha proposed Kidd's Beach Golfing Estate development area. All 3 resources comprise of areas containing a number of individual sites and can be summarized as:

1. Area 1 - Historical Period (Archaeological site - Farmstead);
2. Area 2 - Historical Period (Archaeological site - Farm worker's village & graves); and
3. Area 3 - Historical Period (Oral History - Farm worker's village & graves).



Figure 6: Spatial display of Phase 1 AIA findings

General observations include:

1. The majority of the area is characterized by open grassland used as grazing for cattle. Towards the north west (NW) camps are demarcated by lines of Eucalyptus trees. Trees here do not denote a 'cultural landscape' as protected under the NHRA 1999, but rather served as wind brakes. Vegetation cover towards the north west (NW) of the development area is thicker than in the south east (SE) with exotic species covering the north western (NW) portion of the development area adjacent to the Mlele River. Vegetation along the Mlele was thick and at places impenetrable.



Figure 7: View of the eastern part of the study site



Figure 8: View of the central development area



Figure 9: Vegetation along the Mlele River



Figure 11: The Mlele River banks proved continuously anthropically sterile



Figure 10: View of the southern portion of the site



Figure 12: Close-up of the Mlele River banks

2. A number of exposed sections were visible. Section heights in general did not exceed 1m in depth. Section inspection yielded no cultural member. Sections present in the southern (S) and central development area consisted of continuous sand (dune) deposits. A single open section towards the north (N) of the development area, in close proximity to Area 1, produced anthropic sterile red sand sections. A number of dams are present on the property. Sections of scraped dam walls, constructed from immediate sub-surface material yielded no artefacts or related cultural deposits. Assessment of the Mlele River bank echoed cultural sterility of the surface area.

A large quarry characterizes the Portion of Farm 1086 development area, proposed for the development of a workshop / storage facility. Photographic documentation did not yield any cultural stratigraphic member within large exposed sections and associated dumps seem devoid of cultural material.



Figure 13: 1+m high culturally sterile sand sections



Figure 16: Red sub-surface sections of 1+m in depth from the northern part of the development area

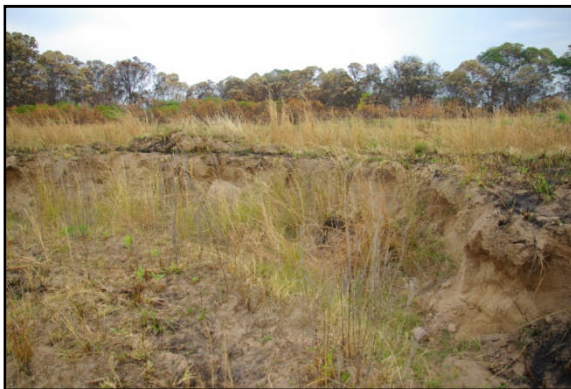


Figure 14: A sub-surface section from the south central part of the development area



Figure 17: Exposed dam wall sections yielded no artefactual material



Figure 15: Sub-surface anthropically sterile sand sections



Figure 18: Anthropically sterile dam wall sections



Figure 19: View of the quarry located on Portion of Farm 1086



Figure 21: Close-up of anthropically sterile dump material



Figure 20: Close-up of quarry sections



Figure 22: Close-up of quarry sections

3. Identified contemporary cultural heritage resources comprised of 1 residence and related outbuildings, located in the south eastern (SE) part of the development area (S33°09'06.6"; E27°41'12.0"), immediately adjacent to the already authorized 'The Village' residential development area. The residence is considered for inclusion in the Kidd's Beach Golfing Estate as a Bed and Breakfast (B&B) type facility. The site post-dates 60 years of age and is by implication not protected under the NHRA 1999. Alteration (or destruction) of the residence is not subject to SAHRA application / approval. Complimentary contemporary cultural heritage resources comprised of related farming infrastructure inclusive of the dams, a water trough, wind pump etc.

(Area 2 constitutes both a contemporary and Historical Period site and is for the purposes of this report further discussed under Site Descriptions.)



Figure 23: The contemporary Shaw residence



Figure 24: A contemporary water trough located on the proposed development area

2.4.1) SITE DESCRIPTIONS

Three archaeological and cultural heritage resources, as defined and protected by the NHRA 1999, were identified during the Phase 1 surface assessment of the approximate 200ha proposed Kidd's Beach Golfing Estate development area. All 3 resources comprise of areas containing a number of individual sites and can be summarized as:

1. Area 1 - Historical Period (Archaeological site - Farmstead);
2. Area 2 - Historical Period (Archaeological site - Farm workers' village & graves); and
3. Area 3 - Historical Period (Oral History - Farm workers' village & graves).

