

# A STUDY OF KNOWN ARCHAEOLOGICAL RESOURCES IN THE AREA ADMINISTERED BY THE SOUTH CAPE DISTRICT COUNCIL

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## 1. INTRODUCTION

The Archaeology Contracts Office (ACO) of the University of Cape Town was asked to undertake a study of the known archaeological occurrences in an area under the jurisdiction of the of the South Cape District Council. The area is being studied to determine Spatial Framework Plans (Structure Plans). The land in question extends from the mouth of the Breede River in the west, along the coast to Great Brak River in the east, and inland as far as Ladismith.

The ACO were requested to produce the following:

- a baseline map indicating all existing archaeological knowledge and various sensitivities at a scale of 1:50 000;
- an explanation of the map categories, its sensitivities and legend, in report form, accompanied by a brief synopsis of existing archaeological knowledge of the area;
- statements regarding policy on archaeological aspects of the area in respect of the planning process.

Although it is mentioned in the discussion of the background to heritage legislation, detailed references to the National Monuments Act of 1969 have been omitted as the new legislation, the National Heritage Resources Act of 1999, will have been implemented by the time the final structure plan is finalised.

## 2. METHOD

### 2.1 Assembling of information

This study has largely concentrated on assembling primary information that would allow us to determine the extent and state of archaeological knowledge in the area. The information has come largely from the literature, both published and unpublished, and from consultation with a range of researchers who have worked, or are working in the area today. A list of those consulted is presented in Section 8. Although the focus is primarily pre-colonial, civil and military structures post dating AD1652 have also been considered. These are presented in the form of lists of declared National Monuments in Appendix A.

### 2.2 Limitations to the study

This study has been more complicated than we had anticipated due to the uneven nature of the recorded information about archaeological occurrences. The limitations can be summarised thus:

- Researchers began working in the area as far back as the 1920's. They tended to concentrate on single sites, usually caves with deep deposits, rather than undertaking large-scale spatial surveys (that are usually the precursor to research studies that are undertaken today).
- Although some site surveys were undertaken in the past, they tended to be highly selective, often ignoring the full range of sites in favour of those with large amounts of material, or with particular types of artefacts on them.
- Many research studies were not undertaken with management goals in mind. As a result, it is not always possible to determine precisely which areas have been examined (a criticism that must unfortunately extend to some recent impact assessments that do not pay as much attention to defining areas of study in the reports as they should).
- Many site locations are given in one of two ways – either as a map co-ordinate or as a position on a map while some are not given at all. Older map co-ordinates have often proved inaccurate as they often describe incorrectly plotted positions (particularly when only degrees and minutes are used). Positions shown on maps in published articles are usually of such small scale as to be useless apart from determining general geographic location. A scale of between 1:10 000 and 1:30 000 is generally acceptable for reasonable accuracy of position.
- Some information was not available to us where research is still ongoing. This is particularly the case for the area between Stilbaai and the Breede River mouth.
- As some of the studies are old, and this is not a fieldwork-oriented project, some of the sites that were observed or worked on prior to the advent of impact assessments, may already have been lost to development or agriculture. We have no way of verifying this information unless a current researcher can supply it. Some sites described in earlier years may already have disappeared as a result of development.
- The emphasis of most studies has been pre-colonial material. Buildings, roads, bridges and other aspects of the colonial period occur with abundance in the area but are too numerous to plot on maps. As these features are generally easily identifiable, they have not been plotted.

The uneven nature of site location and definition has led to us adopting a more broad brush approach to site location. We have defined areas in which sites are known to occur, and to have occurred, rather than the sites themselves particularly along the coast where most sites (and consequently most of site location problems) occur.

### **3. BACKGROUND ARCHAEOLOGICAL HISTORY**

#### **3.1 Brief historical summary**

The Cape coastal zone has been a focus for human settlement in pre-colonial as well as colonial times. Settlements with a specific focus on marine resources are known from the southern Cape from a period around 120 000 years ago and again in the last 12 000 years. These are times when sea levels were as high as they are at present and the coast close to its present position. Pre-colonial settlements are often called middens or shell middens, simplistically ascribed to Strandlopers. Middens are accumulations, largely of food refuse, which may be associated with other features of settlement such as hearths, structures, artefacts and burials. They are a potential source of considerable information if the context is undisturbed. The Cape coastal middens from the last 2000 years invariably include pottery and the bones of domestic animals, usually sheep, and less frequently cattle, goats and dogs, and mark stock posts of Khoekhoen herders. Vleesbaai is particularly important because it was here that Diaz and his party, 500 years ago, reported seeing people with cattle on the shore. Archaeological traces of those people should still be present along the shore of the bay (Deacon, H. 1989). Despite minor expeditions to the area as early as 1667, colonial expansion into the area was well established by the middle of the 18<sup>th</sup> century.

#### **3.2 Detailed history**

Our current understanding of the history is based on archaeological observations as well as the surviving written texts from the colonial period. Broadly, four distinct periods of this history can be defined. These are summarised in following sections to contextualise the findings made during this study.

It would appear that in the southern Cape, that sites of the MSA and LSA are most common,

##### **3.2.1 The Early Stone Age (ESA)**

Archaeological research has demonstrated that the earliest stone artefacts in South Africa, dating to about 1,7 million years ago, are found at the Sterkfontein caves in Gauteng where they are associated with the remains of *Homo habilis*. These tools are crude by later standards and have been assigned to the Oldowan industry. At approximately 1,5 million years, distinctive stone tools called handaxes appear and are believed to coincide with the emergence of the more evolved *Homo erectus/ergaster*. These tools appear to have been made according to much the same pattern until about 200 000 years ago.

Literally millions of handaxes have been found throughout South Africa, usually in places associated with rivers, pans or springs and, on rare occasions, in caves. They were recorded at a number of locations in South Africa as early as 1881, and even then the similarities with the oldest stage of the European Palaeolithic was noted. In the western Cape, handaxes were first described from the Stellenbosch vineyards in 1899 (Peringuey 1911), and because of their abundance in that area, from about 1926, sites with these tools were described as being part of the Stellenbosch culture. Today, handaxes are described as Acheulian, to emphasise the similarity with stone tools found particularly at St Acheul in France, and with those in the rest of Africa and parts of Europe and the Far East (Sampson 1974).

The favoured raw material for the production of Early Stone Age tools was quartzite. It is no coincidence therefore, that ESA sites are often found next to riverbeds where large quantities of water worn quartzite cobbles can be found. Since few stratified instances of these artefacts are found in association with organic remains, study of other aspects of life at that time remains difficult.

