

**A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED DEVELOPMENT OF TWO NEW FILLING STATIONS ON EITHER SIDE OF THE N2, ST GEORGE'S INTERCHANGE, PORT ELIZABETH, NELSON MANDELA MUNICIPALITY, EASTERN CAPE PROVINCE**

**Prepared for:** Coega Industrial Development Corporation (Pty) Ltd

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**Date:** March 2010

**Revised:** May 2010

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**PROJECT INFORMATION**

**The type of development**

Development of two new filling stations and associated facilities on either side of the N2. The filling station east of the N2 (seaward site) will be constructed on the Port Elizabeth incoming lane and the one west of the N2 (landward site) will be constructed on the Port Elizabeth outgoing lane adjacent the existing Caltex filling station. The eastern site is 3 hectares in size and the western site 2 hectares.

**The Developer and Consultant**

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**Terms of reference**

The original proposal was to conduct a Phase 1 Archaeological Heritage Impact Assessment of the proposed development of two new filling stations on either side of the N2 at the St George's Interchange and within the Coega Industrial Development Zone, Port Elizabeth, Nelson Mandela Municipality, Eastern Cape Province; to describe and evaluate the importance of possible archaeological heritage sites; the potential impact of the development and to make recommendations to minimize possible damage to these sites.

**DESCRIPTION OF THE PROPERTY**

**Map:** 1:50 000 3325 DC & DD 3425 BA Port Elizabeth

## Location data

The proposed development of two new filling stations and associated facilities is situated approximately 20 kilometres from Port Elizabeth on either side of the N2, at the St George's Interchange and within the Coega Industrial Development Zone, Port Elizabeth, Nelson Mandela Municipality, Eastern Cape Province (Maps 1-2). The total size of the both of the properties is approximately 5 hectares. GPS readings were taken with a Garmin Plus II at 33.49.395S; 25.38.918E (seaward site) and 33.49.335S; 25.38.679E (landward site).

## ARCHAEOLOGICAL INVESTIGATION

### Methodology

The investigation was conducted by two people on foot. The terrain at both sites is relatively level, but was severely disturbed in the past by road and bridge construction and other building activities (Figs 1-8). Clearing of vegetation occurred at both sites, but patches of dense bushes and grass is still present on the seaward site. A certain level of dumping of waste occurs on both sites and there are numerous walking tracks that are used by people. No archaeological materials were found and it would appear unlikely that any heritage remains of any value will be exposed during the development.



**Figs 1-4. General views of the proposed seaward property for development. Note the large scale disturbances and changes to the landscape in the past by road, bridge and water pipeline construction.**



**Figs 5-8. General views of the proposed landward property for development. Note the large scale disturbances and changes to the landscape in the past by the construction of roads, bridges and commercial buildings.**

### **Conditions**

Although it is unlikely that any archaeological heritage remains of any value will be found *in situ* or of any contextual value, there is always a possibility that human remains and/or other archaeological material may be uncovered during the development. Furthermore, the proposed development is within two kilometres from the coast and therefore it is possible there may be archaeological sites/materials such as shell middens on the property. If any concentrations of archaeological material are exposed during construction, all work in that area should cease and it should be reported immediately to the nearest museum/archaeologist or to the South African Heritage Resources Agency, so that a systematic and professional investigation can be undertaken. Sufficient time should be allowed to remove/collect such material (See Appendix A for a list of possible archaeological sites that maybe found in the area).

### **Letter of recommendation**

It is recommended that the proposed development of two new filling stations on either side of the N2 at the St George's Interchange and within the Coega Industrial Development Zone, Port Elizabeth, Nelson Mandela Municipality, Eastern Cape Province, is exempted from a full Phase 1 Archaeological Heritage Impact Assessment. The proposed area for development has been severely disturbed in the past and it is unlikely that any archaeological heritage remains of value will be found on the property. The proposed development may proceed as planned.

**Note:** This letter of recommendation **only** exempt the proposed development from a full Phase 1 Archaeological Heritage Impact Assessment, but **not** for other heritage impact assessments.