(The Area 2 contemporary farm workers' village constitutes a contemporary heritage resource, post-dating 60 years of age. The site is not formally protected under the NHRA. Alteration / destruction of the residences *in lieu* of the development is not subject to SAHRA application / approval)

2.4.1.1) AREA 1 – HISTORICAL PERIOD SITE (FARMSTEAD)



Figure 25: The Area 1 Historical Period site containing Sites H1 & H2

Heritage Area 1 contains 2 historical period residences (H1 & H2), both pre-dating 60 years of age and formally protected under the NHRA 1999. In accordance with the draft conceptual layout for the Kidd's Beach Golfing Estate heritage Area 1 will be conserved. An approximate 5ha area has been demarcated as a conservation area. Current owners / occupants will retain living rights on the property.

It is believed that the original farmhouse (H1) was built by an early Scottish settler but the date of construction remains unknown. The property, generally known as Tayside reminded him of the river Tay in Scotland, hence the reference. The original structure comprised only of the wood and iron portion of the structure, later architectural additions are however evident. More than 100 years ago the property was bought by Hilda and William Shaw and has remained in the Shaw family since; first inherited by William Shaw's son Ralph Shaw and then by his son and most recent land owner Bazil Shaw. The 2nd farmhouse (H2) is inferred to have been constructed after H1, but with dates estimated to reach back 100 years or more. More recent outbuildings are present on the conservation area. In addition the general conservation area can be classed as a cultural landscape with some trees and gardenscaping dating back to at least the 1940's.

No family graves are located within the proposed conservation area or elsewhere on the property (Pers comm.: Helen [Shaw] Hanson).

★ **RECOMMENDATIONS:** Heritage Area 1 comprise of a Historical Period site containing 2 structures pre-dating 60 years of age. Both structures are formally protected under the NHRA 1999. In addition the immediate cultural landscape has remained partly in tact, enhancing the site significance. Heritage Area 1 is assigned a SAHRA *Medium Significance* and a *Generally Protected B* Field Rating: The

site should be conserved alternatively development should be preceded by Phase 2 archaeological mitigation.

Under the draft conceptual layout the Area 1 Historical Period site will be conserved within an approximate 5ha conservation area. ***It is recommended that conservation measures as proposed in the conceptual layout be adhered to.*** (The developer is reminded that any alteration to a structure pre-dating 60 years of age has to be done under a SAHRA Eastern Cape Built Environment permit.)



Figure 26: View of the H1 residence at circa 1940



Figure 28: View of the H1 residence - back



Figure 27: View of the H1 residence - front



Figure 29: General view of the H2 residence

AREA 1						
MAP CODE	PERIOD	TYPE	CO-ORDINATES	HERITAGE RESOURCES		
				Y / N	TYPE	RECOMMENDATIONS
H1	Historical Period	Archaeological	S33°08'46.4"; E27°40'27.4"	Yes	Historical Residence	CONSERVATION (in accordance with development layout)
H2	Historical Period	Archaeological	S33°08'43.8"; E27°40'28.5"	Yes	Historical residence	CONSERVATION (in accordance with development layout)
PROPOSED CONSERVATION AREA (IN ACCORDANCE WITH THE CONCEPTUAL LAYOUT)						
1	-	-	S33°08'41.4"; E27°40'27.2"	No	N/A	N/A
2	-	-	S33°08'46.4"; E27°40'33.9"	No	N/A	N/A
3	-	-	S33°08'47.9"; E27°40'29.7"	No	N/A	N/A
4	-	-	S33°08'48.1"; E27°40'27.3"	No	N/A	N/A
5	-	-	S33°08'44.3"; E27°40'23.6"	No	N/A	N/A

Table 2: Heritage Area 1 co-ordinates, phase 1 AIA findings & recommendations

2.4.1.2) AREA 2 – HISTORICAL PERIOD SITE (FARM WORKERS’ VILLAGE & GRAVES)



Figure 30: The Area 2 Historical Period site containing at least 6 grave site localities

