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**PHASE 1 HIA REPORT RELATED TO THE
PROPOSED ELLIOT AGRICULTURAL DEVELOPMENTS
[PIGGERY/FEEDMILL AND CLOETE SITESS 1–3], NEAR KHOWA (ELLIOT)
IN THE SAKHISIZWE LOCAL MUNICIPALITY OF THE EASTERN CAPE**

For:

***BioBlue Environmental Sustainability (Pty) Ltd.
829 Cronstedt Street
Moreleta Park, Pretoria
0181***

REPORT: **APAC022/43a**

by:

A.J. Pelser

***& Assisted by: Karen van Ryneveld
ArchaeoMaps Archaeological Consultancy***

Accredited members of ASAPA

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**P.O.BOX 73703
LYNNWOOD RIDGE
0040**

Tel: 083 459 3091

Fax: 086 695 7247

Email: apac.heritage@gmail.com

Member: AJ Pelser BA (UNISA), BA (Hons) (Archaeology), MA (Archaeology) [WITS]

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Although all efforts are made to identify all sites of cultural heritage (archaeological and historical) significance during an assessment of study areas, the nature of archaeological and historical sites are as such that it is always possible that hidden or subterranean sites, features or objects could be overlooked during the study. APELSE Archaeological Consulting can't be held liable for such oversights or for costs incurred as a result thereof.

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SUMMARY

APelser Archaeological Consulting (APAC) was appointed by BioBlue Environmental Sustainability (Pty) Ltd to conduct a Phase 1 HIA for the proposed Elliot Agricultural Development (Piggery/Feedmill and Cloete Sites 1–3) Project. The study and proposed development area is located near Khowa (Elliot) in the Sakhisizwe Local Municipality of the Eastern Cape Province.

The field assessment did not identify any sites, features or material of cultural heritage origin or significance in the study & proposed development areas. The results of the assessment are discussed in this report, with recommendations on the way forward provided at the end of the document.

From a Cultural Heritage perspective it is recommended that the Proposed Elliot Agricultural Development Project should be allowed to continue taking into consideration the recommendations put forward at the end of the report.

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1. INTRODUCTION

APelser Archaeological Consulting (APAC) was appointed by BioBlue Environmental Sustainability (Pty) Ltd to conduct a Phase 1 HIA for the proposed Elliot Agricultural Development (Piggery/Feedmill and Cloete Sites 1–3) Project. The study and proposed development area is located near Khowa (Elliot) in the Sakhisizwe Local Municipality of the Eastern Cape Province.

The field assessment did not identify any sites, features or material of cultural heritage origin or significance in the study & proposed development areas. Large sections of the proposed development area footprints have been extensively disturbed by agricultural activities already. If any sites, features or material of cultural heritage origin or significance did exist here in the past it would have been disturbed or destroyed as a result.

The client indicated the location and footprint of the study & development areas and the assessment focused on these. Fieldwork was undertaken during May 2022 by Me. Karen van Ryneveld of ArchaeoMaps Archaeological Consultancy.

2. TERMS OF REFERENCE

The Terms of Reference for the study was to:

1. Identify all objects, sites, occurrences and structures of an archaeological or historical nature (cultural heritage sites) located on the portion of land that will be impacted upon by the proposed development;
2. Assess the significance of the cultural resources in terms of their archaeological, historical, scientific, social, religious, aesthetic and tourism value;
3. Describe the possible impact of the proposed development on these cultural remains, according to a standard set of conventions;
4. Propose suitable mitigation measures to minimize possible negative impacts on the cultural resources;
5. Review applicable legislative requirements;

3. LEGISLATIVE REQUIREMENTS

Aspects concerning the conservation of cultural resources are dealt with mainly in two Acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

3.1. The National Heritage Resources Act

According to the Act the following is protected as cultural heritage resources:

- a. Archaeological artifacts, structures and sites older than 100 years

- b. Ethnographic art objects (e.g. prehistoric rock art) and ethnography
- c. Objects of decorative and visual arts
- d. Military objects, structures and sites older than 75 years
- e. Historical objects, structures and sites older than 60 years
- f. Proclaimed heritage sites
- g. Grave yards and graves older than 60 years
- h. Meteorites and fossils
- i. Objects, structures and sites of scientific or technological value.

The National Estate includes the following:

- a. Places, buildings, structures and equipment of cultural significance
- b. Places to which oral traditions are attached or which are associated with living heritage
- c. Historical settlements and townscapes
- d. Landscapes and features of cultural significance
- e. Geological sites of scientific or cultural importance
- f. Sites of Archaeological and paleontological importance
- g. Graves and burial grounds
- h. Sites of significance relating to the history of slavery
- i. Movable objects (e.g. archaeological, paleontological, meteorites, geological specimens, military, ethnographic, books etc.)