It must also be clear that this letter of recommendation for exemption of a full Phase 1 archaeological heritage impact assessment will be assessed by the relevant heritage resources authority. The final decision rests with the heritage resources authority, which should give a permit or a formal letter of permission for the destruction of any cultural sites.

**The National Heritage Resources Act (Act No. 25 of 1999, section 35) requires a full Heritage Impact Assessment (HIA) in order that all heritage resources, that is, all places or objects of aesthetics, architectural, historic, scientific, social, spiritual linguistic or technological value or significance are protected. Thus any assessment should make provision for the protection of all these heritage components, including archaeology, shipwrecks, battlefields, graves, and structures older than 60 years, living heritage, historical settlements, landscapes, geological sites, palaeontological sites and objects.**

## **GENERAL REMARKS AND CONDITIONS**

It must be emphasised that this letter of recommendation for exemption of a full Phase 1 archaeological heritage impact assessment is based on the visibility of archaeological sites/material and may not therefore, reflect the true state of affairs. Sites and material may be covered by soil and vegetation and will only be located once this has been removed. In the unlikely event of such finds being uncovered, (during any phase of construction work), archaeologists must be informed immediately so that they can investigate the importance of the sites and excavate or collect material before it is destroyed (see attached list of possible archaeological sites and material). The *onus* is on the developer to ensure that this agreement is honoured in accordance with the National Heritage Act No. 25 of 1999.

## **BRIEF LEGISLATIVE REQUIREMENTS**

Parts of sections 35(4), 36(3) and 38(1) (8) of the National Heritage Resources Act 25 of 1999 apply:

### **Archaeology, palaeontology and meteorites**

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

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
- (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
- (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.

### **Burial grounds and graves**

36. (3) (a) 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.

### **Heritage resources management**

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 300m in length;
  - (b) the construction of a bridge or similar structure exceeding 50m in length;
  - (c) any development or other activity which will change the character of the site –
    - (i) exceeding 5000m<sup>2</sup> in extent, or
    - (ii) involving three or more erven or subdivisions thereof; or
    - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
    - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA, or a provincial resources authority;
  - (d) the re-zoning of a site exceeding 10 000m<sup>2</sup> in extent; or
  - (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must as 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.

## **APPENDIX A: IDENTIFICATION OF ARCHAEOLOGICAL FEATURES AND MATERIAL FROM COASTAL AREAS: guidelines and procedures for developers**

### **1. Shell middens**

Shell middens can be defined as an accumulation of marine shell deposited by human agents rather than the result of marine activity. The shells are concentrated in a specific locality above the high-water mark and frequently contain stone tools, pottery, bone and occasionally also human remains. Shell middens may be of various sizes and depths, but an accumulation which exceeds 1 m<sup>2</sup> in extent, should be reported to an archaeologist.

### **2. Human Skeletal material**

Human remains, whether the complete remains of an individual buried during the past, or scattered human remains resulting from disturbance of the grave, should be reported. In general the remains are buried in a flexed position on their sides, but are also found buried in a sitting position with a flat stone capping and developers are requested to be on the alert for this.

### **3. Fossil bone**

Fossil bones may be found embedded in calcrete deposits at the site. Any concentrations of bones, whether fossilized or not, should be reported.