##### **3.2.2 The Middle Stone Age (MSA)**

Large cave sites discovered in the Kalk Bay mountains on the Cape Peninsula in the 1920's contained deep deposits with large numbers of more refined stone artefacts in the lower parts of the sequences (Sampson 1974). These were recognisably different from ESA artefacts and had many similarities to artefacts found in the Palaeolithic sites of Europe. Similar kinds of artefacts have since been found on many open sites and on rare occasions, in the deposits of caves throughout South Africa. A larger selection of fine grained raw material was used for the manufacture of artefacts as new techniques of production, and secondary working into intricate

tools, required more predictable flaking properties. Research has shown that these artefacts belong to a period known in South Africa as the Middle Stone Age and date to the period between 40 000 and 200 000 years. In some very rare instances where circumstances permit, fossil animal bone and marine shells have been found in association with the artefacts giving some indication of the diet and lifestyle of the makers. MSA people are thought to have been an early form of modern humans (*Homo sapiens*) who were capable of hunting large animals. Current theory is that early *Homo sapiens* evolved into fully modern form in Africa and migrated to Europe via the Middle East some 40 000 years ago (Klein 1989). It is believed that these new migrants may have been responsible for the demise of the Neanderthal populations in Europe. There has been a resurgence of interest in this period and a number of sites in the western and southern Cape are being investigated by local and international archaeological teams. Development of new dating techniques extending beyond the range of radiocarbon age determinations (approximately the last 40 000 years), is greatly enhancing this research. The southern Cape region contains numerous sites containing finely made stone points that exhibit complex technological ability. Sites containing these tools are under examination at Blombos Cave near Stilbaai and have also been observed at Cape St. Blaize Cave and several other open sites. There is the distinct possibility that excavations could produce fossilised traces of the early humans who produced the tools.

### 3.2.3 The Late Stone Age (LSA)

This period has been subjected to detailed study by archaeologists. Late Stone Age people, identifiably ancestral to the San (Bushmen) and the Khoekhoen<sup>1</sup> (Hottentots) of early colonial times, lived in southern Africa from some 40 000 years ago.

During most of the Holocene (last 10 000 years) southern Africa was inhabited by small groups of San hunter-foragers who were highly mobile. They hunted with bows and arrows, snared small animals and, where groups lived close to the shore, gathered shellfish and other marine resources, a habit which resulted in the use of the term "Strandlopers"<sup>2</sup>. They used digging sticks, often weighted with bored stones, to find a variety of subterranean vegetable foods, particularly iridaceous bulbs. Having a prodigious knowledge of the environment and the resources around them, their cultural repertoire included a complex belief system, aspects of which are represented in many rock painting and engraving sites in the northern and western Cape. Many paintings and engravings are understood as being closely linked with shamanistic ritual or belief (Lewis-Williams 1981)

The occurrence of sheep and pottery remains in archaeological sites dating to the last 2000 years and younger points to the appearance at that period of a new economy and way of life based on pastoralism. It seems most likely that groups of people, probably the ancestors of the Khoekhoen of colonial times adopted pastoralism, in this case with herds of fat-tailed sheep and later cattle (Smith 1987, Sealy and Yates 1994). With the advent of pastoralism, or soon afterwards, ceramic technology was introduced. While some San groups appear to have co-existed with pastoralists, it has been suggested that hunter-foragers were marginalised moving to areas where grazing opportunities were less attractive to pastoralists (Parkington et al 1986). The precise origin of early stock keeping and ceramic technology in southern Africa is still unclear but it is suggested that it was introduced from the north.

### 3.2.4 The Colonial Period

When the Dutch colonists arrived to set up a replenishment station at the Cape in 1652, they encountered several Khoekhoen groups. Some of these groups lived for part of the year on the Cape Peninsula as part of their seasonal round, while the larger groups grazed herds of sheep and cattle in the Tygerberg Hills and Cape Flats and further afield.

First contact between Europeans and indigenous southern African pastoralist groups had however occurred much earlier when Portuguese mariners sailing down the coast in the 15th and 16th centuries had bartered supplies of meat from the Khoekhoen that they encountered at places such as Saldanha Bay (Smith 1985).

With the increase of shipping rounding the Cape, it was inevitable that some ships would be wrecked. The survivors of such wrecks set up encampments while they waited for rescue, and they often recount meeting and trading with the indigenous groups (Raven-Hart 1967, Smith 1985), so that by the time that Van Riebeeck arrived, a history of contact had already been established.

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<sup>1</sup> This is the grammatically correct term. It is the common-gender plural of 'Khoe' in Nama and Korana and means more than one person, or people (Deacon 1999:129-130).

<sup>2</sup> It has not been proven that there were indigenous groups who lived exclusively at the coast and entirely on marine foods, although hunter-foragers may have become more dependant on them when access to traditional food sources was limited by the influx of first, Khoekhoen pastoralists, and later European settlers.

At first the relationship between the Dutch and the Khoekhoen was one of co-operation, with a great deal of bartering taking place primarily to secure regular supplies of fresh meat. However, as the colony grew and free burghers were granted lands further away from Cape Town, grazing lands previously available to the Khoekhoen were encroached upon. The conflict for land began a process of attrition which, when accompanied by genocidal government policies and several deadly smallpox epidemics, broke down the indigenous population and its political structures. Those who survived were pressed into service as farm labour or settled around several large mission stations that had been established in the Cape.

According to the writings of early colonists, it appears that some San groups still existed in the Cape well into the colonial period. They pursued a largely hunting and foraging lifestyle and were often encountered in the more mountainous regions where there was less possibility of conflict with either the Khoekhoen or Dutch settlers (Parkington et al 1986). In the Roggeveld and further inland in the Karoo, the San suffered from repeated commando raids from the 1770's, but remnant groups maintained degrees of independence for another century (Deacon and Dowson 1996). Namaqualand and the upper Karoo were amongst the least desirable parts of the subcontinent in terms of early colonial penetration, and some Khoekhoen and San continued aspects of their traditional way of life and cultural repertoire here until they were displaced in the 19th century. The accounts of early travelers through Namaqualand, most notably that of Robert Jacob Gordon in 1779, clearly attest to the presence of indigenous hunter-foragers and pastoralist groups in these areas (Raper & Boucher 1988). Similarly, the invaluable Bleek and Loyd records from people living in the Karoo in the 1870s provide insights into /Xam San life and folklore on the eve of their extinction (Deacon and Dowson 1996). The Nama, originally one of the Khoekhoen groups met by Gordon, still practice a form transhumant pastoralism in reservations in Namaqualand today. Many place names in the southern Cape still reflect the presence of the Khoekhoen groups in the area, e.g. (H)Outeniqua, Attaqua, Gouriqua etc.

The mountainous terrain of the Cape Fold Belt provided refuge in the early colonial era for Drosters (run-away slaves), many of whom forged links with the independent Khoesan in the area (Penn 1994).

