

**A LETTER OF RECOMMENDATION FOR EXEMPTION FROM A FULL HERITAGE IMPACT ASSESSMENT FOR THE EXPANSION OF THE EXISTING PIGGERY ON A PORTION OF NCHOLO COVENANT FARM LOCATED IN THE CULLINAN AREA UNDER THE JURISDICTION OF TSHWANE METROPOLITAN MUNICIPALITY ON THE FARM BRANDBACH 471 JR.**

**For:** Ezindonini Holdings (Pty) Ltd  
47 Mohlabane, Saulville, Pretoria

Prepared by Frans Roodt

**August 2020**



— Sustainable community development is our speciality —

25 Roodt Street, Sonheuwel, **Nelspruit**, 1201  
Plot 22, Elmadal Smallholdings, **Polokwane**, 0699

Not VAT Registered  
Cell: 0837702131/ 0833573669

## DECLARATION OF INDEPENDENCE

I, Frans Roodt representing Vhufa Hashu Heritage Consultants, hereby confirm my independence as a specialist archaeologist and heritage practitioner and declare that I have no business, financial, personal or other interest in any proposed activity, application or appeal in respect of this proposed project, other than fair remuneration for the work performed.



---

**FRANSROODT** (*BA Hons, MA Archaeology, Post Grad Dip. in Museology; UP*)  
Principal Investigator (ASAPA member 120)

## **1. INTRODUCTION** (See Annexure A for relevant legislation)

The author was appointed by Ezindonini Holdings (Pty) Ltd to conduct a Desktop Heritage Impact Assessment and application for the exemption of a full heritage impact assessment for the Expansion of the existing piggery on a portion of Ncholo Covenant Farm located in the Cullinan area under the Jurisdiction of Tshwane Metropolitan Municipality. The proposed project will cover an aerial extent of approximately 5 Ha on portion 2 of the farm Brandbach 471 JR.

## **2. LOCATION AND PROJECT DESCRIPTION**

The farm is located in the Cullinan area, approximately 10.5km from the Cullinan centre (see Figure 6). There is an existing gravel road the study area and Brandbach is accessed via the R460 regional road connecting the plot earmarked for the piggery project and the controlled main access to the farm. The proposed infrastructure is as follows (see Figure 9)

- Piggery office
- Stock Room
- 16x Sheds
- 2x Silos
- Whey Dam
- Water Tank (1000KL)
- Slurry Dam/Sewage
- Temporary Dead Animal & Waste storage Disposal Area (awaiting service provider (Waste Group) to collect and dispose on a registered landfill site)
- Sawdust Housing
- Showers and Security point
- Canteen Area

## **3. PROPERTY DISCRIPTION**

The entire project area had been ploughed in the past, which is illustrated on both the 1:50000 topographical map and the Google earth map. Much of the demarcated area is already covered by an existing piggery, which is to be expanded by this application into the already ploughed area. The terrain lies east of the Masokololo River, and south of a small tributary – the Malanspruit. On the east, the site is bordered by the historical Brandbach farmstead (see Figures 5-6).

## **4. METHODODOLOGY**

A search for relevant previous studies, archaeological and archival sources, e.g., SAHRIS database, publications, local histories, internet articles, Google earth and historical maps was conducted.

## 5. HISTORICAL BACKGROUND

Although European settlers started occupying and establishing farms in the area during the mid 1800's, the area is irrevocably linked to the establishment of Cullinan Town. The unique village of Cullinan, named after Sir Thomas Cullinan, bears the distinction of being the site of discovery of the world's largest diamond. The area of the village and Premier Mine was originally part of Cornelis Minnaar's farm, Elandsfontein No. 85. It was registered on 7<sup>th</sup> November 1859. Cornelis sold a portion of the farm to his brother Roelof Minnaar in 1861, who in turn sold the northern part of this farm to Willem Prinsloo in December 1896.

In 1898 Thomas Cullinan was prospecting in the vicinity of what is now the Cullinan Mine. One day he met a prospector, Percival White Tracey, working right up against the wire fence of the farm on which the Premier Mine was subsequently founded. Tracey showed him a beautiful three carat blue-white stone, during which time he came to the conclusion that the whole of the country on which they were prospecting was alluvial, and that its stones had come from some higher level. Cullinan then tried to get, under option, the farm on which the Premier was subsequently found from the owner Prinsloo, but failed. After the Anglo-Boer War, Cullinan started new negotiations with the Prinsloo family and it was agreed to the sale of the farm.

