

**A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE
EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL HERITAGE
IMPACT ASSESSMENT FOR THE PROPOSED CONSTRUCTION OF A
WASTEWATER TREATMENT WORKS AT RIEBEEK EAST, MAKANA
LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE**

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Date: September 2011

A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED CONSTRUCTION OF A WASTEWATER TREATMENT WORKS AT RIEBEEK EAST, MAKANA LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE

PROJECT INFORMATION

Reference No.: 12/9/11/L581/3.

The type of development

The construction of a wastewater treatment works.

The Developer

Makana Local Municipality
Grahamstown
6140
Contact person: Ms N.L. Baart
Tel.: 046 603 6265

The Consultant

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TERMS OF REFERENCE

The original proposal was to conduct a Phase 1 Archaeological Heritage Impact Assessment of the proposed construction of a wastewater treatment works on Erf 202 at Riebeek East, Makana Local 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 3326 AA Riebeek East

Location data

The proposed construction of a wastewater treatment works at Riebeek East is situated south of the R400 gravel road to Riebeek East. It is located on Erf 202 east of the town and north of the Gxetu River, Makana Local Municipality, Eastern Cape Province, approximately 46 kilometres north-west from Grahamstown (Maps 1-2). The GPS reading at the proposed site is: 33.12.01S; 26.10.41E.

ARCHAEOLOGICAL INVESTIGATION

Methodology and results

The investigation was conducted on foot. GPS readings were taken with a Garmin and all important features were digitally recorded. The proposed area for the construction of a wastewater treatment works is relatively level with a slight slope to the south. The area comprised of old ploughed fields covered with low scrubs, grass and patches of thorn trees. (Figs 1-4). No archaeological sites/materials were found during the survey, and in general it would appear unlikely that any archaeological heritage remains will be exposed during the development. There are no buildings or graves older than 60 years on the property.



Figs 1-4. Different views of the proposed location for the construction of a wastewater treatment works. The red arrow indicates the location of the dam wall and the circle the water level.

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 and historical material may be uncovered during the development. Such material must be reported to the nearest museum, archaeologist or to the South African Heritage Resources Agency (SAHRA) if exposed, 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 wastewater treatment works on Erf 202 at Riebeek East, Makana Local Municipality, Eastern Cape Province, is exempted from a full Phase 1 Archaeological Heritage Impact Assessment. The proposed area for development is of low cultural sensitivity and it is therefore unlikely that any archaeological heritage remains will be found on the property. The proposed development may proceed as planned.

Note: This letter of recommendation only exempts 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) (see Appendix B) 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.

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

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 or in ceramic pots. Developers are requested to be on the alert for these features and remains.

Freshwater mussel middens

Freshwater mussels are found in the muddy banks of rivers and streams and were collected by people in the past as a food resource. Freshwater mussel shell middens are accumulations of mussel shell and are usually found close to rivers and streams. These shell middens frequently contain stone tools, pottery, bone, and occasionally human remains. Shell middens may be of various sizes and depths, but an accumulation which exceeds 1 m² in extent, should be reported to an archaeologist.

Fossil bone

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

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.

Historical artefacts or features

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

APPENDIX B: 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

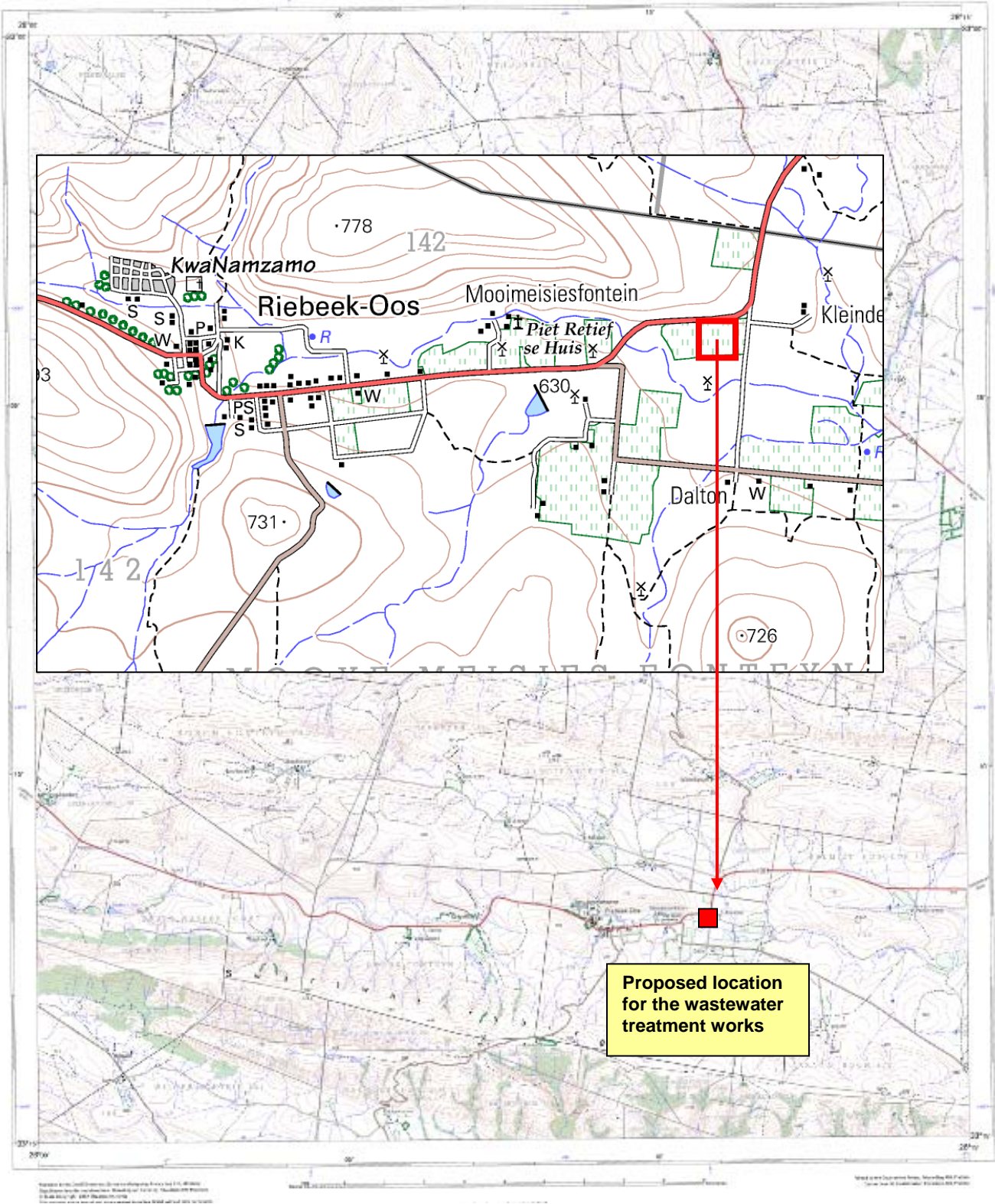
36. (3) (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority—

- (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 5000m² 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 000m² 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.*



Map 1. 1:50 000 maps indicating the location of the proposed wastewater treatment works on Erf 202 at Riebeeck East.



Map 2. Aerial views of the location of the proposed wastewater treatment works on Erf 202 at Riebeek East.