The presence of early colonists in many parts of the Cape are to be found preserved in the form of towns and old buildings, as well as other engineering feats such as bridges, roads and mountain passes. As early as 1667, Mossel Bay had been investigated as a possible harbour, and in 1689, a small expedition from the colony who were accumulating cattle and sheep, were shown a route through the Outeniqua Mountains into the little Karoo. This route which became known later as Attaqua's Kloof pass, was the first of a number linking the two regions. Farmers were moving further and further away from the colony and by c1720, had become established as far as Swellendam.

#### **4. RESULTS OF THE INFORMATION SURVEY**

It has not been possible to compile the information on a single map as the size at the required scale would be enormous. We have instead utilised the existing 1:50 000 maps issued by the Chief Directorate: Surveys and Mapping that cover the area under investigation. The following sections comprise an explanation of the maps and details of the extent of knowledge for each 1:50 000 map area.

##### **4.1 Map Key**

The variability of the available data meant tailoring the presentation on the maps to reflect that variability. Three categories were decided on and are explained below:

###### **4.1.1 Blue Areas**

These are areas where archaeological sites have been reported, but that have not been comprehensively surveyed. In some cases the precise locations of the sites are unknown, or should not be relied upon. These areas should be considered sensitive.

###### **4.1.2 Green Areas**

These are areas where comprehensive surveys have been undertaken, usually as a result of impact assessments. All sites within these areas are known, and as these assessments are usually precursors to development, where necessary archaeological sites should have been mitigated if it was deemed necessary. If development has already taken place then these areas would no longer be considered sensitive.

### 4.1.3 Red Areas

Areas defined by red lines are those where there is a strong possibility of sites occurring. The extensive knowledge of site locations along the coast allows us to classify these areas as sensitive. The lack of extensive knowledge elsewhere in the area prevents us from making similar predictions inland. Red areas should be considered extremely sensitive.

## 4.2 Maps

### 4.2.1 MAP 3421 AC VERMAAKLIKHEID

#### Area 3421AC(1)

**Description:** A cave in the Elandskloof that contained the bones of eland and rhino, and marine shells. During the Second World War, several wagonloads of bone were removed for bonemeal fertilizer.

**Comment:** No systematic survey of the area has been undertaken and a precise location of the site is unknown. It is unknown if the cave still contains archaeological deposit worth excavation.

**Source:** Dekenah 1955.

#### Area 3421AC(2)

**Description:** A cave with three entrances in the Rietkloof. The site contains rock paintings in the form of areas of finger dots.

**Comment:** No systematic survey has been undertaken and a precise location of the site is unknown.

**Source:** Dekenah 1955.

#### Area 3421AC(3)

**Description:** A single LSA shell midden  $\pm 11$ km from the coast on the farm Brakfontein. The site contains stone artefacts (backed scrapers, scrapers, segments, adzes), indigenous ceramics and human bone. No formal study has been made of the site although Dr. C.H. Heese and J. Dekenah made surface collections sometime in the 1930's. A human cranium in the anatomy department at UCT (UCT270) is associated with this site.

**Comment:** No systematic survey has been undertaken and a precise location of the site is unknown.

**Source of information:** Rudner 1968; Morris 1992.

#### Area 3421AC(4)

**Description:** 21 archaeological sites have been recorded in the area known as Garcia State Forest and Blombos Nature Reserve. The sites consist mostly of LSA shell middens, and both LSA and MSA deposits with Stillbay material are found at Blombos Cave. 9 sites have been excavated and studied by Dr. C. Henshilwood (1995) and Blombos Cave is the subject of an ongoing excavation program to investigate MSA deposits.

**Comment:** Rudner notes that Heese and Malan made surface collections from some midden sites in the area. Although the area has been well surveyed for archaeological sites, the precise positions are unknown. The positions of 9 excavated sites are shown on a small-scale map in Henshilwood's Ph.D. dissertation.

**Source of information:** Henshilwood 1995,1996; Henshilwood and Sealy 1997; Kaplan 1993; Rudner 1968.

#### Area 3421AC(5)

**Description:** The site known as Blombos School was an open artefact scatter from which Heese made a collection of Stillbay type artefacts in the mid-1900's. Deacon notes that the collection was selective and that no *in situ*<sup>3</sup> material is evident today. Heese also collected at Kleinjongensfontein and Noordkapperspunt. Bifacial<sup>4</sup> points that are found on these sites are typical of the Stillbay Industry.

**Comment:** No systematic survey has been undertaken and a precise location of the sites is unknown.

**Source of information:** Deacon 1979.

### 4.2.2 MAP 3421 AD STILBAAI

#### Area 3421AD(1)

**Description:** The coastal property known as Jongensfontein contains both ESA and MSA open sites<sup>5</sup>, and tidal fish traps.

**Comment:** No systematic survey has been undertaken and a precise location of the sites is unknown.

**Source of information:** Kaplan 1993.

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<sup>3</sup> A term to describe any object, or set of objects, which is still in the place where it was left by the original user.

<sup>4</sup> Stone artefacts that have been shaped on both sides.

<sup>5</sup> Any archaeological occurrence occurring outside of a rockshelter or cave.

#### **Area 3421AD(2)**

**Description:** Three LSA shell middens on the coastal area known as Morris Point. These have been reported on by Hart and Parkington. One midden contains fish bone in stratified<sup>6</sup> deposits and may relate to use of the numerous tidal fish traps<sup>7</sup> in the area.

**Comment:** The shell middens were located during an archaeological impact assessment and the area was thus comprehensively surveyed. No locations are known for the burials.

**Source of information:** Hart and Parkington 1991; Deacon 1991.

#### **Area 3421AD(3)**

**Description:** An area known as Platbosfontein contains one LSA shell midden on which indigenous ceramics with lugs<sup>8</sup> have been found.

**Comment:** No systematic survey has been undertaken and a precise location of the site is unknown.

**Source of information:** Rudner 1968.

#### **Area 3421AD(4)**

**Description:** Eleven open sites were located in the area. While primarily LSA middens, some with indigenous ceramics, MSA material is also noted. Numerous (approximately 25) tidal fish traps are to be found along the shore (precise positions unknown). Acheulian and Stillbay material has been found within the area.

**Comment:** These sites were located as part of archaeological impact assessments of Masterstok 9/488 and Plattebosch 56/485 and have thus been comprehensively surveyed. The fish traps at Noordkapperpunt are declared National Monuments (see Appendix A).

**Source of information:** Kaplan 1993, 1997; Deacon 1979.

#### **Area 3421AD(5)**

**Description:** The area known as Kleinjongensfontein contained open sites with Stillbay type artefacts. These were selectively sampled by Heese in the mid-1900's.