The mining company was at first registered as the Premier Syndicate on 6th November 1902 but reregistered on the 1st December 1902 as The Premier (Transvaal) Diamond Mining Company LTD with Thomas Cullinan as chairperson. Prospecting started immediately and in early April 1903 William McHardy became the first general manager. Production began on 24th April 1903 when the first steam plant, which comprised of three rotary pans, known as No.1 gear, was put into commission.

By 1904 the prosperous mine already employed more than 2000 people. On the 25th January 1905 a diamond with the mass of 3,106 carats in its uncut state was found in the side-wall of the open pit. Thus the history of the Cullinan Diamond began. It is still the largest gemstone ever found. Two of the stones cut from the Cullinan Diamond are now found in the British Crown Jewels; the 530-carat "Star of Africa", which is set in the septre and the 317-carat "Lesser Star of Africa" which is set in the Imperial State Crown.

The farm Brandbach 471JR was first occupied by the Malan family. Daniel Malan was born on the farm at Noordhoek on the 13<sup>th</sup> June 1799 in the district Cape of Good Hope in the vicinity of now, Hout Bay. Daniel Malan married Margeretha Johanna Sussana van Niekerk. Daniel was part of the third Great Trek with Hercules Phillips as the leader and this trek with its 30 ox wagons left the Cape Colony in 1836 and reached the Transvaal in 1840. At first he farmed on the farm Malanskraal, south west of Heidelberg. He then moved to the farm Brandbach near what is today Cullinan. Brandbach, was first registered in 1859. He developed the farm where he farmed with cattle, grapes and fruit. Daniel Malan died at the age of 82 on the 5<sup>th</sup> December 1881 in Cullinan and the farm was divided between his nine children.

An alley of Oak trees, dated to 1835 appears on the 1:50 000 map; 2528DA. This cannot be correct as the area was only occupied by European settlers during the mid 1800's.

Nevertheless, the Oak trees were destroyed by fire in recent years and have been cleared. The Brandbach farmstead remains to this day.

## **6. MOTIVATION FOR THE EXEMPTION OF A FULL HERITAGE IMPACT ASSESSMENT.**

The result of the desktop study of the terrain for proposed development indicates that there will be no new impact on any heritage resources.

In a report by AGES, titled; Archaeological & Heritage Impact Assessment for the Ncholo's Covenant Farm Expansion of Piggery on Portion of Portion 2 of the Farm Brandbach 471 JR, Gauteng Province and authored by Nelius Kruger, initially for the same project application, but on a different part of Ncholo's Covenant Farm (to the south), no impacts on heritage resources were identified. The report identifies a graveyard and a later Iron Age stonewalled site, none of which will be impacted by this application. In addition, no other reports could be found which indicated any significant heritage resources in the immediate vicinity of the project area.

Based on the above and with clear evidence from the topographical map, the Google earth image and photographs, the under mentioned points motivate the application for the exemption of a full heritage impact assessment for the proposed extension of the Ncholo's Covenant Farm Piggery project:

1. The entire project area had been ploughed in the past. Any heritage material, such as possible Stone Age remains that may be present will be out of context and thus low in significance (see figures 1&7).
2. The area is not known for any specific Iron Age archaeology.
3. The parent farm has been sub-divided into many smaller units and the historical landscape no longer exists.
4. The existing piggery on the premises is to be extended (see Figure 3-4 & 8-9).
5. There will be no additional cumulative impact on the historical homestead of the Brandbach farm, other than those that already exist.
6. Historical oak trees indicated on the topographical map had been destroyed by a fire and has been cleared
7. A large guesthouse exists on the Ncholo Covenant Farm.
8. The application fits in with the general agricultural activities of the landscape
9. Although the SAHRIS Palaeo – sensitivity map has colour coded a portion of the terrain as green (moderately sensitive where a desktop study is required), the geological map indicates that the property lies on the Vaalian to post-Mokolian diabase (di). The diabase sills of Bushveld age is typically fine-grained, green-grey with plagioclase and pyroxenes. The palaeontological Impact for the diabase is **VERY LOW** (Figure 10). Furthermore, no deep excavations are to be undertaken in the area indicated on SAHRIS as sensitive.

## **7. CONCLUSION**

The desktop study has revealed no evidence that there are significant heritage resources in the proposed project area. No significant heritage sites or cultural material had previously

been recorded here. The proposed development will most likely have no new negative impact on archaeological or other heritage resources. This document serves as a statement to that effect. From a heritage perspective we have no objection with regard to the proposed development, although the principal of *absence of evidence is not necessarily evidence of absence* applies.