Heritage Area 2 is characterized by the contemporary farm workers’ village. The general area also contains the remains of former workers’ residences. With the general area very overgrown at the time of assessment inspection focused on the identification of grave sites rather than residential remains or activity areas. Grave sites are identified by (overgrown) mounds only; no head or footstones and no stone outlinings were used. Grave sites were visited in the company of an old farm worker and the son of Helen Hanson. Language prohibited further information on the identity of the individuals. Farm workers however seem to have been migrant workers from nearby villages, very similar to the present day scenario. At least 6 grave sites were identified, interpreted as associated with a particular family’s residential locality:

1. G1 - Grave site 1 - 1 adult grave;
2. G2 - Grave site 2 - 2 (?) adult graves;
3. G3 - Grave site 3 - 2 (?) adult graves;
4. G4 - Grave site 4 - 1 (?) adult and 1 child grave;
5. G5 - Grave site 5 - 1 adult grave & residential remains; and
6. G6 - Grave site 6 - 1 (?) adult grave & residential remains.

(More graves may well be present in the area.)

Residential remains associated with grave sites 5 & 6 comprised of rectangular overgrown foundation remains (approximately 6x3m) with limited debris associated with the grave site 5 residential site. In both cases grave sites were located in close proximity to the residences.

Graves may or may not pre-date 60 years of age, although the majority of the graves are expected to be older than 60 years. According to Helen Hanson farm workers already settled at the village area when she was a young girl.

★ **RECOMMENDATIONS:** Heritage Area 2 comprise of a number of grave sites, the majority of which are inferred to pre-date 60 years of age. All grave sites older than 60 years are formally protected under the NHRA 1999. Associated with the grave sites are the remains of at least 2 residential areas. Grave sites at heritage Area 2 is assigned a SAHRA *Medium Significance* and a *Generally Protected B* Field Rating: The graves should be conserved or mitigated prior to development. Residential remains at heritage Area 2 may well pre-date 60 years of age and is by implication protected under the NHRA 1999 and assigned a SAHRA *Low Significance* and a *Generally Protected C* Field Rating: The sites should be conserved alternatively it is recommended that development proceed (site destruction) without the developer having to apply for SAHRA 'Site Destruction Permits'.

The current draft conceptual layout does not accommodate conservation of heritage Area 2. Conservation (no development in the area of the site) or Phase 2 mitigation (exhumation & reburial of human remains in a formal cemetery) may be considered by the developer as heritage management options for the area.

1. Minimum recommended conservation requirements would include:
 - o Formal conservation (fencing with a minimum of 1 access gate) of the village area including the grave site and residential localities.
 - o Formal conservation implies a no development option at the locale of the identified heritage resource / site.
2. Minimum Phase 2 mitigation requirements would include:
 - o With uncertainty pertaining to the age of the graves, with SAHRA being responsible for all graves pre-dating 60 years of age and the South African Police Service (SAPS) / legal contractual agreement with descendants for all graves post-dating 60 years of age, it is recommended that the SAHRA prescribed public participation process relating to grave relocation be followed.
 - o Upon agreement between SAHRA and the SAPS / legal contract agreement with descendants that graves be exhumed (under permits as per the agreement) and reinterred at a formal cemetery prior to development in the area.
 - o In the event of the developer opting for Phase 2 mitigation as heritage management option it is recommended that the associated residential sites be destroyed during the course of development without the developer having to apply for SAHRA 'Site Destruction Permits'.



Figure 31: View of the contemporary farm workers' village



Figure 34: The mound constituting the 2nd G2 grave site



Figure 32: View of the G1 grave site



Figure 35: Two graves comprising the G3 site locality



Figure 33: One of the graves comprising site G2



Figure 36: View of the G4 grave mounds (adult & child?)