**Comment:** No systematic survey has been undertaken and precise locations of the sites are unknown.

**Source of information:** Deacon 1979.

#### **Area 3421AD(6)**

**Description:** A number of LSA shell middens to the east of the Kaffirkuils River.

**Comment:** No systematic survey has been undertaken and precise locations of the sites are unknown.

**Source of information:** Rudner 1968.

#### **Area 3421AD(7)**

**Description:** A number of tidal fish traps located to the north of the harbour at Still Bay. The precise positions of these sites are known.

**Source of information:** Deacon 1991.

#### **Area 3421AD(8)**

**Description:** Morris has reported five LSA burials from the area.

**Comment:** No locations are known for the burials.

**Source of information:** Morris 1992.

### **4.2.3 MAP 3421 BC RIETVLEI**

#### **Area 3421BC(1)**

**Description:** Several LSA shell middens, some of which contain indigenous ceramics.

**Comment:** No systematic survey has been undertaken and precise locations of the sites are unknown.

**Source of information:** Rudner 1968.

#### **Area 3421BC(2)**

**Description:** Two LSA shell middens at Reiesiesbaan.

**Comment:** No systematic survey has been undertaken and precise locations of the sites are unknown.

**Source of information:** Kaplan 1993.

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<sup>6</sup> Multiple occupational layers of differing ages resulting from use of the same locality over an extended time period.

<sup>7</sup> Enclosures built from rocks, or blocked natural gullies situated in the intertidal zone designed to trap fish during tidal fluctuation.

<sup>8</sup> An extruded portion on the side of the pot often perforated, and believed to be used in suspending the pot during cooking or transportation.

#### 4.2.4 MAP 3321 DC LANGBERG

##### Area 3321DC(1)

**Description:** A rock shelter at Die Poort. No additional information about the archaeological content is available.

**Comment:** No systematic survey has been undertaken but the location of this site is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DC(2)

**Description:** Remains of British defensive trenches dating to the Anglo-Boer war.

**Comment:** No systematic survey has been undertaken but the location of this site is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DC(3)

**Description:** A site that is known as Langberg rock shelter or Yellow man rock shelter. A number of red and black rock paintings on the walls and a sandy deposit on the floor shows traces of ash. One area contains a frieze of "fish/swallow-tailed" human figures (see Maggs 1998). Also present are handprints, finger dots and lines. A single brass button has been commented on by Miller *et al* 1998. A second shelter contains paintings in yellow, white black and red. Amongst these are human figures, therianthropes<sup>9</sup>, animals, finger dots and lines

**Comment:** No systematic survey has been undertaken but the location of this site is known.

**Source of information:** Site records of Mr. P. Gray; Maggs 1998; Miller et al 1998.

#### 4.2.5 MAP 3321 DD ATTAKWASKLOOF

##### Area 3321DC(1)

**Description:** A site known as Klein Kloof shelter. Red and black rock paintings including lines finger dots and handprints are found here.

**Comment:** No systematic survey has been undertaken but the location of this site is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DC(2)

**Description:** A rock shelter in the Attaqua's Pass area containing a rock painting described as a "hunting/battle scene".

**Comment:** No systematic survey has been undertaken but the location of this site is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DC(3)

**Description:** A site which has been called Perdekop Cave. Several rock paintings including some human figures in white are found here. Some figures are described as having tail-like appendages.

**Comment:** No systematic survey has been undertaken but the location of this site is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DC(4)

**Description:** Two British forts at Spitskop dating to the Anglo-Boer war. Some historic dumps relating to the use of the forts may be present.

**Comment:** No systematic survey of the area has been undertaken but the precise location of the sites is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DC(5)

**Description:** A rock shelter which has been named Woeska 1. The site contains rock paintings including human figures, handprints and finger dots.

**Comment:** No systematic survey has been undertaken but the position of this site is known.

**Source of information:** Site records of Mr. P. Gray

##### Area 3321DD(6)

**Description:** Remains of British defensive trenches and three forts dating to the Anglo-Boer war.

**Comment:** No systematic survey of the area has been undertaken but the precise location of the sites is known.

**Source of information:** Site records of Mr. P. Gray

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<sup>9</sup> Depictions of humans, particularly in cave paintings or rock engravings, with animal features i.e. heads.

#### **Area 3321DD(7)**

**Description:** Remains of British fort at the summit of Attaqua's Kloof dating to the Anglo-Boer war. It is believed that some historic dumps relating to the use of the fort may be found in the area.

**Comment:** No systematic survey of the area has been undertaken but the precise location of the fort is known.

**Source of information:** Site records of Mr. P. Gray

#### **4.2.6 MAP 3421 BB HERBERTSDALE**

##### **Area 3421BB(1)**

**Description:** LSA shell middens, one near the property known as Oude Duinigt, and several *Donax*<sup>10</sup> middens along the dune cordon at Waaisand.

**Comment:** No systematic survey has been undertaken. Precise site locations are unknown.

**Source of information:** Kaplan 1993.

#### **4.2.7 MAP 3421 BD GOURITSMOND**

##### **Area 3421BD(1)**

**Description:** LSA shell middens between Haaikrans and Gouritz River mouth.

**Source of information:** Kaplan 1993.

##### **Area 3421BD(2)**

**Description:** LSA shell middens at Kanonstrand, and between Rooibankies and Vleesbaai. *Donax* middens with indigenous ceramics noted at Vleesbaai. MSA open sites are also found at Kanon and Fish Bay. One site has been excavated but we have no additional information.

**Source of information:** Rudner 1968; Deacon, H. 1989; Kaplan 1993.

##### **Area 3421BD(3)**

**Description:** LSA, MSA and ESA artefact scatters and LSA shell middens observed at Grootrug at the mouth of the Gourits River.

**Source of information:** Halkett and Hart 1996.

##### **Area 3421BD(4)**

**Description:** LSA and MSA open artefact scatters, *Donax* and *Haliotis*<sup>11</sup> shell middens and an historic well on Portion 8 of farm Buffelsfontein 250; and LSA and MSA open artefact scatters Portion 8 of erf 537 of Buffelsfontein 250. Shell middens with indigenous ceramics are also noted here. An LSA human burial has been excavated at Snuifkliip.

**Comment:** We have been unable to locate the precise area where Kaplan's surveys were carried out.

**Source of information:** Kaplan 1998a&b; Morris 1992.

#### **4.2.8 MAP 3422 AA MOSSEL BAY**

##### **Area 3422AA(1)**

**Description:** LSA shell middens with stone artefactual material and indigenous ceramics observed on erf 1491 and a portion of the Farm Searles No. 252, at Great Brak River.

**Comment:** We are unable to determine from the maps where the precise area is and therefore cannot enter the area on the map.