## 8. RECOMMENDATIONS AND MANAGEMENT MEASURES

It is recommended that the development is exempted from a full Heritage Impact Assessment. Mitigation measures will, however, be required should any chance discoveries of subterranean archaeological material be made during the development. In such an event the heritage authority or the archaeologist must be informed immediately and work ceased in that particular area.

## 9. REFERENCES

AGES. 2020. Archaeological & Heritage Impact Assessment for the Ncholo's Covenant Farm Expansion of Piggery on Portion of Portion 2 of the Farm Brandbach 471 JR, Gauteng Province; Authored by Nelius Kruger. Unpublished report.

Fourie, H. 2017. Palaeontological Impact Assessment: Desktop Study. Cullinan Mega City Development. Cullinan Extensions 2 and 5 to 12. City of Tshwane Metropolitan Municipality. Facilitated by: J. Paul van Wyk Urban Economists & Planners cc. Unpublished report.

The Heritage Portal. 2018. Stories from a Diamond Mine - The Early Days by John Lincoln.

Republic of South Africa. 1999. The National Heritage Resources Act. Act No 25. Government Printer. Pretoria.

<https://showme.co.za/pretoria/files/2012/11/A-Short-History1.pdf> (Accessed 30/07/2020)



---

**FRANSROODT** (BA Hons, MA Archaeology, Post Grad Dip. in Museology; UP)  
Principal Investigator (ASAPA member 120)



Figure 1. General view of the ploughed terrain..



Figure 2. View of the existing piggery towards the east.



Figure 3. View of the eastern part of the existing piggy.



Figure 4. View of the western part of the existing piggery.



Ncholo Covenant Farm Piggery on Portion 2 of the farm Brandbach 471 JR under Tshwane Metropolitan Municipality, Gauteng Province Locality Map.