Figure 37: The G5 adult grave mound



Figure 39: View of the G6 grave



Figure 38: Residential remains associated with the G5 grave site



Figure 40: Overgrown structure foundations associated with G6

AREA 2							
MAP CODE	PERIOD	TYPE	CO-ORDINATES	HERITAGE RESOURCES		RECOMMENDATIONS	
				Y / N	TYPE		
G1	Historical / Contemporary	Grave	S33°08'47.8"; E27°40'37.6"	Yes	Grave	CONSERVATION or PHASE 2 MITIGATION	
G2	Historical / Contemporary	Grave	S33°08'48.7"; E27°40'37.6"	Yes	Grave	CONSERVATION or PHASE 2 MITIGATION	
G3	Historical / Contemporary	Grave	S33°08'49.3"; E27°40'37.3"	Yes	Grave	CONSERVATION or PHASE 2 MITIGATION	
G4	Historical / Contemporary	Grave	S33°08'48.8"; E27°40'36.7"	Yes	Grave	CONSERVATION or PHASE 2 MITIGATION	
G5	Historical / Contemporary	Grave & Archaeological	S33°08'52.8"; E27°40'35.3"	Yes	Grave & Residence	CONSERVATION or PHASE 2 MITIGATION	
G6	Historical / Contemporary	Grave & Archaeological	S33°08'54.4"; E27°40'34.7"	Yes	Grave & Residence	CONSERVATION or PHASE 2 MITIGATION	
PROPOSED CONSERVATION AREA							
1	-	-	S33°08'46.3"; E27°40'35.6"	No	N/A	N/A	
2	-	-	S33°08'47.9"; E27°40'41.4"	No	N/A	N/A	
3	-	-	S33°08'55.2"; E27°40'39.0"	No	N/A	N/A	
4	-	-	S33°08'46.8"; E27°40'37.9"	No	N/A	N/A	
5	-	-	S33°08'57.5"; E27°40'36.8"	No	N/A	N/A	
6	-	-	S33°08'58.8"; E27°40'34.4"	No	N/A	N/A	
7	-	-	S33°08'56.5"; E27°40'32.0"	No	N/A	N/A	
8	-	-	S33°08'54.4"; E27°40'34.7"	No	N/A	N/A	
9	-	-	S33°08'54.3"; E27°40'33.9"	No	N/A	N/A	
10	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A	

Table 3: Heritage Area 2 co-ordinates, phase 1 AIA findings & recommendations

Kidd's Beach Golfing Estate, Kidd's Beach, East London, EC

2.4.1.3) AREA 3 – HISTORICAL PERIOD SITE/ ORAL HISTORY (FARM WORKERS’ VILLAGE & GRAVES)



Figure 41: The Area 3 site located south west of line A-B where residential remains & burial places may well be encountered

The undefined heritage Area 3 is located south west (SW) of line A-B. No archaeological or cultural heritage resources as defined and protected by the NHRA 1999 were identified in the area. The site was reported on by the farm worker assisting with Area 2’s grave localities and confirmed by Helen Hanson. Area 3 is reputed to have been the first farm workers’ village having housed at east 3 families’ homesteads. By inference, should any cultural remains be encountered in the area they would pre-date those of Area 2. The names of Wilson and July were recalled. Farm workers and family members are expected to have been buried in the area. The general area has however been largely transformed by agricultural practices; no material traces of occupancy and activity were recorded and localities thereof are only recalled as south west (SW) of the line of Eucalyptus running to the contemporary Shaw residence.

★ **RECOMMENDATIONS:** Heritage Area 3 may contain a number of grave sites and residential remains, expected to pre-date 60 years of age and formally protected under the NHRA 1999. Grave sites in the area are assigned a SAHRA *Medium Significance* and a *Generally Protected B* Field Rating: The graves should be conserved or mitigated. Residential remains are assigned a SAHRA *Low Significance* and a *Generally Protected C* Field Rating: the sites should be conserved or assessed prior to Phase 2 mitigation or destruction recommendations.

Archaeological remains may however well have been destroyed by former farming activities or be below the areas of farming impact, obscuring their localities and by implication may also not be uncovered during the course of development.

It is recommended that development in the area proceed as applied for provided the developer ensures that an Association of Southern African Professional Archaeologists (ASAPA) accredited Cultural Resources Management (CRM) archaeologist be on site or on stand-by at the time of development in the area. Should any remains be uncovered work in the immediate area should immediately be ceased. The find should be archaeologically assessed and reported to SAHRA prior to continuation of development in the particular area.



Figure 42: View of the general area south west of line A-B



Figure 43: General view of the Area 3 site

AREA 3						
MAP CODE	PERIOD	TYPE	CO-ORDINATES	HERITAGE RESOURCES		RECOMMENDATIONS
				Y / N	TYPE	
	Historical Period	Archaeological	N/A	Yes	Historical Residence	CONSERVATION or ARCHAEOLOGICAL MONITORING
<i>ORAL RECORDS INDICATED ARCHAEOLOGICAL REMAINS TO BE LOCATED SOUTH WEST OF LINE A-B</i>						
A	-	-	S33°08'41.5"; E27°40'43.6"	No	N/A	N/A
B	-	-	S33°09'00.3"; E27°41'02.7"	No	N/A	N/A

Table 4: Heritage Area 1 co-ordinates, phase 1 AIA findings & recommendations

2.5) CONCLUSION

Surface assessment of the approximate 200ha Kidd's Beach Golfing Estate development, Kidd's Beach, East London, yielded 3 archaeological and cultural heritage resources as defined and protected under the NHRA 1999. Identified resources are grouped into 3 areas namely:

1. Area 1 - Historical Period (Archaeological site - Farmstead);
2. Area 2 - Historical Period (Archaeological site - Farm workers' village & graves); and
3. Area 3 - Historical Period (Oral History - Farm workers' village & graves).

