

**A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION
OF A FULL PHASE 1 ARCHAEOLOGICAL HERITAGE IMPACT ASSESSMENT
FOR A PROPOSED BUSINESS (1) DEVELOPMENT ON ERF 4033 IN FAIRVIEW,
GQEBERHA (PORT ELIZABETH), NELSON MANDELA BAY MUNICIPALITY,
EASTERN CAPE PROVINCE**



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PROJECT INFORMATION

Eastern Cape Heritage Consultants cc has been appointed by Digital Soils Africa (Pty) Ltd to conduct a Phase 1 Archaeological Heritage Impact Assessment (AIA) for the a proposed Business (1) development on Erf 4033 in Fairview, Gqeberha (Port Elizabeth), Nelson Mandela Bay Municipality, Eastern Cape Province.

The applicant proposes a Business (1) (Mix-use) development, which will entail retail (shopping and restaurants) on the ground floor and office units and residential units on the first floor.

In 2008, an environmental authorisation was approved for the applicant (which was under a different directorship) for this area to be developed into a hospital, which according to the duration of the EA should have been completed in 2012. Due to reasons unknown to the Environmental Assessment Practitioner, there were delays in the development and a hospital was not constructed. However, an electrical transformer, entrance, drainage and boundary wall was constructed in 2013. In 2015, the clearing of vegetation occurred on the entire property, however, no further construction took place and the site has re-vegetated and became overgrown with invader species and mostly pioneer plant species.

The proposed development will transform the entire site into a commercial, retail and residential development and ground floor/site activity distribution will include retail and general business (1.4Ha), self-storage (0.15Ha), residential (0.45Ha on the first floor), an open space, parking bays and internal roads (3.6345Ha). Thus, the development footprint will be 5.1845 Ha in total.

Applicant

Stylestar Properties 191 (Pty) Ltd

Consultant

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Purpose of the study

The purpose of the study was to conduct a Phase 1 Archaeological Impact Assessment (AIA) for the proposed project and the associated activities, to describe and evaluate:

- the importance of possible archaeological sites, features and materials,
- the potential impact of the development on these resources and,
- to propose recommendations to minimize possible damage to these resources.

Site and Location

The property is located within the 1:50 000 topographic reference map 3325DC & DD and 3425BA Port Elizabeth (Map 1). The proposed development area is situated in Fairview approximately 6 kilometres to the south east of the Gqeberha CBD . The property can be accessed

via Circular Drive directly to the east of the property. Wessel Swart Drive is adjacent to the western boundary of the property (Map 2). The proposed activities will take place on a relatively flat area that is covered with dense grass, trees and shrubs (Fig. 2). The proposed development area has been transformed in the past by vegetation clearing and most of the topsoil has been removed and dumped in big heaps on the property. Some infrastructure was also developed as part of a development that did not proceed. There is a small electrical transformer station on the property that formed part of the previous development. This build structure is not older than 60 years (Fig. 1). There are no known graves on the property. A general GPS reading was taken at: 33 58.546S, 25 31.997E.

Relevant Archaeological Impact Assessments

- Binneman, J. 2008. A phase 1 archaeological heritage impact assessment for the proposed residential development on the Remainder of Erf 1226, Fairview, Port Elizabeth, Nelson Mandela Bay Municipality, Eastern Cape. Prepared for CEN Integrated Environmental Management Unit. Port Elizabeth. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2020. A phase 1 archaeological heritage impact assessment for the proposed development of Erf 11667 for business purposes in Walmer, Port Elizabeth, Nelson Mandela Bay Municipality of the Eastern Cape Province. Prepared for Engineering Advice & Services (Pty) Ltd. Humewood. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2019. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological impact assessment for the proposed residential development (River Oaks) on Erf 738, in Fairview, Port Elizabeth, Nelson Mandela Bay Municipality of the Eastern Cape Province. Prepared for CEN Integrated Environmental Management Unit. Port Elizabeth. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2017. A letter of recommendation (with conditions) for the exemption of a full phase 1 Archaeological Impact Assessment for the proposed St. Christopher's Walmer Private School Development on Erf 14680 in Walmer, Port Elizabeth, Eastern Cape Province. EOH Coastal and Environmental Services. Grahamstown. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Booth, C. 2014. A phase 1 archaeological impact assessment for the proposed Walmer Gqebera low-cost housing development on Erf 11305, Walmer, Port Elizabeth, Nelson Mandela Bay Municipality (NMBM), Eastern Cape Province. Prepared for: SRK Consulting. Port Elizabeth. Booth Heritage Consulting. Grahamstown.
- Booth, C. 2013. A phase 1 archaeological impact assessment (AIA) for the Airports Company of South Africa (ACSA) proposed Port Elizabeth Airport stormwater upgrade, Walmer, Nelson Mandela Bay Municipality, Eastern Cape Province. Prepared for: SRK Consulting. Albany Museum. Grahamstown.
- Reichert, K. 2023. A phase 1 archaeological heritage impact assessment for a proposed business (1) development on Erf 7005 Portion of Erf 1935 in Walmer, Gqeberha (Port Elizabeth), Nelson Mandela Bay Municipality, Eastern Cape Province. Prepared for Digital Soils Africa (Pty) Ltd. Port Elizabeth. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Reichert, K. 2022. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological heritage impact assessment for the proposed mixed residential development and associated infrastructure on Erven 256 - 259, Fairview, Nelson Mandela Bay Municipality, Eastern Cape Province. Prepared for JG Afrika (Pty) Ltd. Greenacres. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Van Ryneveld, K. 2013. Phase 1 archaeological impact assessment: Walmer stormwater detention ponds and associated infrastructure, Erven 1935 and 7006, Walmer, Nelson Mandela Bay Municipality, Eastern Cape Province. Prepared for BKS - Environmental Management Department. Port Elizabeth. ArchaeoMaps Archaeological Consultancy. Beacon Bay.

