

DATE: 2013-03-31

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LETTER OF RECOMMENDATION:

SITE MLB1 – REVISION OF ARCHAEOLOGICAL RECOMMENDATIONS

PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT – MALABAR EXTENSION 6 PHASE 2 HOUSING DEVELOPMENT, ERF/RE 349 AND ERVEN 444 & 1086, MALABAR, NELSON MANDELA BAY MUNICIPALITY, EASTERN CAPE, SOUTH AFRICA

The Phase 1 Archaeological Impact Assessment (AIA) for the abovementioned development refers, referenced as:

- Van Ryneveld, K. (Archaeomaps). 2013. *Phase 1 Archaeological Impact Assessment – Malabar Extension 6 Phase 2 Housing Development, Erf/RE 349 and Erven 444 & 1086, Malabar, Nelson Mandela Bay Municipality, Eastern Cape, South Africa* (CRM Report to BKS dated 2013-01-17 – SAHRIS CaseID: 301).

The report describes a single archaeological and cultural heritage site identified during the field assessment. The site, Site MLB1 (S33°55'08.4"; E25°32'36.4) is described as a '*...single grave, where human remains were found eroding from an ant heap. Parts of the spinal cord, ribcage, upper leg and pelvic bone are exposed, but still embedded in the ant heap, while a number of rib-bones were found in the immediate area... No artefacts were found at the site,... The grave is unmarked... Legislation make provision for graves post-dating 60 years of age to be managed by the police, while all graves older than 60 years are to be addressed in accordance with requirements of the NHRA 1999 and the Human Tissues Act, No 65 of 1983 (HTA 1983).*' The site was assigned a SAHRA *High Significance and Generally Protected A Field Rating*. Archaeological recommendations of the Phase 1 AIA report included that: '*A Phase 2 archaeological grave relocation project, in accordance with the EC PHRA standard requirements should precede development. Minimum requirements include that the exhumation process be done under an EC PHRA permit and that the prescribed grave relocation process including advertising and consultation be followed. The process needs to be managed by an archaeologist with an ASAPA accreditation of Principle Investigator (PI) in grave relocation.*'

No SAHRA / EC PHRA Comment have been issued for the project.

In response to the recommendations of the Phase 1 AIA report BKS obtained preliminary quotes for the recommended Phase 2 Archaeological Mitigation. BKS also contacted, through WorleyParsons, the appointed

consulting engineers, the SAPS to further investigate the site. A police forensics investigation, led by Captain January (contact nr: 082 319 8743 / 073 417 5699) on 2013-03-22 confirmed the identity of the reported human grave as a canine / dog burial. Captain January found that *'the actual bones were very tiny for a full grown person'*, further excavation yielded a dog skull, leading him to conclude that the find is that of a dog buried in a bag. No case number was assigned to the find, since the find is not of human or forensic concern.



Plate 1: Police forensics investigation – 2013-03-22

With reference to the findings of the police forensics investigation it is requested that the following relevant amendments be made to the Phase 1 AIA recommendations, as follows:

- No archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, are present at the Malabar study site. With reference to archaeological and cultural heritage compliance it is recommended that the proposed *Malabar Extension 6 Phase 2 Housing Development*, Nelson Mandela Bay Municipality (NMBM), Eastern Cape, proceeds as applied for.

I trust the EC PHRA will consider the revised archaeological recommendations for the proposed development in accordance.

Yours faithfully,

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