A Heritage Impact Assessment (HIA) is the process to be followed in order to determine whether any heritage resources are located within the area to be developed as well as the possible impact of the proposed development thereon. An Archaeological Impact Assessment (AIA) only looks at archaeological resources. An HIA must be done under the following circumstances:

- a. The construction of a linear development (road, wall, power line, canal etc.) exceeding 300m in length
- b. The construction of a bridge or similar structure exceeding 50m in length
- c. Any development or other activity that will change the character of a site and exceed 5 000m² or involve three or more existing erven or subdivisions thereof
- d. Re-zoning of a site exceeding 10 000 m²
- e. Any other category provided for in the regulations of SAHRA or a provincial heritage authority

Structures

Section 34 (1) of the Act states that no person may demolish any structure or part thereof which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

A structure means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith.

Alter means any action affecting the structure, appearance or physical properties of a place or object, whether by way of structural or other works, by painting, plastering or the decoration or any other means.

Archaeology, palaeontology and meteorites

Section 35(4) of the Act deals with archaeology, palaeontology and meteorites. The Act states that no person may, without a permit issued by the responsible heritage resources authority (national or provincial)

- a. destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or paleontological site or any meteorite;
- b. destroy, damage, excavate, remove from its original position, collect or own any archaeological or paleontological 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 paleontological material or object, or any meteorite; or
- d. bring onto or use at an archaeological or paleontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and paleontological material or objects, or use such equipment for the recovery of meteorites.
- e. alter or demolish any structure or part of a structure which is older than 60 years as protected.

The above mentioned may only be disturbed or moved by an archaeologist, after receiving a permit from the South African Heritage Resources Agency (SAHRA). In order to demolish such a site or structure, a destruction permit from SAHRA will also be needed.

Human remains

Graves and burial grounds are divided into the following:

- a. ancestral graves
- b. royal graves and graves of traditional leaders
- c. graves of victims of conflict
- d. graves designated by the Minister
- e. historical graves and cemeteries
- f. human remains

In terms of Section 36(3) of the National Heritage Resources Act, no person may, without a permit issued by the relevant 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 or 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, or any equipment which assists in the detection or recovery of metals.

Human remains that are less than 60 years old are subject to provisions of the Human Tissue Act (Act 65 of 1983) and to local regulations. Exhumation of graves must conform to the standards set out in the **Ordinance on Excavations (Ordinance no. 12 of 1980)** (replacing the old Transvaal Ordinance no. 7 of 1925).

Permission must also be gained from the descendants (where known), the National Department of Health, Provincial Department of Health, Premier of the Province and local police. Furthermore, permission must also be gained from the various landowners (i.e. where the graves are located and where they are to be relocated to) before exhumation can take place.

Human remains can only be handled by a registered undertaker or an institution declared under the **Human Tissues Act (Act 65 of 1983 as amended)**.

3.2. The National Environmental Management Act

This Act states that a survey and evaluation of cultural resources must be done in areas where development projects, that will change the face of the environment, will be undertaken. The impact of the development on these resources should be determined and proposals for the mitigation thereof are made.

Environmental management should also take the cultural and social needs of people into account. Any disturbance of landscapes and sites that constitute the nation's cultural heritage should be avoided as far as possible and where this is not possible the disturbance should be minimized and remedied.

4. METHODOLOGY

4.1. Survey of literature

A survey of available literature was undertaken in order to place the development area in an archaeological and historical context. The sources utilized in this regard are indicated in the bibliography.

4.2. Field survey

The field assessment section of the study is conducted according to generally accepted HIA practices and aimed at locating all possible objects, sites and features of heritage significance in the area of the proposed development. The location/position of all sites, features and objects is determined by means of a Global Positioning System (GPS) where possible, while detail photographs are also taken where needed.

4.3. Oral histories

People from local communities are sometimes interviewed in order to obtain information relating to the surveyed area. It needs to be stated that this is not applicable under all circumstances. When applicable, the information is included in the text and referred to in the bibliography.

4.4. Documentation

All sites, objects, features and structures identified are documented according to a general set of minimum standards. Co-ordinates of individual localities are determined by means of the Global Positioning System (GPS). The information is added to the description in order to facilitate the identification of each locality.

5. DESCRIPTION OF THE AREA

The study and proposed development areas are located near Khowa (Elliot) in the Eastern Cape Province. The greater Piggery/Feedmill and Cloete Sites 1–3 study area is briefly summarized as:

- Piggery/Feedmill – S31°21'26.3"; E27°49'14.6" (5.2ha).
- Cloete Site 1 – S31°20'48.4"; E27°48'04.6" (9.6ha).
- Cloete Site 2 – S31°21'18.1"; E27°47'28.7" (4.6ha).
- Cloete Site 3 – S31°21'26.5"; E27°47'56.7" (19.4ha).

Visibility across the majority of the Piggery/Feedmill site is described as fair, typified by thick grass cover and low rising to surface level rocky exposures. The eastern extremity of the Cloete 1 study site was not accessible – again the result of failed standing crops that limited visibility in study site, with only the north-western portion of the site accessible and serving as proxy for interpretative purposes. Visibility at the Cloete 2 study site was very good, with most of the area ploughed and open. Visibility across the Cloete 3 study site was also very good, aside from the north-eastern perimeter of the site where failed standing crops prohibited access and resultantly also visibility.

