

**McGregor Museum
Department of Archaeology**



**Report on a Phase 1
Archaeological Assessment of the site
of proposed Borrow Pits for road-
building purposes along Road MR 897
in the vicinity of Swartkop, Jooste
Island, near Upington, Northern Cape.**

David Morris
February 2009

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Introduction

The archaeology of the Northern Cape is rich and varied, covering long spans of human history. Concerning Stone Age sites here, C.G. Sampson has observed: "It is a great and spectacular history when compared to any other place in the world" (Sampson 1985). Some areas are richer than others, and not all sites are equally significant. Heritage impact assessments are a means to facilitate development while ensuring that what should be conserved is saved from destruction, or adequately mitigated and/or managed.

The present report, commissioned by Van Zyl Environmental Consultants (Attn Ms Irmé van Zyl, P.O. Box 567, Upington 8800; email ibvanzyl@telkomsa.net; tel 054-3380722 / 072 2226194), concerns archaeological observations at the site of two proposed 1.5 ha borrow pits on the property Uap, upstream along the Orange River from Upington, Northern Cape. The borrow pits would provide gravel for upgrade an existing gravel road, MR 897.

This report also provides a brief overview on the archaeology of the wider region against which field survey observations may be assessed.

While archaeological traces were found on the site, their significance is low and it is recommended that the development of borrow pits may proceed without the need for further mitigation in respect of heritage resources.

Terms of reference

Terms of reference were to detail observations based on a field survey on the site of proposed borrow pits and to assess significance of impact should quarrying proceed. The report provides: site description; methodology; impact assessment; and mitigation measures and recommendations.

Legislation

The National Heritage Resources Act (No 25 of 1999) (NHRA) provides protection for archaeological resources.

It is an offence to destroy, damage, excavate, alter, or remove from its original position, or collect, any archaeological material or object (defined in the Act), without a permit issued by the South African Heritage Resources Agency (SAHRA).

Section 35 of the Act protects all archaeological and palaeontological sites and requires that anyone wishing to disturb a site must have a permit from the relevant heritage resources authority. Section 36 protects human remains

older than 60 years. In order for the authority to assess whether approval may be given for any form of disturbance, a specialist report is required. No mining, prospecting or development may take place without heritage assessment and approval.

SAHRA at national level acts on an agency basis for the Provincial Heritage Resources Agency (PHRA) in the Northern Cape, where archaeological sites are concerned. Permit applications should be made to the SAHRA office in Cape Town. In the event of any archaeological material being encountered during prospecting, SAHRA should be contacted immediately (021-4624502).

Methods and limitations

A background literature/museum database search provides indications of what might be expected in the region.

During the site investigation, the proposed areas for borrow pit development were examined on foot.

The area of proposed quarrying lies on a gentle slope to the east of an existing borrow pit near the road from Upington to Louisvale. Topsoil is limited over calcrete on the slope, with bedrock outcropping at the crest of the hill. It is unlikely that much in the way of archaeological traces would occur below the present eroded surface in this context, so that surface indications of cultural material can be regarded as providing a fair estimate of the nature and range of such material present in the local environment. However, in the unlikely event that any major feature is encountered during building, for example a burial, then work should be halted and SAHRA and a professional archaeologist consulted.