Identified resources comprise of the following SAHRA type sites formally protected under the NHRA 1999:

1. Archaeological deposits /sites;
2. Built structures older than 60 years;
3. Sites of cultural significance associated with oral histories;
4. Burial grounds and graves; and
5. Cultural landscapes or viewsapes.

KIDD'S BEACH GOLFING ESTATE, KIDD'S BEACH, EAST LONDON						
MAP CODE	PERIOD	TYPE	CO-ORDINATES	HERITAGE RESOURCES		
				Y / N	TYPE	RECOMMENDATIONS
1	-	-	S33°08'20.1"; E27°40'49.4"	No	N/A	N/A
2	-	-	S33°08'33.9"; E27°41'04.7"	No	N/A	N/A
3	-	-	S33°08'36.0"; E27°41'05.8"	No	N/A	N/A
4	-	-	S33°08'42.1"; E27°41'15.8"	No	N/A	N/A
5	-	-	S33°08'45.1"; E27°41'12.3"	No	N/A	N/A
6	-	-	S33°08'55.2"; E27°40'39.0"	No	N/A	N/A
7	-	-	S33°08'46.8"; E27°40'37.9"	No	N/A	N/A
8	-	-	S33°08'57.5"; E27°40'36.8"	No	N/A	N/A
9	-	-	S33°08'58.8"; E27°40'34.4"	No	N/A	N/A
10	-	-	S33°08'56.5"; E27°40'32.0"	No	N/A	N/A
11	-	-	S33°08'54.4"; E27°40'34.7"	No	N/A	N/A
12	-	-	S33°08'54.3"; E27°40'33.9"	No	N/A	N/A
13	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
14	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
15	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
16	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
17	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
18	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
19	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
20	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
21	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A
22	-	-	S33°08'52.7"; E27°40'34.6"	No	N/A	N/A

Table 5: The proposed Kidds' Beach Golfing Estate development area

4) RECOMMENDATIONS

The cultural heritage sensitivity of the proposed approximate 200ha Kidd's Beach Golfing Estate to be located on Portions of Farms 1075, 1076, 1077, 1078, 1079 & 1086, Kidd's Beach, East London, was clearly established by archaeological finds as well as oral testimonies of an old farm worker and Helen Hanson. Three cultural heritage areas (Areas 1-3) were identified and can in short be summarized as:

1. Area 1 - Historical Period (Archaeological site - Farmstead);
2. Area 2 - Historical Period (Archaeological site - Farm worker's village & graves); and
3. Area 3 - Historical Period (Oral History - Farm worker's village & graves).