ARCHAEOLOGICAL INVESTIGATION

Methodology and results

Google aerial images as well as previous heritage reports related to the study area were studied prior to the investigation. The investigation was conducted on foot by an archaeologist. GPS readings were taken with a Garmin and all important features were digitally recorded. The archaeological visibility was poor due to the dense grass, trees and other vegetation, but the visibility was better where areas have been exposed in footpaths and as a result of other surface disturbances. No archaeological sites/materials were observed within or in close proximity to the study area. In general, the area for the proposed development appears to be of low archaeological sensitivity and it is unlikely that any archaeological remains of any significance will be found *in situ* or exposed during these activities. There are no known graves or historical buildings on the proposed site. There is an electrical transformer station on the property that is not older than 60 years.



Figure 1. General view of the electrical transformer station that is located within the proposed development area on on Erf 4033 in Fairview, Gqeberha (Port Elizabeth), Nelson Mandela Bay Municipality, Eastern Cape Province.



Figure 2. General views of the proposed area for the development on Erf 4033 in Fairview, Gqeberha, Nelson Mandela Bay Municipality, Eastern Cape Province.

DISCUSSION AND CONDITIONS

No archaeological sites/materials were observed during the investigation of the proposed study area. The activities related to the previous development on the same property caused extensive surface disturbances as a result of the removal of the topsoil. Although it is unlikely that archaeological remains will be found *in situ*, there is always a possibility that human remains and/or other archaeological and historical material may be uncovered during the development. Several other archaeological assessments have been conducted in close proximity to the proposed development area (Binneman 2008; Binneman & Reichert 2019; Reichert 2022).

The main impact on possible archaeological sites/remains will be the physical disturbance of the material and its context. Should such material be exposed then work must cease in the immediate area and it must be reported to the archaeologist at the Albany Museum in Makhanda (Grahamstown) (Tel: 046 622 2312) or to the Eastern Cape Provincial Heritage Resources Authority (Tel.: 043 745 0888), so that a systematic and professional investigation can be undertaken. Sufficient time should be allowed to remove/collect such material (See Appendix B for a list of possible archaeological sites that maybe found in the area). The developer must finance the costs should additional investigations be required.

REFERENCES

- Binneman, J. 2008. A phase 1 archaeological heritage impact assessment for the proposed residential development on the Remainder of Erf 1226, Fairview, Port Elizabeth, Nelson Mandela Bay Municipality, Eastern Cape. Prepared for CEN Integrated Environmental Management Unit. Port Elizabeth. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2019. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological impact assessment for the proposed residential development (River Oaks) on Erf 738, in Fairview, Port Elizabeth, Nelson Mandela Bay Municipality of the Eastern Cape Province. Prepared for CEN Integrated Environmental Management Unit. Port Elizabeth. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Reichert, K. 2022. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological heritage impact assessment for the proposed mixed residential development and associated infrastructure on Erven 256 - 259, Fairview, Nelson Mandela Bay Municipality, Eastern Cape Province. Prepared for JG Afrika (Pty) Ltd. Greenacres. Eastern Cape Heritage Consultants cc. Jeffreys Bay.