**Source of information:** Kaplan 1996.

##### **Area 3422AA(2)**

**Description:** Great Brak Rockshelter. Excavation undertaken before construction of Wolwedans Dam

**Source of information:** Van Rijssen 1986; M. Leslie, pers com.

##### **Area 3422AA(3)**

**Description:** LSA shell middens at the mouth of the Great Brak River.

**Source of information:** Rudner 1968; Kaplan 1993.

##### **Area 3422AA(4)**

**Description:** Numerous LSA and MSA sites located at Pinnacle Point. A number of these are located in caves and shelters.

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<sup>10</sup> *Donax serra* - the scientific name for the white mussel.

<sup>11</sup> The scientific name for perlemoen/abalone.

**Source of information:** Kaplan 1997.

**Area 3422AA(5)**

**Description:** LSA shell middens reported at Munro's Bay

**Source of information:** Kaplan 1993.

**Area 3422AA(6)**

**Description:** Cape St. Blaize Cave. There is a long history of excavations at the cave that contains MSA artefactual material.

**Comment:** The cave is a declared National Monument.

**Source of information:** Goodwin & Malan 1935; Keller 1969; Deacon, J. 1979.

## **5. SUMMARY OF OBSERVATIONS AND PREDICTIONS**

- There are relatively few sites known sites in the area of the South Coast District Council as it has not up to now formed a major focus of archaeological research. If the area were properly surveyed, the number of sites would increase dramatically.
- The range of known sites in the area includes shell middens, open artefact scatters, fish traps, burials, caves with archaeological content including rock paintings and burials from the ESA, MSA and LSA of the precolonial era, and military, civil and engineering structures from the colonial period.
- The coastal zone has been the focus of most archaeological endeavour and most known sites occur there. This has allowed some predictions to be made about the locations of sites in areas which have never been surveyed.
- Some archaeological material in the area, particularly in the coastal zone, has already been shown to be of international significance and large archaeological programs to study the material are underway.
- It is likely that numerous rock painting sites will be found in river valleys and mountainous regions of the area. Not having more information makes it difficult to predict the extent.
- Numerous human burials from the precolonial area are found in caves and in dunes along the coast.

## **6. HERITAGE LEGISLATION**

Historical buildings, archaeological sites and other artefacts are non-renewable and once destroyed can never be replaced. This realisation has resulted in the formulation of statutory controls for the preservation of heritage resources in many countries in the world today. The International Council on Monuments and sites (ICOMOS), of which South Africa is now a member along with 84 other countries, seeks to apply the highest principles of conservation to the Monuments and Sites of the World (Deacon 1996).

South Africa has always had an appreciation of its past, and for years, has had legislation to protect aspects of its heritage. Legislation has in the past unfortunately tended to neglect the full spectrum of heritage, a shortcoming that has been rectified with promulgation of new legislation. The following sections deal with the legal aspects surrounding heritage resources at national level.

### **6.1 Background to South African heritage legislation**

Certain archaeological sites in South Africa have been afforded legal protection since 1911 when the Bushmen Relics Protection Act became the first body of legislation that specifically protected artefacts and sites of 'South African Bushmen or other aboriginals' The first South African conservation authority, the Commission for the Preservation of Natural and Historical Monuments of the Union, was established in terms of the Natural and Historical Monuments Act of 1923. This body was more commonly known as the Historical Monuments Commission. In 1934, the Natural and Historical Monuments, Relics and Antiquities Act replaced previous Acts (see also Deacon and Pistorius 1996). This was superseded in 1969 with the creation of the National Monuments Council and formulation of the National Monuments Act. Various amendments have since been made to this Act, with the most recent amendment being in 1986. The legislation that applied to heritage material in its various forms up until the year 2000 was known as the National Monuments Act No. 28 of 1969 (as amended).

The National Monuments Council was invested under this legislation with powers to protect a variety of heritage resources as well as to declare national monuments and conservation areas. Archaeological, palaeontological, historical sites (including shipwrecks) and structures, and certain antiquities were protected. Destruction, damage, alteration, excavation or removal from the original site of a feature considered to be a heritage resource without permission from the Council was considered an offense (see also Pistorius 1996).

The Environment Conservation Act (Act 73 of 1989) and the Environment Conservation Amendment Act of 1992<sup>12</sup> supplemented the National Monuments Act through the Integrated Environmental Management procedure that they advocated. Although many archaeological sites have been identified and mitigated through this procedure, the old National Monuments Act of 1969 (as amended) remained the primary piece of legislation in heritage management at that time. The Minerals Act (Act 50 of 1991) and the Minerals Amendment Act (Act 103 of 1993), require plans for the conservation of the environment at, or in the vicinity of, any mine or similar works, to be detailed in an environmental management program (EMP). As an EMP must indicate how the natural and 'man-made' environment will be protected and rehabilitated during and after the mining, and as a result impacts on heritage must be investigated as part of the planning process.

Following the political transformation of 1994, the National Monuments Act was found to no longer reflect South Africa's changing priorities for cultural heritage conservation, and in 1996, a White Paper on Arts, Culture and Heritage<sup>13</sup> outlined a new policy and vision for heritage in South Africa. New legislation was however needed to implement it. As the new Constitution gives concurrent powers to National and Provincial government for 'cultural matters', a new legislative framework was necessary to accommodate the new administrative system and to define the responsibilities of heritage authorities at national and provincial level. To fulfill these goals, a completely new set of legislation has been drafted and was tabled before the 1999 sitting of parliament. The new act will be known as "The National Heritage Resources Act of 1999". It is far more comprehensive than the existing body of legislation and introduces some fundamental changes to the *status quo*. It provides *inter alia* for the establishment of the South African Heritage Resources Agency (SAHRA) which will replace the existing National Monuments Council. The six current regional offices of the NMC will be transferred to the respective provinces where they will form, in addition to newly created offices, the cores of provincial heritage authorities.

The implementation of the new legislation was on the 1<sup>st</sup> April 2000.

## 6.2 New legislation: National Heritage Resources Act of 1999

Extracts from the new act are reproduced below to highlight certain points. A copy of the full act can be found at <http://www.parliament.gov.za/acts/1999/index.htm> (Act 25) and must be read in conjunction with the following points. In terms of Section 59 of the National Heritage Resources Act, the minister of Arts, Culture, Science and Technology has just presented a draft of the permit regulations in the Schedule for discussion.

The main clauses of the Act are as follows:

### Definitions

2. In this Act, unless the context requires otherwise-

- (i) "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 other decoration or any other means;
- (ii) "archaeological" means-
  - (a) material remains resulting from human activity which are in a state of disuse and are in or on land and are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
  - (b) rock art, being in any form of painting, engraving or any other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and is older than 100 years, including any area within 10m of such representation;
  - (c) wrecks, being any vessel or aircraft, or any part thereof which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic, as defined respectively in sections 3,4, and 6 of the Maritime Zones Act, 1994 (Act No.15 of 1994), and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation; and
  - (d) features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found;

Relating to what is protected:

### General protections

<sup>12</sup> The Government Gazette, 26/6/92. No. 14075. Substitution of section 22 of Act 73 of 1989.