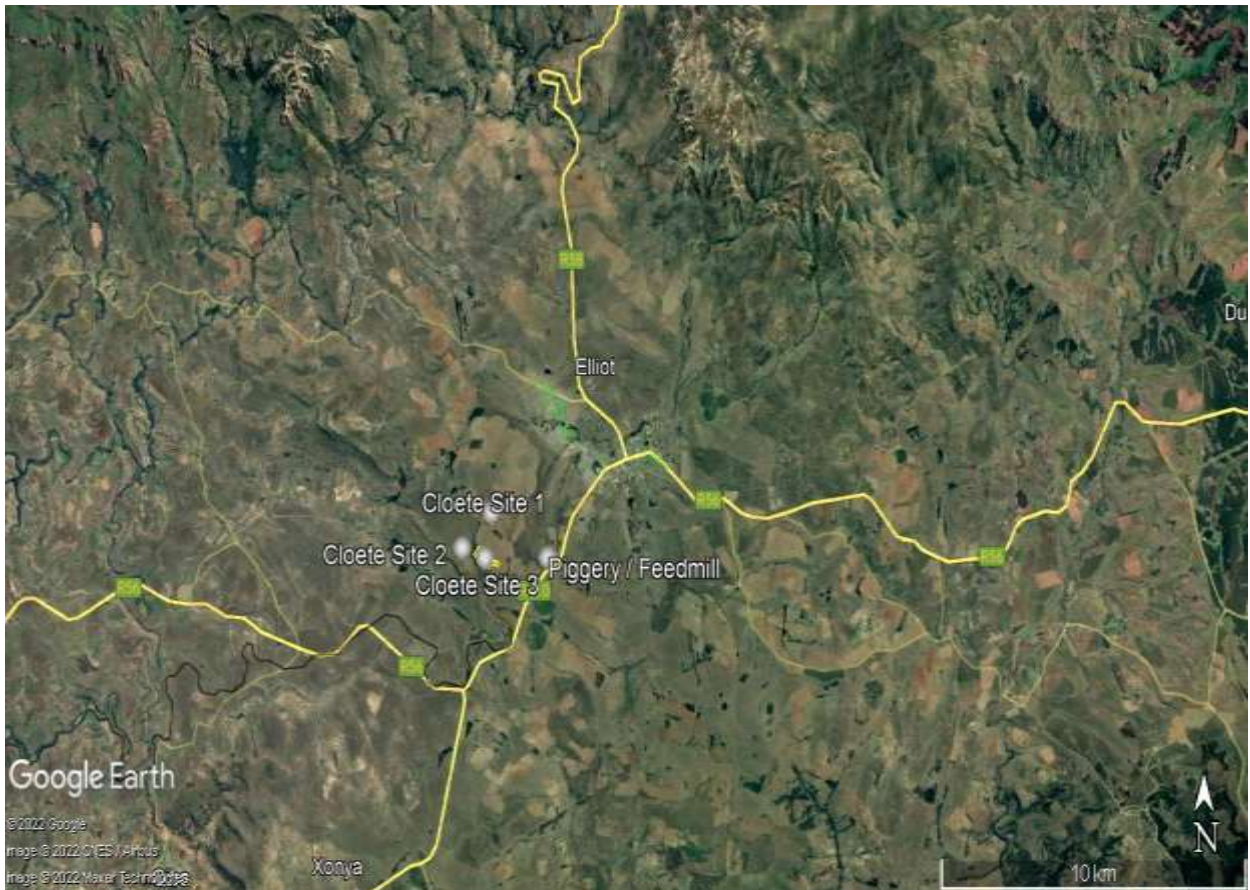


Figure 1: General location of the Elliot Agricultural Development Study Area (Google Earth 2022).



Figure 2: Closer view of location and development footprints related to the Elliot Agricultural Development Project (Google Earth 2022).

6. DISCUSSION

The Stone Age is the period in human history when lithic (stone) material was mainly used to produce tools. In South Africa the Stone Age can be divided basically into three periods. It is however important to note that dates are relative and only provide a broad framework for interpretation. A basic sequence for the South African Stone Age (Lombard et.al 2012) is as follows:

Earlier Stone Age (ESA) up to 2 million – more than 200 000 years ago

Middle Stone Age (MSA) less than 300 000 – 20 000 years ago

Later Stone Age (LSA) 40 000 years ago – 2000 years ago

It should also be noted that these dates are not a neat fit because of variability and overlapping ages between sites (Lombard et.al 2012: 125).

No Stone Age sites or material was identified in the study & development area footprints during the field assessment.

The Iron Age is the name given to the period of human history when metal was mainly used to produce artifacts. In South Africa it can be divided in two separate phases (Bergh 1999: 96-98), namely:

Early Iron Age (EIA) 200 – 1000 A.D.