LETTER OF RECOMMENDATION

It is recommended that the proposed Business (1) development on Erf 4033 in Fairview, Gqeberha (Port Elizabeth), Nelson Mandela Bay, Eastern Cape Province, is exempted from a full Phase 1 Archaeological Heritage Impact Assessment. The proposed development area appears to be of low archaeological sensitivity, and it is therefore unlikely that any significant archaeological 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 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.

Section 35 of the National Heritage Resources Act, No. 25 of 1999 (see Appendix A) 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 emphasized that this letter of recommendation for the 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), it must be reported to the archaeologist at the Albany Museum in Makhanda (Grahamstown) (Tel: 046 622 2312) or to the Eastern Cape Provincial Heritage Resources Authority (Tel.: 043 745 0888) immediately. The consultant is responsible to forward this report to the relevant Heritage Authority for assessment, unless alternative arrangements have been made with the specialist to submit the report.

APPENDIX A: brief legislative requirements

Parts of sections 34, 35(4), 36(3) and 38(1) (8) of the National Heritage Resources Act, No. 25 of 1999 apply:

Structures

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, 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.*

APPENDIX B: 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 and developers are requested to be on the alert for this.

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 or any other concentrations of bones, whether fossilized or not, should be reported.

Stone artefacts

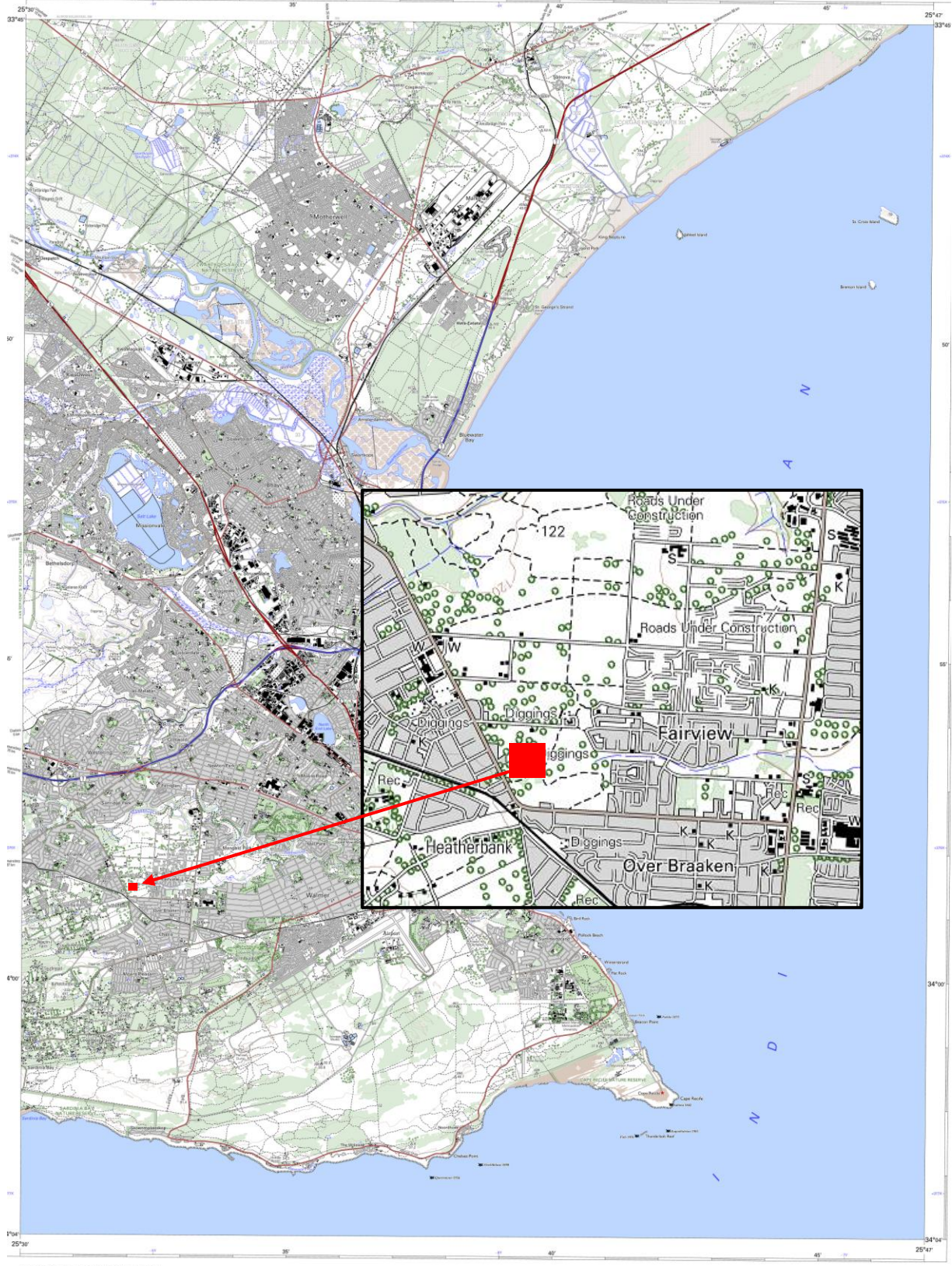
These are difficult for the layman to identify. However, large accumulations of flaked stones which do not appear to have been distributed naturally should be reported. If the stone tools are associated with bone remains, development should be halted immediately, and archaeologists notified.