<sup>13</sup> Department of Arts, Culture, Science and Technology. 1996. Draft White Paper on Arts, Culture and Heritage, June 1996. Pretoria: Government Printer.

## 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, except under the authority of a permit issued by a responsible heritage 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 material or palaeontological material or object, or any meteorite; or
- d) Bring onto use at an archaeological or palaeontological site any excavation equipment or any equipment which assists in the detection or recovery of metals or archaeological or 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.

### 6.2.1 Application of the Heritage Resources Act

Unlike its predecessor, the new legislation contains procedures for compliance with the law. These are contained in Chapter II, Part 2 and Part 3 of the Act. Sections with particular relevance are presented below.

#### Heritage resources management

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as –

- (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300 m in length;
- (b) the construction of a bridge or similar structure exceeding 50 m in length;
- (c) any development or other activity which will change the character of a site –
  - (i) exceeding 5000 m<sup>2</sup> in extent; or
  - (ii) involving three or more existing erven or subdivisions thereof; or
  - (iii) involving three or more existing erven or subdivisions 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 heritage resources authority;
- (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at 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.

(2) the responsible heritage resources authority must, within 14 days of receipt of a notification in terms of subsection (1) –

- (a) if there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact assessment report. Such report must be compiled at the cost of the person proposing the development, by a person or persons approved by the responsible heritage resources authority

with relevant qualifications and experience and professional standing in heritage resources management; or

(b) notify the person concerned that this section does not apply.

(3) The responsible heritage resources authority must specify the information to be provided in a report required under subsection (2)(a): Provided that the following must be included:

(a) the identification and mapping of all heritage resources in the area affected;

(b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;

(c) an assessment of the impact of the development on such heritage resources;

(d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;

(e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;

(f) if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and

(g) plans for mitigation of any adverse effects during and after the completion of the proposed development.

(4) The report must be considered timeously by the responsible heritage resources authority which must, after consultation with the person proposing the development, decide—

(a) whether or not the development may proceed;

(b) any limitations or conditions to be applied to the development;

(c) what general protections in terms of this Act apply, and what formal protections may be applied, to such heritage resources;

(d) whether compensatory action is required in respect of any heritage resources damaged or destroyed as a result of the development; and

(e) whether the appointment of specialists is required as a condition of approval of the proposal.

(5) A provincial heritage resources authority shall not make any decision under subsection (4) with respect to any development which impacts on a heritage resource protected at a national level unless it has consulted SAHRA.

(6) The applicant may appeal against the decision of the provincial heritage resources authority to the MEC, who—

(a) must consider the views of both parties; and

(b) may at his or her discretion—

(i) appoint a committee to undertake an independent review of the impact assessment report and the decision of the responsible heritage resources authority; and

(ii) consult SAHRA; and

(c) must uphold, amend or overturn such decision.

(7) The provisions of this section do not apply to a development described in subsection (1) affecting any heritage resource formally protected by SAHRA unless the authority concerned decides otherwise.

(8) The provisions of this section do not apply to a development as described in subsection (1) if an evaluation of the impact of such development on heritage resources is required in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989), or the integrated environmental management guidelines issued by the Department of Environmental Affairs and Tourism, or the Minerals Act, 1991 (Act No. 50 of 1991), or any other legislation: Provided that the consenting authority must ensure that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of subsection (3), and any comments and recommendations of the relevant heritage resources authority with regard to such development have been taken into account prior to the granting of the consent.

(9) The provincial heritage resources authority, with the approval of the MEC may, by notice in the *Provincial Gazette*, exempt from the requirements of this section any place specified in the notice.

(10) Any person who has complied with the decision of a provincial heritage resources authority in subsection (4) or of the MEC in terms of subsection (6) or other requirements referred to in subsection (8), must be exempted from compliance with all other protections in terms of this Part, but any existing heritage agreements made in terms of section 42 must continue to apply.

## Heritage agreement

42. (1) (a) SAHRA, or a provincial heritage resources authority may negotiate and agree with a provincial authority, local authority, conservation body, person, or community for the execution of a heritage agreement to provide for the conservation, improvement or presentation of a clearly defined heritage resource: Provided that the consent of the owner of such resource must be given.

(b) Such a heritage agreement must be in the form of a binding contract.

(2) A heritage agreement may include such terms and conditions as the parties think fit, including provision for public access, and provision for financial or other assistance from the heritage authority concerned.

(3) Without limiting subsection (2), a heritage agreement may be expressed to have effect in perpetuity or for any specified term, or to terminate upon the happening of a specific event.

(4) A heritage agreement may, with the consent of the owner of the resource concerned, be varied or cancelled by agreement between the parties.

(5) The consent of the owner of the resource concerned to the heritage agreement or any variation of the heritage agreement may be given, subject to the inclusion in the heritage agreement of any additional provisions or modified provisions, or to the deletion of such provisions, as the owner giving the consent considers necessary.

(6) Nothing in this Act requires a heritage resources authority to negotiate or agree with any person or authority to enter into or execute any heritage agreement.

(7) A heritage agreement in respect of a place attached to the land is binding on the owner of the place, as at the date of execution of the agreement, while the agreement remains in force.

(8) The owner of a national heritage site, a provincial heritage site or a place listed in a heritage register may, by a heritage agreement entered into with the heritage resources authority or local authority responsible for the protection of such place, or any person or body approved by such authority, appoint the heritage resources authority or the local authority or the person or body concerned, as guardian of the place.

(9) The heritage agreement referred to in subsections (7) or (8) may provide for—

(a) the maintenance and management of the place;

(b) the custody of the place and the duties of any person who may be employed in connection therewith;

(c) the occupation or use of the place by the owner or otherwise;

(d) the restriction of the right of the owner or occupier to do certain acts or things on or near the place;

(e) the facilities of access to be permitted to the public and to persons deputed by the guardian to inspect or maintain the place;

(f) the presentation of the place;

(g) the notice to be given to the guardian in case the owner intends to offer the land on which the place is situated for sale, lease or other disposal, and the right to be reserved to the guardian to have first refusal of such sale, lease or other disposal;

(h) the payment of any expenses incurred by the owner or by the guardian in connection with the maintenance of the place;

(i) any other matter connected with the protection or management of the place which is agreed to by the owner and the guardian;

(j) the duration of the agreement, with provision for the earlier termination thereof by any party thereto; and

(k) the procedure for the resolution of any dispute arising out of the agreement.

(10) The owner of a place that is under guardianship shall, except as expressly provided by this Act, continue to have the same estate, right, title and interest in and to the place as before.