Late Iron Age (LIA) 1000 – 1850 A.D.

Huffman (2007: xiii) indicates that a Middle Iron Age should be included. His dates, which are widely accepted in archaeological circles, are:

Early Iron Age (EIA) 250 – 900 A.D.

Middle Iron Age (MIA) 900 – 1300 A.D.

Late Iron Age (LIA) 1300 – 1840 A.D.

No Iron Age sites, features or material were identified in the area during the recent field assessment.

For the recent historical time-period it is important to note that the town of Elliot was first established in 1885 as the Slang River Settlement. In April 1894 the settlement was renamed Elliot, after Sir Henry George Elliot (1826–1912), Chief Magistrate of the Transkeian territories from 1891–1902. In 1911 the town became a municipality and in 2016 Elliot was renamed Khowa (Government Gazette 2016; https://en.wikipedia.org/wiki/Elliot_South_Africa). The abbreviated history of Elliot supports a rough mid-1880's date for Colonial Period settlement in the area.

No recent historical period sites, features or material were recorded in the area during the recent field assessment.

Results of the May 2022 field assessment

The results of the field assessment are included in a Field Report by Me. Karen van Ryneveld of ArchaeoMaps Archaeological Consultancy (Appendix F).

No cultural heritage (archaeological and/or historical) sites, features or material were identified in the study & proposed development area footprints during the field assessment. From a Cultural Heritage perspective the proposed Agricultural Developments can therefore be allowed to continue taking cognizance of the recommendations provided in the Field Report.

7. CONCLUSIONS AND RECOMMENDATIONS

APelser Archaeological Consulting (APAC) was appointed by BioBlue Environmental Sustainability (Pty) Ltd to conduct a Phase 1 HIA for the proposed Elliot Agricultural Development (Piggery/Feedmill and Cloete Sites 1–3) Project. The study and proposed development area is located near Khowa (Elliot) in the Sakhisizwe Local Municipality of the Eastern Cape Province.

No cultural heritage (archaeological and/or historical) sites, features or material were identified in the study & proposed development area footprints during the field assessment. From a Cultural Heritage perspective the proposed Elliot Agricultural Developments (Piggery/Feedmill and Cloete Sites 1–3) can therefore be allowed to continue taking cognizance of the recommendations provided in the Field Report.

Furthermore it should be noted that although all efforts are made to cover a total area during any assessment and therefore to identify all possible sites or features of cultural (archaeological and/or historical) heritage origin and significance, that there is always the possibility of something being missed. This will include low stone-packed or unmarked graves. This aspect should be kept in mind when future mining work related to the Mining Permit Application commences and if any sites (including graves) are identified then an expert should be called in to investigate and recommend on the best way forward. The subterranean nature of archaeological and/or historical resources should also always be taken into consideration. Should any previously unknown or invisible sites, features or material be uncovered during any development actions then an expert should be contacted to investigate and provide recommendations on the way forward.

8. REFERENCES

General and Closer Views of Study & Development Area footprints: Google Earth 2022.

Bergh, J.S. (red.). 1999. **Geskiedenisatlas van Suid-Afrika. Die vier noordelike provinsies.** Pretoria: J.L. van Schaik.

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Republic of South Africa. 1998. **National Environmental Management Act (no 107 of**

1998). Pretoria: The Government Printer.

APPENDIX A: DEFINITION OF TERMS:

Site: A large place with extensive structures and related cultural objects. It can also be a large assemblage of cultural artifacts, found on a single location.

Structure: A permanent building found in isolation or which forms a site in conjunction with other structures.

Feature: A coincidental find of movable cultural objects.

Object: Artifact (cultural object).

(Also see Knudson 1978: 20).

APPENDIX B: DEFINITION/ STATEMENT OF HERITAGE SIGNIFICANCE

Historic value: Important in the community or pattern of history or has an association with the life or work of a person, group or organization of importance in history.

Aesthetic value: Important in exhibiting particular aesthetic characteristics valued by a community or cultural group.

Scientific value: Potential to yield information that will contribute to an understanding of natural or cultural history or is important in demonstrating a high degree of creative or technical achievement of a particular period

Social value: Have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

Rarity: Does it possess uncommon, rare or endangered aspects of natural or cultural heritage.

Representivity: Important in demonstrating the principal characteristics of a particular class of natural or cultural places or object or a range of landscapes or environments characteristic of its class or of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province region or locality.

APPENDIX C: SIGNIFICANCE AND FIELD RATING:

Cultural significance:

- Low: A cultural object being found out of context, not being part of a site or without any related feature/structure in its surroundings.
- Medium: Any site, structure or feature being regarded less important due to a number of factors, such as date and frequency. Also any important object found out of context.
- High: Any site, structure or feature regarded as important because of its age or uniqueness. Graves are always categorized as of a high importance. Also any important object found within a specific context.