### **4. Stone artefacts**

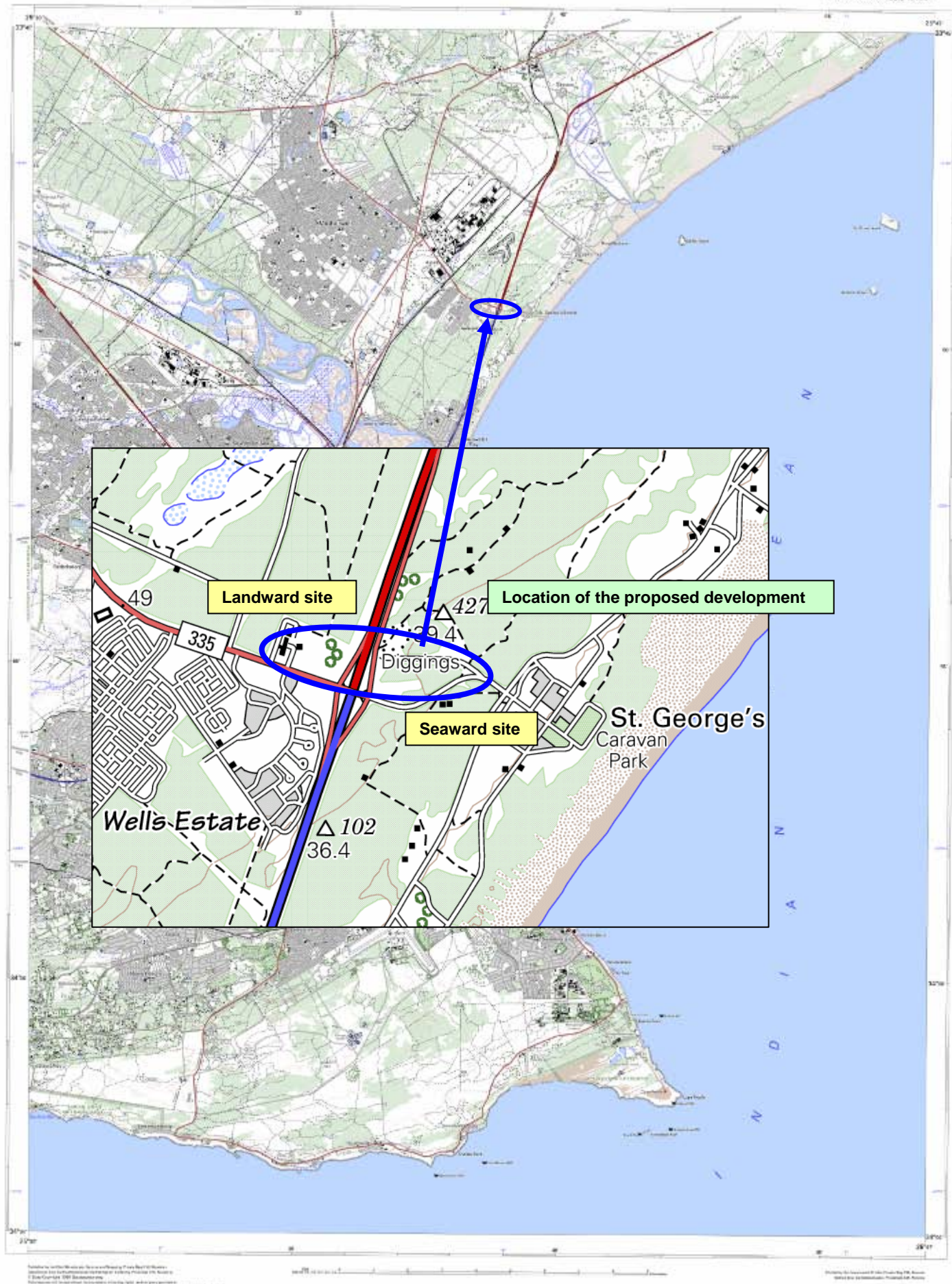
These are difficult for the layman to identify. However, large accumulations of flaked stones which do not appear to have been distributed naturally should be reported. If the stone tools are associated with bone remains, development should be halted immediately and archaeologists notified.

### **5. Stone features and platforms**

These occur in different forms and sizes, but easily identifiable. The most common are an accumulation of roughly circular fire cracked stones tightly spaced and filled in with charcoal and marine shell. They are usually 1-2 metres in diameter and may represent cooking platforms for shell fish. Others may resemble circular single row cobble stone markers. These occur in different sizes and may be the remains of wind breaks or cooking shelters.

### **6. Historical artefacts or features**

These are easy to identify and include foundations of buildings or other construction features and items from domestic and military activities.



Map 1. 1:50 000 Maps indicating the location of the proposed development.





Map 2. Aerial photographs of the location of the proposed development (insert maps left and centre, courtesy Coega Industrial Development Corporation).