(11) Every heritage agreement has effect according to its tenor but subject to the provisions of this Act: Provided that—

(a) the execution of a heritage resources agreement in respect of a heritage resource must not prevent the heritage authority responsible for its protection from exercising any powers in this Act in relation to that resources; and

(b) nothing in terms of any heritage agreement shall permit or allow any person to carry out any act contrary to the provisions of this Act.

## Incentives

48. (1) On advice from SAHRA the Minister, in concurrence with the Minister of Finance, may publish regulations on financial incentives for the conservation of heritage resources which form part of the national estate, or otherwise promote the purpose of this Act.

(2) An MEC or a local authority may in planning schemes or in by-laws under this Act or by other means provide incentives for the conservation of heritage resources as provided for in subsection (1).

## Presentation of protected resources

49. (1) Heritage resources authorities and local authorities must, wherever appropriate, co-ordinate and promote the presentation and use of places of cultural significance and heritage resources which form part of the national estate and for which they are responsible in terms of section 5 for public enjoyment, education, research and tourism, including—

- (a) the erection of explanatory plaques and interpretive facilities, including interpretive centres and visitor facilities;
- (b) the training and provision of guides;
- (c) the mounting of exhibitions;
- (d) the erection of memorials; and
- (e) any other means necessary for the effective presentation of the national estate.

(2) Where a heritage resource which is formally protected in terms of Part 1 of this Chapter is to be presented, the person wishing to undertake such presentation must, at least 60 days prior to the institution of interpretive measures or manufacture of associated material, consult with the heritage resources authority which is responsible for the protection of such heritage resource regarding the contents of interpretive material or programs.

(3) A person may only erect a plaque or other permanent display or structure associated with such presentation in the vicinity of a place protected in terms of this Act in consultation with the heritage authority responsible for the protection of the place.

## 6.3 Sources of Impact

Notwithstanding the legislated categories of development, archaeologists generally identify two major sources of impact on heritage material. These are defined as either primary sources, which are often large scale organised activities which modify the landscape, or secondary impacts which are of an *ad hoc* and usually more limited nature, but can also be a combination of the two.

### 6.3.1 Primary sources of impact on archaeological material

The activities identified below are generally responsible for the most damage to heritage resources.

- Development of land as a result of a structure plan
- Development of land as a result of a rezoning application
- Development of land as a result of a subdivision
- Establishment of housing developments not subject to conditions of 1,2,3 above.
- Establishment of townships
- Establishment of resorts
- Any development on undeveloped land
- Mining, prospecting and quarrying activities
- Construction of airports
- Construction of dams
- Construction of ports, harbours and marinas
- Laying of pipelines
- Construction of major sporting facilities
- Flood control schemes, canals, aqueducts, river diversions
- Any major landscaping, excavation or land remodeling projects
- Construction of roads
- Construction of railway lines
- Illegal demolition of structures over 60 years old
- Agricultural activity

### 6.3.2 Secondary sources of impact on archaeological material

These impacts can be as serious as those caused by large developments but are usually of more limited nature and occur on an *ad hoc* basis. They are generally associated with any increase in human activity resulting from the proximity of, for example, residential areas and recreational facilities. Primary impacts that lead to the increase in human use of an area, will usually be accompanied by secondary impacts. Impact assessments must also consider these additional factors resulting from development activity. The *ad hoc* nature of the impact makes it difficult to control beyond educating the public as to the sensitivity of archaeological resources. We have identified some of the secondary impacts on archaeological sites below:

- Illegal collection of artefactual material or vandalising of sites
- Indiscriminate use of off-road vehicles
- *Ad-hoc* creation of dirt tracks or tracks for off-road vehicles
- Establishment of informal parking areas
- Establishment of Informal camp sites and picnic areas
- Dumping
- Unplanned footpaths
- Erosion resulting from any of the above or any other source.

## **6.4 Heritage management mechanisms**

Despite the attempts of the legislation to make heritage management a proactive process, the subterranean (and often) unpredictable nature of archaeological or palaeontological remains, means that there will always be a need to be able to deal reactively with unexpected finds.

### **6.4.1 Reactive management**

Many heritage assessments or rescue excavations take place reactively because the potential for impact on archaeological material of a development has not been taken into account at the initial planning stage. This management can be characterised as knee-jerk, with mitigation procedures carried out as a result of the intervention of an authority, or lobbying by interest groups and members of the public, or if a find of significance is exposed during the course of earthmoving.

Whilst the reactive approach will always be a component of heritage resource management, it should not be seen as an acceptable mechanism for dealing with heritage issues. We realise that in some instances, there will be no indication that important finds will be uncovered and the reactive approach therefore becomes unavoidable. This way of carrying out mitigation has many disadvantages for both the archaeologist and developer alike. One of the major disadvantages is in terms of delays to the development that can be extremely costly. In addition money will not have been budgeted for the purpose of mitigation and may mean that the archaeologist is forced to complete the task unsatisfactorily. Secondly, should any conservation-worthy features be found, it may not be possible to preserve these for posterity.

### **6.4.2 Pro-active management**

The process consists of two phases of assessment, which we believe greatly lessens the need for the reactive approach to be adopted. These procedures will continue to be followed under the new legislation and are described below:

#### **6.4.2.1 Phase 1 (impact assessment)**

The heritage resource professional (archaeologist, architect, historian, palaeontologist) needs to be approached as early as possible in the planning phase of a project. The project is initially assessed as to whether it is likely to impact heritage resources. This stage of assessment is usually based on the knowledge of particular locations and recently has taken place during the submission of plans to the National Monuments Council Regional Planning Committee, but may also occur through more informal inquiries. If it is considered that impacts will occur, a Phase 1 investigation will be recommended. This is a more detailed study that will usually involve fieldwork and/or interrogation of archival material and other documentary sources, depending on the age of the remains. The applicant pays for these investigations. If no impacts are identified during the Phase 1 study, recommendation would be that no further mitigatory work need take place. A copy of the recommendations is sent to the client and relevant heritage resources authority for implementation.

Recommendations may include a number of actions. Firstly, if no impacts are identified, permission will be granted to proceed with the activity. If impacts are identified, the applicant has the option to avoid the resource through re-planning, or to mitigate the impact by removing it, or sampling it. In some cases, a resource may be of such a nature that it cannot be removed. Re-planning will be unavoidable under these circumstances. The latter process will usually be negotiated between the developer and the relevant heritage resources authority.

