

**A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT FOR THE PROPOSED AGRICULTURAL DEVELOPMENT ON PORTION 8 OF THE FARM STUURMANS KOP NO. 55 AND PORTION 125 OF THE FARM QUACHA NO. 49 NEAR PATENSIE, KOUGA LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE**



**Prepared for:** Habitat Link Consulting  
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## **PROJECT INFORMATION**

Eastern Cape Heritage Consultants cc has been appointed by Habitat Link Consulting to conduct a Phase 1 Archaeological Impact Assessment (AIA) for the proposed agricultural development on Portion 8 of the Farm Stuurmans Kop No. 55 and Portion 125 of the Farm Quacha No. 49 near Patensie, Kouga Local Municipality, Eastern Cape Province.

The proposed agricultural development will include the clearance of approximately 12 hectares of vegetation and will entail the following:

- Site clearance;
- Establishment of citrus orchards;
- Abstraction from the Gamtoos Irrigation Board (GIB) canal system;
- Construction of water reticulation system for irrigation purposes; and
- Construction of new internal access roads.

### **Applicant**

Patensie Sitrus Beperk

### **Consultant**

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### **Purpose of the study**

The purpose of the study was to conduct a Phase 1 Archaeological Impact Assessment (AIA) for the proposed project and the associated activities, to describe and evaluate:

- the importance of possible archaeological sites, features and materials,
- the potential impact of the development on these resources and,
- to propose recommendations to minimize possible damage to these resources.

### **Site and Location**

The proposed development area is located within the 1:50 000 topographic reference map: 3324DB Cockscomb (Map 1). The farms are located approximately 3,5 kilometres north - northwest (NNW) of Patensie and 10 kilometres east from the Baviaanskloof Nature Reserve, a UNESCO World Heritage Site (Map 2). The site can be accessed via an existing gravel road that turns off from the R331 Regional Road between Patensie and Andrieskraal. The proposed agricultural area consist of hills with steep to very steep gradients that are covered mostly with dense impenetrable thicket vegetation (Figure 1). The vegetation becomes sparser towards the south of the proposed development area. It is located adjacent to the Quagga Primary School and there are couple of houses / structures located on the farms. There are several graves located just outside of the proposed agricultural area that are severely overgrown with vegetation (Fig. 2). General GPS readings were taken at: 33.43.647S, 24. 46.993E (proposed agricultural area) and 33. 43.716S, 24.47.033E (location of several graves),

## Relevant Archaeological Impact Assessments

- Binneman, J. 2014. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological heritage impact assessment for the proposed clearing of natural vegetation and cultivation of virgin soil to citrus orchards on the farm Rooinek No. 852 near Patensie, Kouga Local Municipality, Eastern Cape Province. Prepared for MIM Environmental Consulting. Jeffreys Bay. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2021. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological heritage impact assessment for the proposed clearance of 19.56 ha of indigenous vegetation and cultivation of virgin soil to citrus on Portion 4 of the Farm Rooi Nek No. 91 near Patensie, Kouga Local Municipality, Eastern Cape Province. Prepared for MIM Environmental Consulting. Jeffreys Bay. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2019a. A letter of recommendation (with conditions) for the exemption of a full Phase 1 Archaeological Impact Assessment for the proposed clearing of 6,9 ha of indigenous vegetation on portions 16 and 19 of Farm 89 near Andrieskraal, Kouga Local Municipality, Eastern Cape. Prepared for MIM Environmental Consulting. Jeffreys Bay. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2019b. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological heritage impact assessment for the proposed clearing of 19.7 hectares of indigenous vegetation to establish citrus orchards on Portion 19 of the Farm Komdomo No. 40 near Andrieskraal in the Kouga Local Municipality, Sarah Baartman District Municipality of the Eastern Cape Province. Prepared for MIM Environmental Consulting. Jeffreys Bay. Eastern Cape Heritage Consultants cc. Jeffreys Bay.
- Binneman, J. and Reichert, K. 2015. A letter of recommendation (with conditions) for the exemption of a full phase 1 archaeological impact assessment for the proposed construction of a new senior primary school on Portion 1 of the Farm 781, Andrieskraal, near Patensie, Kouga Local Municipality, Eastern Cape Province. Prepared for: EOH Coastal and Environmental Services. Port Elizabeth. Eastern Cape Heritage Consultants cc. Jeffreys Bay.

