

A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT FOR THE PROPOSED CLEARANCE OF APPROXIMATELY 19,8 HECTARES OF INDIGENOUS VEGETATION FOR THE CULTIVATION OF CITRUS ORCHARDS AND THE CONSTRUCTION OF ASSOCIATED INFRASTRUCTURE ON A SECTION OF PORTION 2 OF FARM 683 NEAR KIRKWOOD IN THE SUNDAYS RIVER VALLEY LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE

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PROJECT INFORMATION

Type of development

The proposed development will include the clearing of 19,8 ha of indigenous vegetation for the cultivation of citrus orchards and the construction of associated infrastructure on a section of Portion 2 of Farm 683 near Kirkwood.

Applicant

Uitsig Boerdery Trust

Consultant

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Purpose of the study

The original proposal was to conduct a Phase 1 Archaeological Impact Assessment (AIA) of the proposed clearance of approximately 19,8 hectares of indigenous vegetation for the cultivation of citrus orchards and the construction of associated infrastructure on a section of Portion 2 of farm 683 near Kirkwood in the Sundays River Valley Local Municipality, Eastern Cape Province;

- the range and importance of possible exposed and *in situ* archaeological sites, features and materials,
- the potential impact of the development on these resources and,
- to make recommendations to minimize possible damage to these resources.

Site and Location

The site for the proposed clearing of vegetation for the cultivation of citrus orchards is located within the 1:50 000 topographic reference map 3325BC Coerney. The proposed development will take place on a section of Portion 2 of farm 683 near Kirkwood in the Sundays River Valley Local Municipality of the Eastern Cape Province. It is situated approximately 14 kilometres directly southeast of Kirkwood and 900 metres south of the Sundays River and the R336 main road to Kirkwood (Map 1). A general GPS reading was taken at 33.28.428S; 25.31.889E. The property is situated on a relatively flat terrain on a high ridge and comprises of yellowish soil covered by low shrubs and trees (Figure 1).

ARCHAEOLOGICAL INVESTIGATION

Methodology and results

The landowner was contacted prior to the investigation to inform him about the survey and to gain access to the property. The investigation was conducted on foot by two archaeologists. A Google Earth aerial image investigation and a literary search were also conducted of the area prior to the survey. GPS readings were taken with a Garmin and all important features were

digitally recorded. The archaeological visibility was good and occasional Middle Stone Age stone tools (older than 30 000 years) were observed (Figure 1, bottom right insert). The quartzite Middle Stone Age stone tools displayed typical faceted striking platforms and were found randomly without any recognised distribution patterns. Few points and blades were observed. Most of the tools were thick, small 'informal' flakes, chunks and cores and were in secondary context and not associated with any other archaeological material. No further action is needed. Apart from the occasional stone tools no other archaeological sites/materials were found. However, because the proposed development is approximately 900 metres from the Sunday's River, it is possible that freshwater shell middens may be exposed during the development.

There are no known graves or buildings older than 60 years on the areas surveyed and in general it would appear that these areas are of low cultural sensitivity and that it is unlikely that any sensitive archaeological remains will be exposed during the development. The development may proceed as planned.

DISCUSSION AND CONDITIONS

The development will take place approximately 900 metres from the Sundays River in an area where one would expect to find fresh water shell middens. These are important archaeological sites and special care must be taken that these sites are not destroyed during development. Although it is unlikely that any significant archaeological heritage remains will be exposed during the development, there is always a possibility that human remains and/or other archaeological and historical material may be uncovered during the development. Should such material be exposed then work must cease in the immediate area of the finds and it must be reported to the archaeologist at the Albany Museum (Tel.: 046 6222312) and/or to the Eastern Cape Provincial Heritage Resources Authority (Tel.: 043 7450888) immediately so that a systematic and professional investigation can be undertaken. All work must stop to allow an archaeologist to conduct a systematic and professional investigation. 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).



Figure 1. General views of the proposed area for the clearance of indigenous vegetation for the cultivation of citrus orchards on a section of Portion 2 of farm 683 near Kirkwood and a sample of Middle Stone Age stone tools observed on the property (bottom right insert).

LETTER OF RECOMMENDATION

It is recommended that the proposed clearance of approximately 19,8 hectares of indigenous vegetation for the cultivation of citrus orchards and the construction of associated infrastructure on a section of Portion 2 of farm 683 near Kirkwood in the Sundays River Valley 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 significant 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 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 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 event of such finds being uncovered, (during any phase of construction work), it must be reported to the archaeologist at the Albany Museum (Tel.: 046 6222312) or to the Eastern Cape Provincial Heritage Resources Authority (Tel.: 043 7450888) immediately. The developer must finance the costs should additional studies be required as outlined above. The *onus* is also on the developer to ensure that this agreement is honoured in accordance with the National Heritage Act No. 25 of 1999. 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 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.*

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 human remains are buried in a flexed position on their side, but are also found buried in a sitting position with a flat stone capping. Developers are requested to be on alert for the possibility of uncovering such 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.