Background: archaeological resources in the region

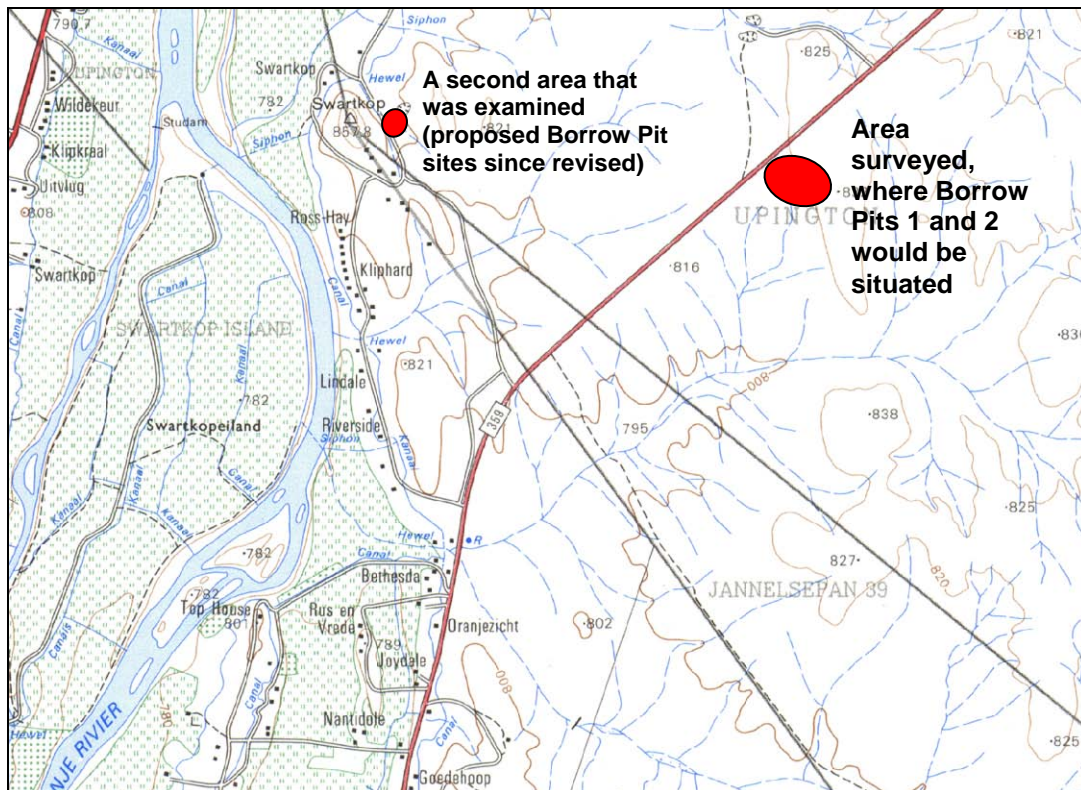
Broadly speaking, the archaeological record of this region reflects the long span of human history from Earlier Stone Age times (more than one and a half million to about 270 000 years ago), through the Middle Stone Age (about 270 000 – 40 000 years ago), to the Later Stone Age (up to the proto-colonial era). The last 2000 years was a period of increasing social complexity to the east, with the appearance there of farming (herding and agriculture) alongside foraging, and of ceramic and metallurgical (Iron Age) technologies alongside an older trajectory of stone tool making (Morris & Beaumont 2004). In these drier western tracts foraging persisted into the early colonial era, with herding becoming a significant feature along the Orange River itself. Rock art sites are known in the region (e.g. near Kakamas and Kenhardt), but no suitable outcrops exist in the study site.

Stone Age material has been documented in the vicinity of Upington, for example at Spitskop on the outskirts of the town; and artefacts have been mentioned on vacant plots in the town itself (Morris & Seliane 2006; M.E. Lange pers. comm.).

Observations

A very diffuse scatter of Stone Age artefacts was noted over most of the area surveyed on foot. This included two locales initially ear-marked for possible borrow pit development (see map below), though the one has since been discarded in favour of two pits being sited at the other locale. The full extent of the proposed borrow pits (revised sites) is defined by the following co-ordinates:

Borrow Pit No	Latitude (South)	Longitude (East)
BP 1A	28° 30'42.25"	21° 13'50.59"
BP 1B	28° 30'45.89"	21° 13'53.02"
BP 1C	28° 30'43.99"	21° 13'56.66"
BP 1D	28° 30'40.35"	21° 13'54.24"
BP 2/1	28° 30'41.591"	21° 13'47.69"
BP 2/2	28° 30'40.229"	21° 13'50.124"
BP 2/3	28° 30'41.909"	21° 13'51.244"
BP 2/4	28° 30'42.25"	21° 13'50.59"
BP 2/5	28° 30'45.89"	21° 13'53.02"
BP 2/6	28° 30'45.548"	21° 13'53.67"
BP 2/7	28° 30'47.227"	21° 13'54.79"
BP 2/8	28° 30'48.389"	21° 13'52.556"