Heritage significance:

- Grade I: Heritage resources with exceptional qualities to the extent that they are of national significance
- Grade II: Heritage resources with qualities giving it provincial or regional importance although it may form part of the national estate
- Grade III: Other heritage resources of local importance and therefore worthy of conservation

Field ratings:

- i. National Grade I significance: should be managed as part of the national estate
- ii. Provincial Grade II significance: should be managed as part of the provincial estate
- iii. Local Grade IIIA: should be included in the heritage register and not be mitigated (high significance)
- iv. Local Grade IIIB: should be included in the heritage register and may be mitigated (high/medium significance)
- v. General protection A (IV A): site should be mitigated before destruction (high/medium significance)
- vi. General protection B (IV B): site should be recorded before destruction (medium significance)
- vii. General protection C (IV C): phase 1 is seen as sufficient recording and it may be demolished (low significance)

APPENDIX D: PROTECTION OF HERITAGE RESOURCES:

Formal protection:

National heritage sites and Provincial heritage sites – Grade I and II

Protected areas - An area surrounding a heritage site

Provisional protection – For a maximum period of two years

Heritage registers – Listing Grades II and III

Heritage areas – Areas with more than one heritage site included

Heritage objects – e.g. Archaeological, palaeontological, meteorites, geological specimens, visual art, military, numismatic, books, etc.

General protection:

Objects protected by the laws of foreign states

Structures – Older than 60 years

Archaeology, paleontology and meteorites

Burial grounds and graves

Public monuments and memorials

APPENDIX E: HERITAGE IMPACT ASSESSMENT PHASES

1. Pre-assessment or Scoping Phase – Establishment of the scope of the project and terms of reference.
2. Baseline Assessment – Establishment of a broad framework of the potential heritage of an area.
3. Phase I Impact Assessment – Identifying sites, assess their significance, make comments on the impact of the development and makes recommendations for mitigation or conservation.
4. Letter of recommendation for exemption – If there is no likelihood that any sites will be impacted.
5. Phase II Mitigation or Rescue – Planning for the protection of significant sites or sampling through excavation or collection (after receiving a permit) of sites that may be lost.
6. Phase III Management Plan – For rare cases where sites are so important that development cannot be allowed.

APPENDIX F: FIELD REPORT

1. FIELD ASSESSMENT

The field assessment for the [Piggery / Feedmill and Cloete Sites 1–3], near Khowa (Elliot), Sakhisizwe Local Municipality, Eastern Cape development was done over a one (1) day period [KvR: 12 May 2022]. An Oppo Reno 5 (with Geo Tracker and Google Earth software) was used for GPS coordinate and photographic recording, documentation, and display.

The greater [Piggery / Feedmill and Cloete Sites 1–3] study area is briefly summarized as:

- Piggery / Feedmill – S31°21'26.3"; E27°49'14.6" (5.2ha).
- Cloete Site 1 – S31°20'48.4"; E27°48'04.6" (9.6ha).
- Cloete Site 2 – S31°21'18.1"; E27°47'28.7" (4.6ha).
- Cloete Site 3 – S31°21'26.5"; E27°47'56.7" (19.4ha).

In summary, the field assessment indicates an overall surface anthropogenic sterility across all four (4) study sites, with cognisance to limited surface access at the Cloete Site 1 study site and with interpretation based on the north-western portion of the site as proxy. Shallow sub-surface anthropogenic sterility across the broader terrain is based on a number of test pits at the Piggery / Feedmill study site, with specific reference to reported test pit P/F-TP01 as well as churned ploughed deposits at the Cloete Site 2 and Cloete Site 3 study sites, indicative of an up to 40cm sub-surface anthropogenic sterile deposit.

Based on the findings of the field assessment it is recommended that development at all four (4) study sites proceed as applied for, without the developer having to comply with additional heritage compliance requirements. Surface anthropogenic sterility is confirmed. Sub-surface indicators point towards a general shallow sub-surface anthropogenic sterility – but the implied unlikelihood of cultural material being encountered during the course of construction does not exclude the possibility thereof. Should any archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, be uncovered during the course of construction works, then the process as described in Appendix A should be followed.

1.1. Piggery / Feedmill

The study site comprises an approximate 5.2ha area situated at general development coordinate S31°21'26.3"; E27°49'14.6". Visibility across the majority of the study site is described as fair, typified by thick grass cover and low rising to surface level rocky exposures. The eastern extremity of the study site was not accessible – the result of failed standing crops.

No archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, was identified on the surface of the study site. A number of test pits were present on site. Test pit results of a single test pit is briefly reported on for purposes of this report: at P/F-TP01 (S31°21'24.8"; E27°49'14.3") shallow soil removal exposed the geological basal member at approximately 20cm below the surface. The stratigraphic section yielded a single anthropogenic sterile member without any intersecting layers or lenses. Test pit stratigraphic results at P/F-TP01 are similar to other test pits at the site, with test pit depths varying between 15–25cm below the surface.

- *Recommendations:* It is recommended that development at the Piggery / Feedmill study site proceeds as applied for. No archaeological or cultural heritage resources is present on the surface of the study site, with test pit data, in addition, indicative of a shallow approximate 15–25cm anthropogenic sterile sub-surface.