Large stone cairns

They come in different forms and sizes, but are easy to identify. The most common are roughly circular stone walls (mostly collapsed) and may represent stock enclosures, remains of wind breaks or cooking shelters. Others consist of large piles of stones of different sizes and heights and are known as *isisivane*. They are usually near river and mountain crossings. Their purpose and meaning is not fully understood, however, some are thought to represent burial cairns while others may have symbolic value.

Stone artefacts

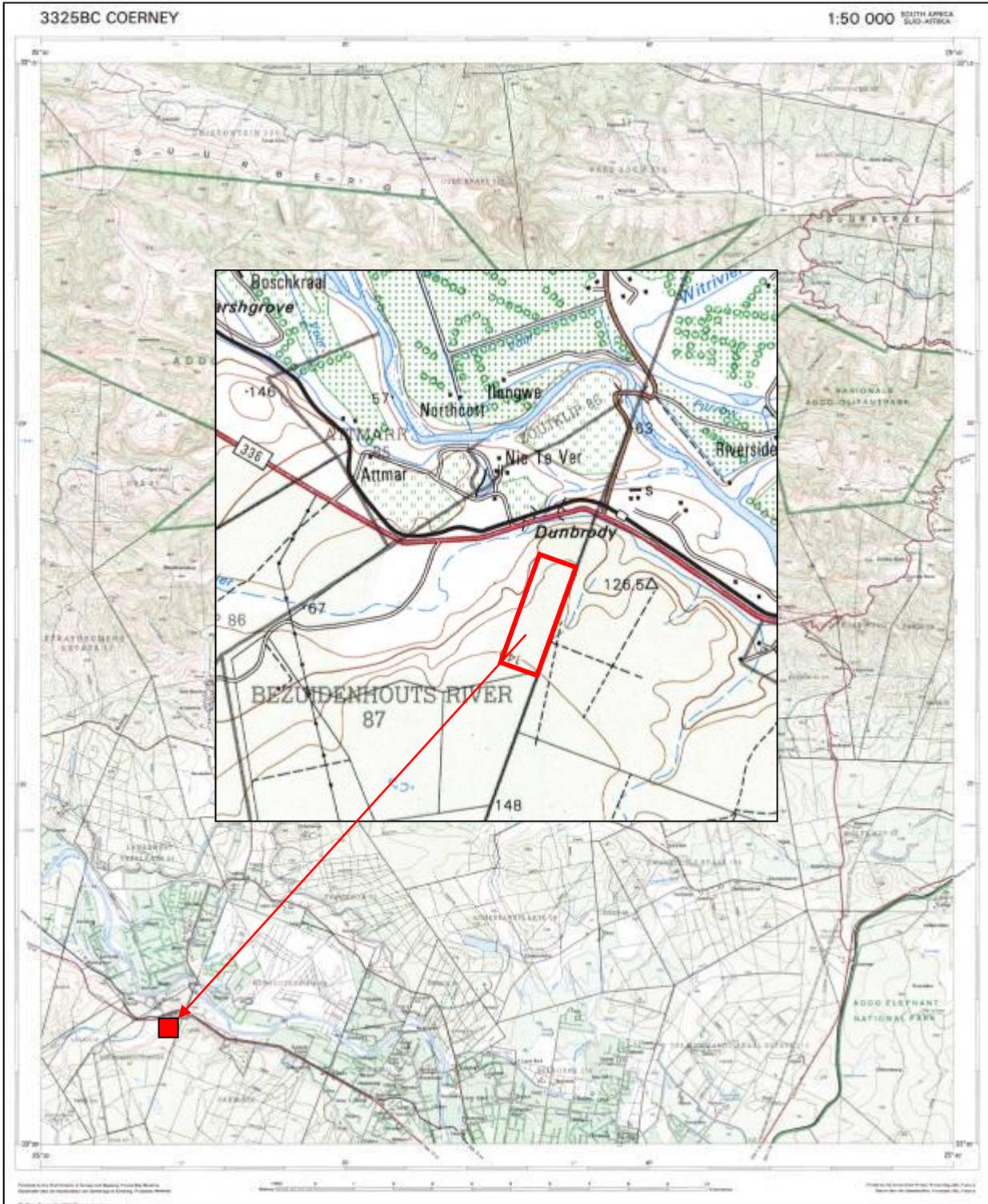
These are difficult for the layman to identify. However, large accumulations of flaked stones which do not appear to have been distributed naturally should be reported. If the stone tools are associated with bone remains, development should be halted immediately and archaeologists notified.

Fossil bone

Fossil bones may be found embedded in geological deposits. Any concentrations of bones, whether fossilized or not, should be reported.

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.



Map 1. 1:50 000 Topographic maps indicating the approximate location of the proposed area for development marked the red squares.



Map 2. Aerial views of the location of the proposed area for development outlined by the white lines (map courtesy of CES Environmental and Social Advisory Services).