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The artefacts that were found are mainly made on jaspilite (banded ironstone) which would occur as rolled river pebbles in gravels along the channel or palaeo-channels of the Orange River which flows a few kilometres to the north and west. A few flakes were noted on quartzite. These raw materials are

exotic to the immediate geological context, and hence were brought in by prehistoric occupants of the landscape. Several pieces with faceted platforms were noted, together with points (a unifacial point was found at the other locale nearer Swartkop), allowing ascription of the bulk of this small sample of material, if not all of it, to the Middle Stone Age. Artefact density is estimated at less than one per 10 x 10 m. Some colonial era material was noted at the Swartkop site, but this was clearly of later twentieth century date. At both sites small conical cairns of stone were noted, taken to represent, most likely, the activity of clearance of stones for vehicle access or some other recent activity. The possibility that they represent graves is discounted by their small size (they are too recent to represent precolonial conical graves), and by their unlikely position in the landscape and on a hard rocky slope.

No other heritage resources were seen at the proposed borrow pit sites.



View eastwards to the borrow pit site (beyond an existing borrow pit)



The area of the proposed borrow pits. Small cairns in foreground.



Jaspilite artefacts sparsely distributed
over the borrow pit site

Assessment of impacts of the proposed borrow pit development.

The quarrying of borrow pits here would disturb the artefacts mentioned, but their significance as a surface archaeological site of very low density and lacking stratigraphic integrity is judged to be minimal.

These observations having been made (notes, a collection of photographs and this report are housed at the McGregor Museum in Kimberley), no further mitigation is regarded as being necessary.

Recommendations

The proposed borrow pits are not expected to have any negative impact on the archaeological resources of the region. In terms of the Act, the development could be allowed to proceed as planned.

Procedure in the event of sites being found during quarrying.

In the unlikely event that sites or features (eg high density of artefacts, a burial, or ostrich eggshell cache) are found during any part of quarrying or road construction, SAHRA should be alerted immediately so that the find can be assessed and recommendations made for mitigation, if necessary. All archaeological traces are protected by legislation.

Acknowledgements

I thank Irmé van Zyl who took me to the site.