1.2. Cloete Site 1

The study site measures a rough 9.6ha in size situated at general development coordinate S31°20'48.4"; E27°48'04.6". Standing failed crops effectively prohibited access – and by implication visibility – of the study site, with only the north-western portion of the site accessible and serving as proxy for interpretative purposes. No archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, was identified on the

surface of the north-western portion of the study site. No exposed sub-surface sections were present for interpretive purposes.

- *Recommendations:* It is recommended that development at the Cloete Site 1 study site proceeds as applied for. No archaeological or cultural heritage resources is present on the surface of the north-western portion of the study site, serving as proxy area for the largely non-accessible site.

1.3. Cloete Site 2

The study site comprises a 4.6ha area situated at general development coordinate S31°21'18.1"; E27°47'28.7". Visibility at the study site is described as very good: no archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, was identified on the surface of the study site. No exposed sub-surface sections were present. But churned fields are representative of an approximate 40cm below surface disturbed deposit. It is, resultantly, fair to conclude a surface and sub-surface anthropogenic sterility up to some 40cm below the surface.

- *Recommendations:* It is recommended that development at the Cloete Site 2 study site proceeds as applied for. The field assessment indicates surface and sub-surface anthropogenic sterility up to approximately 40cm below the surface.

1.4. Cloete Site 3

The study site constitutes a 19.4ha area situated at general development coordinate S31°21'26.5"; E27°47'56.7". Visibility across the study site is described as very good, aside from the north-eastern perimeter of the site where failed standing crops prohibited access and resultantly also visibility. Similar to the Cloete Site 2 study site, no archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, was visible on the surface of the Cloete Site 3 study site, and with surface ploughed field deposits representative of the rough 40cm in depth churned sub-surface strata.

- *Recommendations:* It is recommended that development at the Cloete Site 3 study site proceeds as applied for. Similar to the Cloete Site 2 assessment results, the Cloete Site 3 field assessment indicates surface and sub-surface anthropogenic sterility up to some 40cm below the surface.



Map 1: Basic layout of the study areas including the Piggery / Feedmill, Cloete Site 1, Cloete Site 2, and Cloete Site 3 study sites



Map 2: Piggery / Feedmill study site



Plate 1: General view of the Piggery / Feedmill study site



Plate 3: View of the Piggery / Feedmill study site [2]



Plate 2: View of the Piggery / Feedmill study site [1]



Plate 4: View of the Piggery / Feedmill study site [3]



Plate 5: View of the Piggery / Feedmill study site [4]



Plate 7: View of the Piggery / Feedmill study site [5]



Plate 6: The P/F-TP01 test pit



Plate 8: View of the Piggery / Feedmill study site [6]



Map 3: Cloete Site 2 study site



Plate 9: View of the Cloete Site 1 study site [1]



Plate 11: View of the Cloete Site 1 study site [3]



Plate 10: View of the Cloete Site 1 study site [2]



Plate 12: View from the Cloete Site 1 study site over the surrounding terrain



Plate 13: View of the Cloete Site 1 study site [4]



Plate 15: View of the Cloete Site 1 study site [6]



Plate 14: View of the Cloete Site 1 study site [5]



Plate 16: View of the Cloete Site 1 study site [7]



Map 4: Cloete Site 2 study site



Plate 17: View of the Cloete Site 2 study site [1]



Plate 19: View of the Cloete Site 2 study site [3]



Plate 18: View of the Cloete Site 2 study site [2]



Plate 20: View of the Cloete Site 2 study site [4]



Plate 21: View of the Cloete Site 2 study site [5]



Plate 23: View of the Cloete Site 2 study site [7]



Plate 22: View of the Cloete Site 2 study site [6]



Plate 24: View of the Cloete Site 2 study site [8]



Map 5: Cloete Site 3 study site



Plate 25: View of the Cloete Site 3 study site [1]



Plate 27: View of the Cloete Site 3 study site [3]



Plate 26: View of the Cloete Site 3 study site [2]



Plate 28: View of the Cloete Site 3 study site [4]



Plate 29: View of the Cloete Site 3 study site [5]



Plate 31: View of the Cloete Site 3 study site [7]



Plate 30: View of the Cloete Site 3 study site [6]



Plate 32: View of the Cloete Site 3 study site [8]

Appendix A: HERITAGE PROTOCOL FOR INCIDENTAL FINDS DURING THE CONSTRUCTION PHASE OF DEVELOPMENT

Site Sensitivity Verification (SSV) and Phase 1 Archaeological and Cultural Heritage Impact Assessment (AIA) – [PIGGERY / FEEDMILL AND CLOETE SITES 1–3], NEAR KHOWA (ELLIOT), SAKHISIZWE LOCAL MUNICIPALITY, EASTERN CAPE

Should any archaeological or cultural heritage resources, including cemeteries / grave sites (human remains), as defined and protected by the NHRA 1999¹, be identified during the construction phase of development, including as a norm during vegetation clearing, surface scraping / levelling, trenching and excavation, the process described below should be followed:

❖ ON-SITE REPORTING PROCESS

1. The identifier should immediately notify his / her supervisor of the find.
2. The identifier's supervisor should immediately (and within 24 hours after reporting by the identifier) report the incident to the on-site SHE / SHEQ² officer.
3. The on-site SHE / SHEQ officer should immediately (and within 24 hours after reporting by the relevant supervisor) report the incident to the appointed ECO / ELO³. [Should the find relate to human remains the SHE / SHEQ officer should immediately notify the nearest SAPS⁴ station informing them of the find].
4. The ECO / ELO should ensure that the find is within 72 hours after the SHE / SHEQ officer's report reported on SAHRIS⁵ / EC PHRA⁶ / project heritage specialist, and arrangements should be made for a heritage site inspection by a suitably qualified and accredited heritage specialist. [Should the find relate to human remains the ECO / ELO should ensure that the heritage site inspection coincides with a SAPS site inspection, to verify if the find is of forensic, authentic (informal / older than 60 years), or archaeological (older than 100 years) origin].
5. The appointed heritage specialist should compile a heritage site inspection report based on site-specific conditions / findings. The site inspection report should make recommendations for the destruction, conservation or mitigation, as may apply, of the find, and prescribe a recommended way forward for development. The heritage site inspection report should

¹ NHRA 1999 – National Heritage Resources Act, Act No. 25 of 1999.

Simplified Guide to the Identification of Archaeological Sites:

- ❖ **Stone Age** – Knapped stone produces stone (lithic) assemblages, including core and flake artefacts, and associated debris, that appear unnatural and may be found infrequently scattered, in concentrated clusters, or as layers or lenses, on the ground surface or within a distinct member / layer of the geological stratigraphy. Earlier Stone Age (ESA) shapes may represent 'pear' or oval shaped stones, often in the region of 10cm or larger. Middle Stone Age (MSA) types include blade- and flake-like artefacts, often associated with randomly shaped lithics or flakes that display use- or edge-wear around the rim of the artefact and can vary greatly in size. Later Stone Age (LSA) lithics appear similar to MSA types, but are generally smaller (≤ 3 cm in size), often informally shaped, and may be found in association with bone, pieces of charcoal and ceramic sherds.
 - **Rock Art** – Includes both painted and engraved images.
 - **Shell Middens** – Include compact shell lenses that may be quite extensive in size or small ephemeral scatters of shell food remains, often associated with LSA artefact remains, but may also be of MSA and Iron Age cultural association.
- ❖ **Iron Age** – Iron Age sites are typified by stone features, i.e. the remains of former livestock enclosures or household remains that may be found in an exposed or buried context. Characteristic artefacts include ceramic remains, beads and trade goods, and metal artefacts (including jewellery). Iron Age remains are, based on signatory characteristics of the site or artefact assemblage, classed as Earlier Iron Age (EIA), Middle Iron Age (MIA) or Later Iron Age (LIA). Remains of the "Liberation Struggle" – events, histories and landmarks associated therewith are often, based on cultural assignation, classed as part of the LIA heritage of South Africa.
- ❖ **Colonial Period** – Many built-environment remains, either urban or rural, are of Western cultural assignation, with typical artefacts representing early Western culture, including typical household remains, trade and manufactured goods, such as old bottle, porcelain and metal artefacts that may be found in an exposed or buried context. War memorial remains, including the vast array of associated graves and the history of the Industrial Revolution form part of South Africa's Colonial Period heritage.
- ❖ **Cemetery / grave sites (human remains)** – Marked cemetery / grave sites are routinely associated with the LIA and the Colonial Period. Unmarked grave sites associated with the Stone Age, Iron Age and Colonial Period may be uncovered during the course of development.

² SHE / SHEQ – Safety, Health and Environment / Safety, Health, Environment and Quality.

³ ECO / ELO – Environmental Control Officer / Environmental Liaison Officer.

⁴ SAPS – South African Police Service.

⁵ SAHRIS – South African Heritage Resources Information System (<https://sahris.sahra.org.za/>).

⁶ EC PHRA – Eastern Cape Provincial Heritage Resources Authority (T/M: 043 492 1942 / 081 434 3544; E: info@ecphra.org.za).

be submitted to the ECO / ELO, who should ensure submission thereof on SAHRIS / to the EC PHRA⁷, or arrange with the heritage specialist to ensure submission of the report on SAHRIS / to the EC PHRA.