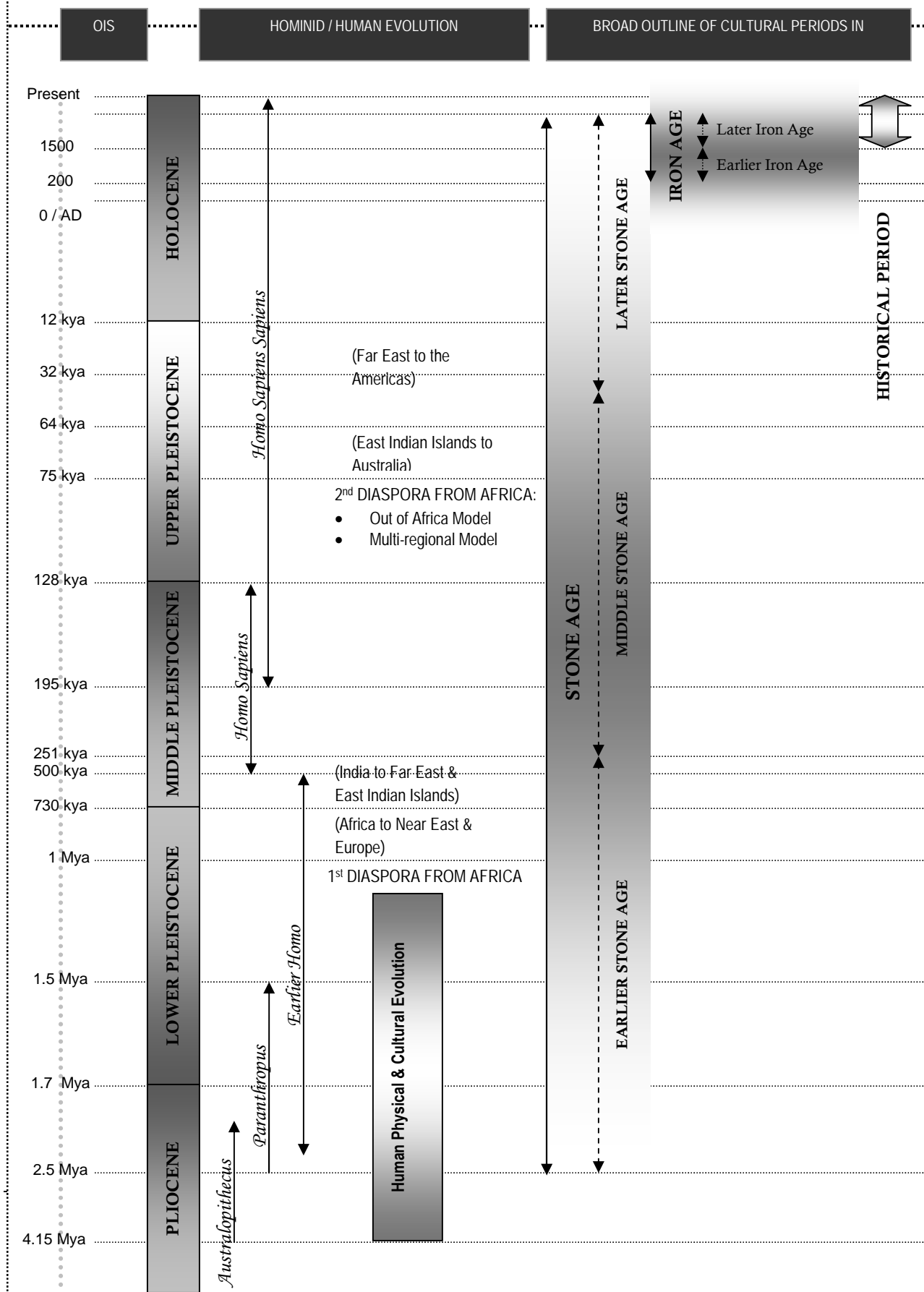
★ **RECOMMENDATIONS:** It is recommended that, with reference to cultural heritage compliance as per the requirements of the NHRA 1999, the development proceeds as applied for provided the developer complies with the following requirements pertaining to identified cultural heritage resources:

1. Area 1: It is recommended that conservation measures as proposed by the developer in the conceptual layout be adhered to.
2. Area 2: It is recommended that the area be either:
 - o Conserved (no development in the area of the site, heritage site to be formally fenced); or
 - o That development be preceded by Phase 2 mitigation (exhumation and reburial of human remains in a formal cemetery and destruction of residential remains without the developer having to apply for SAHRA 'Site Destruction Permits').
3. Area 3: It is recommended that development in the area proceed provided the developer ensures archaeological monitoring (on-site / sand-by) in the event of heritage resources being encountered.

5) REFERENCES CITED

1. BESC. 2008. *Background Information Document. Kidd's Beach Golfing Estate Portion of Farm 1075, Portion of Farm 1076, Portion of Farm 1078, Portion of Farm 1079 & Farm 1077, Kidd's Beach.* Unpublished report.
2. BESC. 2008. *Background Information Document. Rezoning and development of Portion of Farm 1078 and Portion of Farm 1079, Kidd's Beach, East London.* Unpublished report.
3. South African Government. (No. 107) of 1998. *National Environmental Management Act.*
4. South African Government. (No. 25) of 1999. *National Heritage Resources Act.*
5. South African Heritage Resources Agency. 2005. *Minimum standards for the archaeological and heritage components of impact assessments.* Unpublished guidelines.

SCHEMATIC OUTLINE OF THE PRE-HISTORIC AND HISTORIC PERIODS (SOUTHERN AFRICA)



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 trances;

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 categorized 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.