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 shellfish. 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.

Historical artefacts or features

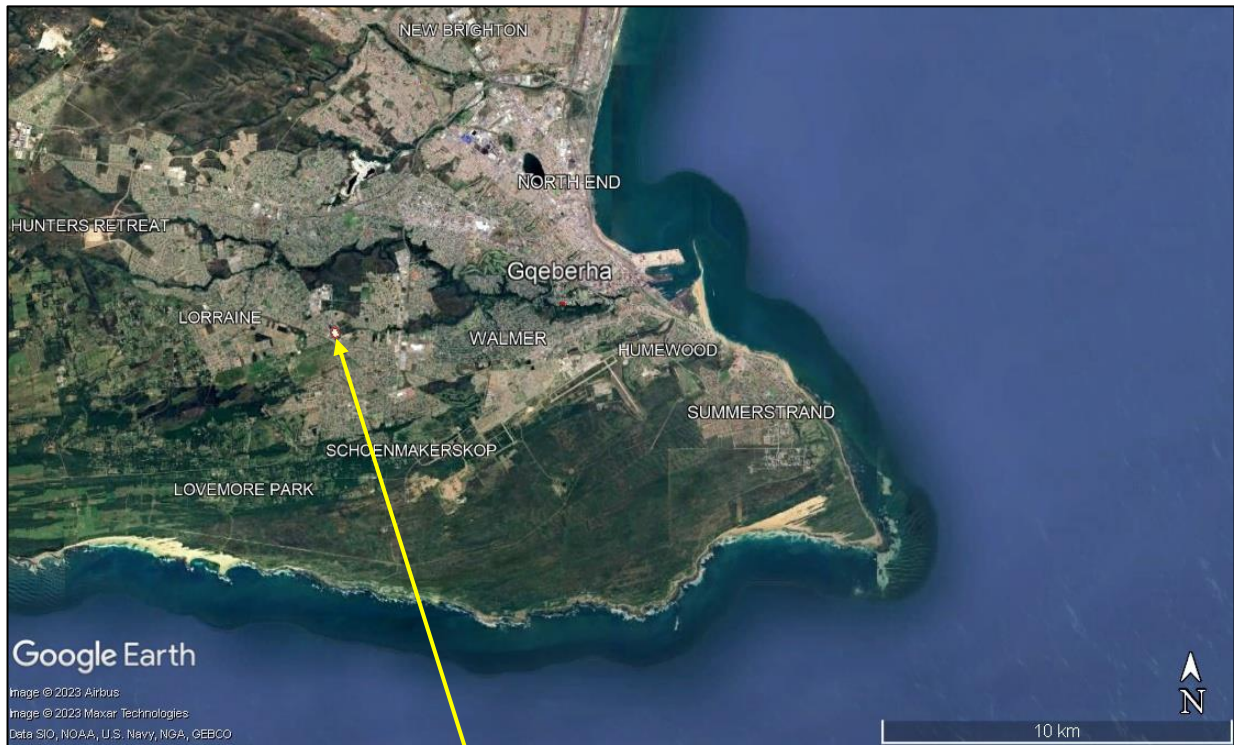
These are easy to identify and include foundations of buildings or other construction features and items from domestic and military activities.



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Map 1. 1:50 000 Topographic maps indicating the approximate location of the proposed area for the development on Erf 4033, Fairview, Gqeberha (Port Elizabeth), Nelson Mandela Bay Municipality, Eastern Cape Province (marked by the red squares)



Map 2. Aerial views of the general location of the proposed area for the development of Erf 4003 in Fairview, Gqeberha (Port Elizabeth), Eastern Cape Province, indicated with the yellow arrow. The proposed development area is outlined in red.