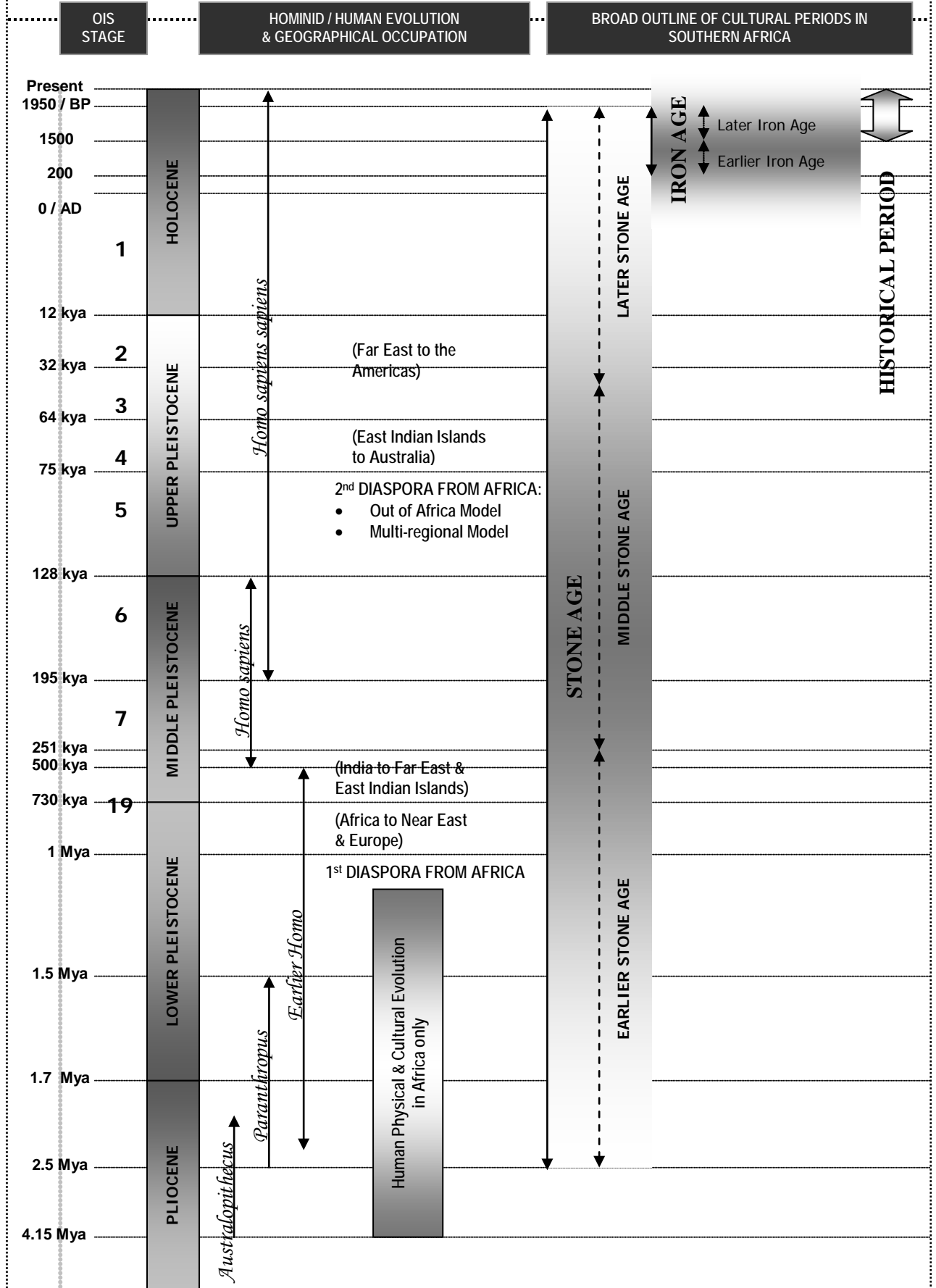
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Schematic Human Physical and Culural Evolution in Africa



Extracts from the

National Heritage Resources Act (No 25 of 1999)

DEFINITIONS

Section 2

In this Act, unless the context requires otherwise:

- ii. "*Archaeological*" means –
 - a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
 - b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10 m 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,... 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.
- viii. "*Development*" means any physical intervention, excavation or action, other than those caused by natural forces, which may in the opinion of a heritage authority in any way result in a change to the nature, appearance or physical nature of a place, or influence its stability and future well-being, including –
 - a) construction, alteration, demolition, removal or change of use of a place or structure at a place;
 - b) carrying out any works on or over or under a place;
 - c) subdivision or consolidation of land comprising, a place, including the structures or airspace of a place;
 - d) constructing or putting up for display signs or hoardings;
 - e) any change to the natural or existing condition or topography of land; and
 - f) any removal or destruction of trees, or removal of vegetation or topsoil;
- xiii. "*Grave*" means a place of interment and includes the contents, headstone or other marker of such a place, and any other structure on or associated with such place;
- xxi. "*Living heritage*" means the intangible aspects of inherited culture, and may include –
 - a) cultural tradition;
 - b) oral history;
 - c) performance;
 - d) ritual;
 - e) popular memory;
 - f) skills and techniques;
 - g) indigenous knowledge systems; and
 - h) the holistic approach to nature, society and social relationships.
- xxxii. "*Palaeontological*" means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trances;
- xli. "*Site*" means any area of land, including land covered by water, and including any structures or objects thereon;
- xliv. "*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;

NATIONAL ESTATE

Section 3

- 1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.
- 2) Without limiting the generality of subsection 1), the national estate may include –
 - 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 natural features of cultural significance;
 - e) geological sites of scientific or cultural importance
 - f) archaeological and palaeontological sites;
 - g) graves and burial grounds, including –
 - i. ancestral graves;

- ii. royal graves and graves of traditional leaders;
 - iii. graves of victims of conflict
 - iv. graves of individuals designated by the Minister by notice in the Gazette;
 - v. historical graves and cemeteries; and
 - vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No 65 of 1983)
- h) sites of significance relating to the history of slavery in South Africa;
- i) movable objects, including –
- i. objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - ii. objects to which oral traditions are attached or which are associated with living heritage;
 - iii. ethnographic art and objects;
 - iv. military objects;
 - v. objects of decorative or fine art;
 - vi. objects of scientific or technological interest; and
 - vii. books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1 xiv) of the National Archives of South Africa Act, 1996 (Act No 43 of 1996).