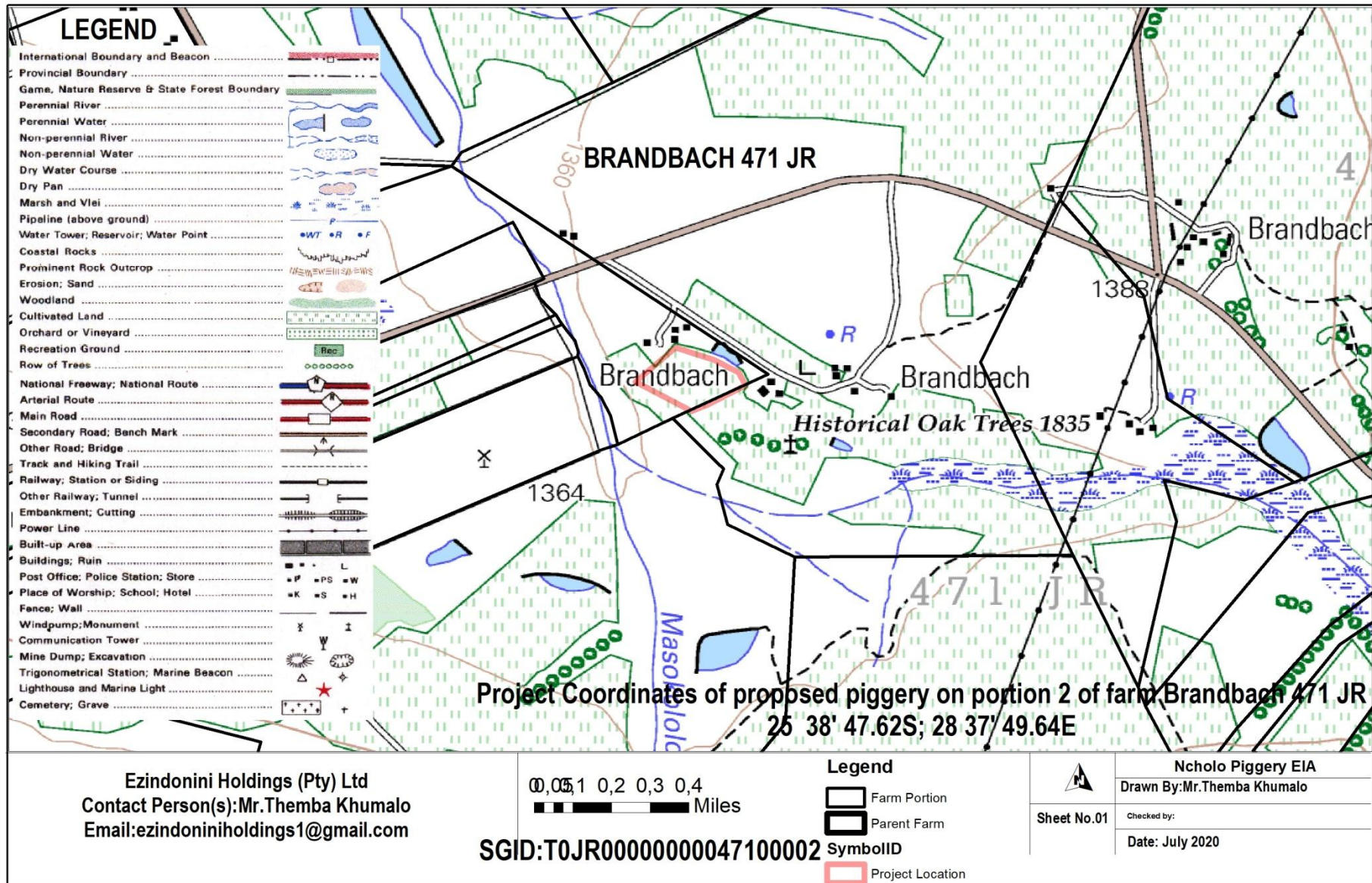


Figure 5. Topographical map – part of 2528DA.



Figure 6. Google Earth image showing the location in relation to Cullinan.



Figure 7. Google Earth image indicating location of the proposed project.



Figure 8. Overlay of the proposed development plan on Google earth image (see figure 9).