#### **6.4.2.2 Phase 2 (mitigation)**

Recommendations of the Phase 1 are usually implemented during what is known as a Phase 2 program. Such a program would require further involvement of a heritage professional at the applicant's cost. Permits need to be

issued for heritage material to be moved or sampled by a professional. Provided that the mitigation is carried out satisfactorily, the applicant will be given permission to proceed following mitigation, and will be allowed to remove the balance of material after issue of a permit from the relevant heritage resources authority. The results of a Phase 2 study are presented as a report to both the client and the relevant heritage resources authority. Apart from allowing the heritage resources authority to assess the thoroughness of the mitigation, the report documents what has been found. As it is not always possible to carry out detailed research on excavated material at the Phase 2 stage because of the cost involved, the report allows other researchers who may wish to take the study further to know what is available. Research on recovered material is usually funded by other agencies except in circumstances that are described in the following section.

#### **6.4.2.3 Additional phases of work**

The completion of Phase 1 and Phase 2 studies is often where specialist archaeological intervention ends. A growing trend however is to use the information or features discovered during such studies to inform the general public of the significance of archaeological sites. This is often done to add value to a development, or to an area, and can if so desired, be used to generate publicity and to engender a sense of community involvement. The increase in what is known as eco-tourism has provided an excellent incentive to make use of archaeological information. Examples of such use can be seen at Nelson Bay Cave on the Robberg peninsula at Plettenberg Bay, Matjies River Rock Shelter at Keurboomstrand and at Wonderwerk Cave near Kuruman, where displays have been erected in the caves. Rock paintings can be visited in caves in the Giant's Castle region of the Drakensberg, and rock engravings are on display at Nooitgedacht near Kimberley (Deacon & Deacon 1999:198). These are some of the better-known examples, but numerous smaller sites that are found all over South Africa can now be visited. If planned properly, local community involvement can be used to help manage access and protect such sites and in so doing provide employment opportunities. While the older archaeological remains on display are still relatively rare, we are all familiar with the numerous buildings which have been conserved, in many cases incorporated into developments. Perhaps the most well visited example is the Victoria and Alfred Waterfront in Cape Town.

#### **6.5 Management of public access to heritage resources**

Most archaeologists would agree that it is important to facilitate access by the public to sites of archaeological or historical interest. In the ideal world, all this would require would be a few signboards, whereas in reality, if sites of interest, or museums were run in this way, there would be nothing left to see. The problems with vandalism and theft require measures to be in place to ensure controlled access to heritage resources, while at the same time not ruining the aesthetics through implementation of heavy security measures.

In the future, planning with regard to allowing access to heritage sites will have to be done in consultation with SAHRA (or the responsible provincial heritage resources authorities) in terms of Section 44 (2) of the National Heritage Resources Act.

### **7. SUMMARY**

#### **7.1 Heritage categories protected under the National Heritage Resources Act of 1999**

- All structures, or part thereof, older than 60 years;
- Archaeological sites, palaeontological sites, and meteorites older than 100 years;
- Burials of all types older than 60 years including those of victims of conflict, outside of a formal cemetery administered by a local authority;
- rock art, being in any form of painting, engraving or any other graphic representation on a fixed rock surface or loose rock or stone, older than 100 years
- wrecks of any vessel or aircraft, or any part thereof which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation;
- features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found;

#### **7.2 Procedures to be followed in terms of the National Heritage Resources Act of 1999**

- Certain categories of development specified in section 38 of the Heritage Resources Act, require the proponents of a development to notify the relevant heritage resources authority of such development. If it is believed by the relevant heritage resources body that heritage resources may be present, they will notify the

applicant who must then undertake an impact assessment (and whatever further steps are necessary following the recommendations of the impact assessment). Areas that have already been surveyed as part of archaeological impact assessments under the old legislation would not need to be repeated. Pre-defined activities include:

- Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300 m in length;
  - Construction of a bridge or similar structure exceeding 50 m in length;
  - Any development or other activity which will change the character of a site – exceeding 5000 m<sup>2</sup> in extent; or involving three or more existing erven or subdivisions thereof; or involving three or more existing erven or subdivisions thereof which have been consolidated within the past five years; or any development, the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
  - The re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent;
  - Any other category of development provided for in regulations by SAHRA
- No heritage category as defined in Section 2 may be disturbed regardless of the categories of development specified in Section 38 of the Act.
  - Archaeological sites will most frequently be found within the coastal zone (in precisely the same areas often chosen for development) of the area under the control of the South Coast District Council, but indications are that the more mountainous regions and river valleys also contain many sites.
  - Impact assessments may only be undertaken by approved heritage professionals.
  - Until such time as the provincial heritage structures are in place, what was the regional office for the western Province of the National Monuments Council, will continue to administer heritage matters, including those of the southern Cape. The regional representative for the southern Cape is:  
Ms. Joanna Marx Ph: (021) 4624502. Additional information can be found at <http://www.nationalmonuments.co.za>

## 8. SOURCES CONSULTED

- Dr J. Deacon National Monuments Council
- Dr. G. Avery South African Museum
- Mr. J. Kaplan Agency for Cultural Resource Management
- Mr. P. Gray Cornerstone Quality Services
- Mr. P. Nilssen Department of Archaeology University of Cape Town
- Mrs. M. Leslie National Monuments Council/South African Archaeological Society
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## APPENDIX A

### LIST OF DECLARED NATIONAL MONUMENTS BY MAGISTERIAL DISTRICTS IN THE AREA ADMINISTERED BY THE SOUTH CAPE DISTRICT COUNCIL

(List last updated 15 November 1999)

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<b>HEIDELBERG</b>	<b>DATE PROCLAIMED</b>
Barry Church, Port Beaufort	1979-09-07
Homestead Lismore 5/128	1983
D.R. Church, Church Square	1985-02-08
Homestead of the farm Krombeksrivier	1985-05-08
Southey's Arms, Glamorgan 5/137	1985-12-27
<b>RIVERSDALE</b>	
Zeekoegat farmhouse	1964-12-04
"Kapstylhuisies", Puntjie	1967-04-17
Toll House, Garcia Pass	1968-05-30
Kleinfontein Farm	1978-09-15
Versveld House (Julius Gordon Africana Centre), Long Street	1983-06-10
Palinggat Homestead and fountain, Stilbaai	1986-03-07
Frere Masonic Lodge, 10 Long Street	1990-06-22
Jagersbosch Homestead, Stilbaai	1991-05-24
Fish Traps at Noordkapper Point, Stilbaai	1998-10-02
<b>MOSSEL BAY</b>	
Joinery Shop	1977-09-16
Market Hall	1977-09-16
Langkraal	1985-11-15
Attaquaskloof	1995-09-22
St. Peter's Anglican Church, 58 Marsh Street	1995-09-22
Bartolomeu Dias Museum and historical buildings thereon, Statue of Bartolomeu Dias, Nature Garden, Padroa, Malay graves, Shell Museum, Maritime Museum, Granary, Fountain, Post Keeper's Cottage, Munrohoek houses.	1997-06-06
Cape St. Blaize Cave	1999-02-05