STRUCTURES

Section 34

- 1) No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

ARCHAEOLOGY, PALAEOLOGY AND METEORITES

Section 35

- 3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.
- 4) No person may, without a permit issued by the responsible heritage resources authority –
- a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
 - b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
 - c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
 - d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.
- 5) When the responsible heritage resources authority has reasonable cause to believe that any activity or development which will destroy, damage or alter any archaeological or palaeontological site is under way, and where no application for a permit has been submitted and no heritage resources management procedure in terms of section 38 has been followed, it may –
- a) serve on the owner or occupier of the site or on the person undertaking such development an order for the development to cease immediately for such period as is specified in the order;
 - b) carry out an investigation for the purpose of obtaining information on whether or not an archaeological or palaeontological site exists and whether mitigation is necessary;
 - c) if mitigation is deemed by the heritage resources authority to be necessary, assist the person on whom the order has been served under paragraph a) to apply for a permit as required in subsection 4); and
 - d) recover the costs of such investigation from the owner or occupier of the land on which it is believed an archaeological or palaeontological site is located or from the person proposing to undertake the development if no application for a permit is received within two weeks of the order being served.
- 6) The responsible heritage resources authority may, after consultation with the owner of the land on which an archaeological or palaeontological site or meteorite is situated, serve a notice on the owner or any other controlling authority, to prevent activities within a specified distance from such site or meteorite.

BURIAL GROUNDS AND GRAVES

Section 36

- 3) 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.
- 4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction of any burial ground or grave referred to in subsection 3a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.
- 5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection 3b) unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority –
 - a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and
 - b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.
- 6) Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority –
 - a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and
 - b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.

HERITAGE RESOURCES MANAGEMENT

Section 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 5 000 m² in extent; or
 - ii. involving three or more existing erven or subdivisions thereof; or
 - iii. involving three or more erven or subdivisions thereof which have been consolidated within the past five years; or
 - iv. the costs which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - d) the rezoning of a site exceeding 10 000 m² 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 in terms of subsection 2a) ...

- 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.

APPOINTMENT AND POWERS OF HERITAGE INSPECTORS

Section 50

- 7) Subject to the provision of any other law, a heritage inspector or any other person authorised by a heritage resources authority in writing, may at all reasonable times enter upon any land or premises for the purpose of inspecting any heritage resource protected in terms of the provisions of this Act, or any other property in respect of which the heritage resources authority is exercising its functions and powers in terms of this Act, and may take photographs, make measurements and sketches and use any other means of recording information necessary for the purposes of this Act.
- 8) A heritage inspector may at any time inspect work being done under a permit issued in terms of this Act and may for that purpose at all reasonable times enter any place protected in terms of this Act.
- 9) Where a heritage inspector has reasonable grounds to suspect that an offence in terms of this Act has been, is being, or is about to be committed, the heritage inspector may with such assistance as he or she thinks necessary –
 - a) enter and search any place, premises, vehicle, vessel or craft, and for that purpose stop and detain any vehicle, vessel or craft, in or on which the heritage inspector believes, on reasonable grounds, there is evidence related to that offence;
 - b) confiscate and detain any heritage resource or evidence concerned with the commission of the offence pending any further order from the responsible heritage resources authority; and
 - c) take such action as is reasonably necessary to prevent the commission of an offence in terms of this Act.

A heritage inspector may, if there is reason to believe that any work is being done or any action is being taken in contravention of this Act or the conditions of a permit issued in terms of this Act, order the immediate cessation of such work or action pending any further order from the responsible heritage resources authority.