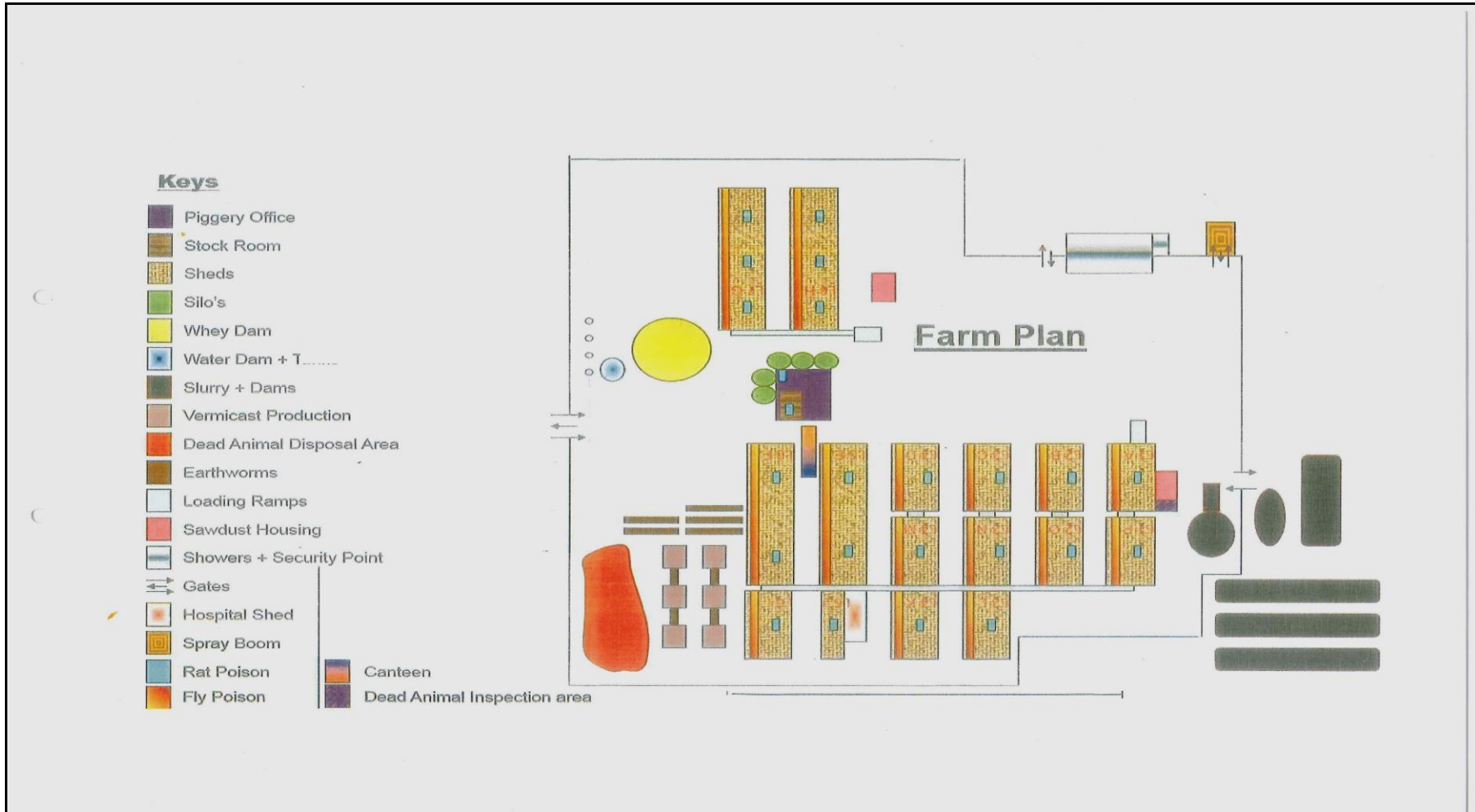


Figure 9. Proposed plan of the piggery.

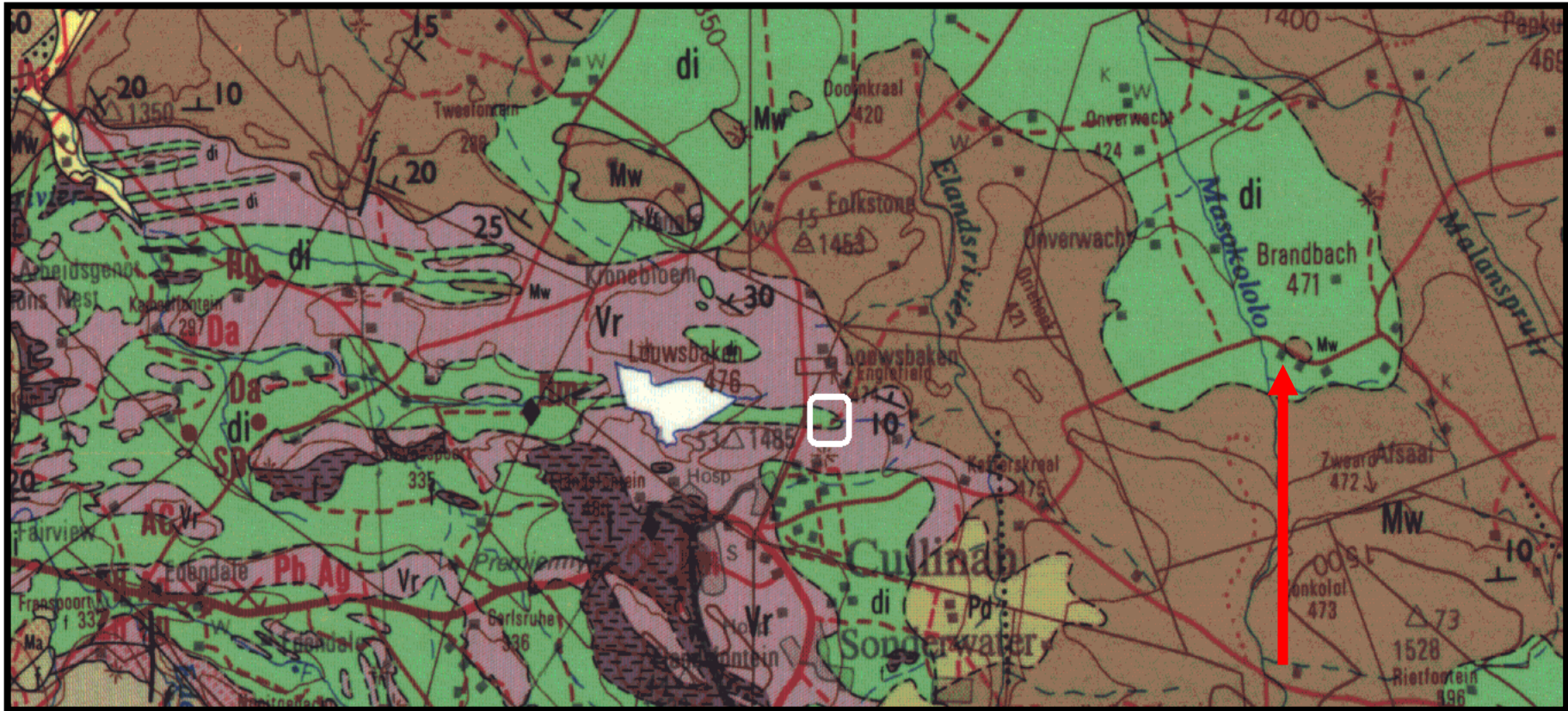


Figure 10. Geological Map: The red arrow points to the proposed development site (From Fourie 2017)