6. The EC PHRA will state legal requirements for development to proceed in the EC PHRA Comment on the heritage site inspection report.
7. The developer should proceed with implementation of EC PHRA Comment requirements. EC PHRA Comment requirements may stipulate permit specifications for development to proceed:
 - o Should EC PHRA permit specifications stipulate further Phase 2 archaeological investigation (including cemetery / grave site (human remains) exhumation and relocation) a suitably accredited heritage specialist should be appointed to conduct the work according to the applicable EC PHRA process. The heritage specialist should apply for the permit. Upon issue of the EC PHRA permit the Phase 2 heritage mitigation programme may commence.
 - o Upon completion of the Phase 2 heritage mitigation programme the heritage specialist will submit a Phase 2 mitigation report to the ECO / ELO, who should in turn ensure submission thereof on SAHRIS / to the EC PHRA, or arrange with the heritage specialist to do the relevant report submission. Report recommendations may include that the remainder of a heritage site be destroyed under an EC PHRA permit, or be conserved under recommended alterations to development design and layout.
 - o Should the find relate to human remains of forensic origin the matter will be directly addressed by the SAPS: an EC PHRA permit will not be applicable.
 - o Should EC PHRA permit specifications stipulate destruction of the find under an EC PHRA permit the developer should immediately proceed with the permit application. Upon the issue of the EC PHRA permit the developer may legally proceed with destruction of the heritage resource.

NOTE: EC PHRA permit requirements relating to the mitigation of human remains is subject to a prescribed process, including public consultation, health and heritage permissions, mitigation and re-internment / deposition of remains.

❖ DUTIES OF THE SUPERVISOR

1. The supervisor should immediately upon reporting by the identifier ensure that all work in the vicinity of the find is ceased.
2. The supervisor should ensure that the location of the find is immediately secured (and within 12 hours of reporting by the identifier), by means of a temporary conservation fence (construction netting or similar measures) allowing for a 5–10m heritage conservation buffer zone around the find. The temporary conserved area should be sign-posted as a “No Entry – Heritage Site” zone.
3. Where development has impacted on the resource, no attempt should be made to remove artefacts / objects / remains further from their context, and artefacts / objects / remains that have been removed should be collected and placed within the conservation area or kept for safekeeping with the SHE / SHEQ officer. It is imperative that where development has impacted on heritage resources the context of the find be preserved as good as possible for interpretive and sampling / testing purposes.

The supervisor should record the name, company and capacity of the identifier and compile a brief report describing the events surrounding the find. The report should be submitted to the SHE / SHEQ officer at the time of the incident report.

❖ DUTIES OF THE SHE / SHEQ OFFICER

1. The SHE / SHEQ officer should ensure that the location of the find is recorded with a GPS. A photographic record of the find (including implementation of temporary conservation measures) should be compiled. Where relevant a scale bar or object that can indicate scale should be inserted in photographs for interpretive purposes.
2. The SHE / SHEQ officer should ensure that the supervisors report, GPS co-ordinate(s) and photographic record of the find be submitted to the ECO / ELO. [Should the find relate to human remains the SHE / SHEQ officer should ensure that the mentioned reporting be made available to the SAPS at the time of the incident report].
3. Any retrieved artefacts / objects / remains should, in consultation with the ECO / ELO, be deposited in a safe place (preferably on-site) for safekeeping.

❖ DUTIES OF THE ECO / ELO OFFICER

⁷ In the event of a National Heritage Site (NHS) situated in the Eastern Cape the report should be made directly to the South African Heritage Resources Agency (SAHRA) with a copy forwarded for the attention of EC PHRA, and the SAHRA process, very similar to the EC PHRA process described in this Protocol, should be followed.

1. The ECO / ELO should ensure that the incident is reported on SAHRIS. (The ECO / ELO officer should ensure that he / she is registered on the relevant SAHRIS case / request the heritage specialist to ensure reporting on SAHRIS on his / her behalf).
2. The ECO / ELO should ensure that the incident report is forwarded to the heritage specialist for interpretive purposes at his / her soonest opportunity and prior to the heritage site inspection.
3. The ECO / ELO should facilitate appointment of the heritage specialist by the developer / construction consultant for the heritage site inspection.
4. The ECO / ELO should facilitate access by the heritage specialist to any retrieved artefacts / objects / remains that have been kept in safekeeping.
5. The ECO / ELO should facilitate coordination of the heritage site inspection and the SAPS site inspection in the event of a human remains incident report.
6. The ECO / ELO should facilitate heritage reporting to, and heritage compliance requirements by SAHRA / the relevant PHRA, between the developer / construction consultant, the heritage specialist, the SHE / SHEQ officer (where relevant) and the SAPS (where relevant).

❖ **DUTIES OF THE DEVELOPER / PRINCIPAL ENGINEERING OR CONSTRUCTION CONSULTANT**

The developer / principal engineering or construction consultant should ensure that an adequate heritage contingency budget is accommodated within the project budget to facilitate and streamline the heritage compliance process in the event of incidental heritage resources being uncovered during the course of development, including as a norm during vegetation clearing, surface scraping / levelling, trenching and excavation phases, when resources not visible at the time of the surface assessment may well be exposed.

NOTE: Officer designations used in the *Heritage Protocol for Incidental Finds during the Construction Phase of Development* may well vary from that used on-site, in which case it is the responsibility of the developer / principal engineering or construction consultant to ensure that described duties be assigned to designated staff.