**Legend to map and short explanation.**

- di- Diabase (green), Vaalian.
- Mw – Sandstone, quartzitic in places; conglomerate (brown). Wilgerivier Formation, Waterberg Group. Mokolian.
- Vr – Quartzite, shale, subgraywacke (purple). Rayton Formation, Pretoria Group, Transvaal Supergroup.Vaalian.
- ..... – (black) Lineament (Landsat, aeromagnetic).
- - Concealed geological boundary.
- ⊥10 – Strike and dip of layer.

## ANNEXURE A: RELEVANT LEGISLATION

Two sets of legislation are relevant for the protection of heritage resources and graves.

### **The National Heritage Resources Act (25 of 1999) (NHRA)**

This Act established the South African Heritage Resources Agency (SAHRA) and makes provision for the establishment of Provincial Heritage Resources Authorities (PHRA). The Act makes provision for the undertaking of heritage resources impact assessments for various categories of development as determined by Section 38. It also provides for the grading of heritage resources (Section 7) and the implementation of a three-tier level of responsibilities and functions for heritage resources to be undertaken by the State, Provincial authorities and Local authorities, depending on the grade of the Heritage resources (Section 8).

In terms of the National Heritage Resources Act (1999) the following is of relevance:

#### **Historical remains**

**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.

#### **Archaeological remains**

**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 or museum, which must immediately notify such heritage resources authority.

**Subsection 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;
- (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 assist with the detection or recovery of metals or archaeological material or objects, or use such equipment for the recovery of meteorites.

**Subsection 35(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 procedures 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.

**Subsection 35(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**

#### **Subsection 36(3)**

- (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority-
- (c) 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
- (d) 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 detection or recovery of metals.

**Subsection 36(6)** Subject to the provision of any 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 content of such grave or, in the absence of such person or community, make any such arrangement as it deems fit.

### **Culture Resource Management**

**Subsection 38(1)** Subject to the provisions of subsection (7), (8) and (9), any person who intends to undertake a development\* ...

must at the very earliest stages of initiating such development notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

\*‘**development**’ means any physical intervention, excavation, or action, other than those caused by natural forces, which may in the opinion of the 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 a structure at a place;
- (b) carry out any works on or over or under a place\*;
- (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;

\*‘**place**’ means a site, area or region, a building or other structure\* ...”

\*‘**structure**’ means any building, works, device or other facility made by people and which is fixed to the ground ...”

#### **The Human Tissues Act (65 of 1983)**

This Act protects graves younger than 60 years. These fall under the jurisdiction of the National Department of Health and the Provincial Health Departments. Approval for the exhumation and re-burial must be obtained from the relevant Provincial MEC as well as the relevant Local Authorities.



## ANNEXURE B: TERMINOLOGY

Early Stone Age:	The Oldowan “chopper” tools dating to between 1.7 and 2 million in southern Africa and the Acheulean hand axe industry complex dating to $\pm$ 1.4Myr – 250 000 yrs. before present.
Middle Stone Age:	Various lithic industries in SA dating from $\pm$ 250 000 yrs. - 22 000 yrs. before present.
Late Stone Age:	The period from $\pm$ 22 000 yrs. to the contact period with either Iron Age farmers or European colonists.
Early Iron Age:	Most of the first millennium AD.
Middle Iron Age:	10 <sup>th</sup> to 13 <sup>th</sup> centuries AD.
Late Iron Age:	14 <sup>th</sup> century to colonial period. <i>The entire Iron Age represents the spread of Bantu speaking peoples.</i>
Historical:	Mainly cultural remains of western influence and settlement from AD 1652 onwards – mostly structures older than 60 years in terms of Section 34 of the NHRA.
Phase 1 assessment:	Scoping surveys to establish the presence of and to evaluate heritage resources in a given area.
Phase 2 assessment:	In depth culture resources management studies which could include major archaeological excavations, detailed site surveys and mapping / plans of sites, including historical / architectural structures and features. Alternatively, the sampling of sites by collecting material, small test pit excavations or auger sampling.
Sensitive:	Often refers to graves and burial sites although not necessarily a heritage place, as well as ideologically significant sites such as ritual / religious places or graves of persons that died during conflict. <i>Sensitive</i> may also refer to an entire landscape / area known for its significant heritage remains.