## ARCHAEOLOGICAL INVESTIGATION

### Methodology and results

Google aerial images as well as previous heritage reports related to the study area were studied prior to the investigation. The investigation was conducted on foot by an archaeologist. GPS readings were taken with a Garmin and all important features were digitally recorded. The archaeological visibility was poor due to the dense grass and other vegetation and no archaeological sites/materials were observed within the study area. In general, the area for the proposed development appears to be of low archaeological sensitivity and it is unlikely that any archaeological remains of any significance will be found *in situ* or exposed during the development.

There are a couple of structures / buildings on the farms namely a reservoir and a shack / storage area on Portion 8 of the Farm Stuurmanskop No. 55 as well as farm worker houses on Portion 125 of the Farm Quacha, No. 49. None of these structures / buildings are older than 60 years. There are several graves that are located just outside of the proposed development area on Portion 125 of the Farm Quacha, No. 49 (General GPS reading: 33. 43.716S, 24.47.033E). These graves are severely overgrown making it impossible to determine the exact number and age of the individual gravesites. The possibility can therefore not be excluded that some of the graves are older than 60 years.



**Figure 1. General views of the proposed agricultural area on Portion 8 of the Farm Stuurmans Kop No. 55 and Portion 125 of the Farm Quacha No. 49 near Patensie, Kouga Local Municipality, Eastern Cape Province.**



**Figure 1. General views of the location of several graves on Portion 125 of the Farm Quacha No. 49. The approximate location of the graves are indicated with the yellow arrows (top and middle images). A stone cairn marking one of the graves is indicated with a red circle (bottom image). Note the dense vegetation and overgrown condition of the grave.**

## DISCUSSION AND CONDITIONS

No archaeological sites/materials were observed during the investigation of the proposed study area. Although it is unlikely that archaeological remains will be found *in situ*, there is always a possibility that human remains and/or other archaeological and historical material may be uncovered during the development.

The main impact on possible archaeological sites/remains will be the physical disturbance of the material and its context. Should such material be exposed then work must cease in the immediate area and it must be reported to the archaeologist at the Albany Museum in Makhanda (Grahamstown) (Tel: 046 622 2312) or to the Eastern Cape Provincial Heritage Resources Authority (Tel.: 043 745 0888), so that a systematic and professional investigation can be undertaken. Sufficient time should be allowed to remove/collect such material (See Appendix B for a list of possible archaeological sites that maybe found in the area). The applicant must finance the costs should additional investigations be required.

Some of the graves that are located outside of the proposed agricultural area (Map 2) can possibly be older than 60 years and may therefore be protected in terms of Section 36 of the National Heritage Resources Act, No. 25 of 1999. Although the graves are located outside of the proposed development area they are in very close proximity to the boundary where the activities will take place. A resident of one of the farm worker houses adjacent to the gravesites indicated that he has been living in the area since 1979 and that the graves were already there when he arrived (Herklaas Plaatjies. pers.comm. 2022). This provides an indication that some of the graves are at least 42 years old or older. Some of the other graves are not older than 60 years and falls under the Human Tissues Act, No. 65 of 1983, as well as any local and regional laws and by-laws. Due to the cultural and spiritual significance of graves and burial sites to the community, any disturbance of these sites should be avoided.

The following conditions with regard to the graves are applicable before the development can proceed:

- The general area where the overgrown graves are located should first be cleared of all vegetation to determine the number of graves and the entire area should be fenced off.
- The fence should be at least 2 metres away from the perimeter of the graves with an entrance gate to allow visits by family members or the community.
- No development should be allowed within 15 metres from the fence.

## LETTER OF RECOMMENDATION

It is recommended that the proposed agricultural development on Portion 8 of the Farm Stuurmans Kop No. 55 and Portion 125 of the Farm Quacha No. 49 near Patensie, Kouga Local Municipality, Eastern Cape Province, is exempted from a full Phase 1 Archaeological Heritage Impact Assessment. The proposed development area appears to be of **low archaeological sensitivity**, and it is therefore unlikely that any significant archaeological remains will be found on the property. The proposed development may therefore proceed as planned, subject to the above conditions.

Note: This letter of recommendation only exempts the proposed development from a full Phase 1 Archaeological Heritage Impact Assessment, but not for other heritage impact assessments. It must also be clear that this letter will be assessed by the relevant heritage resources authority. The final decision rests with the heritage resources authority, which should give a permit or a formal letter of permission for the destruction of any cultural sites.

Section 35 of the National Heritage Resources Act, No. 25 of 1999 (see Appendix A) requires a full Heritage Impact Assessment (HIA) in order that all heritage resources, that is, all places or objects of aesthetics, architectural, historic, scientific, social, spiritual linguistic or technological value or significance are protected. Thus, any assessment should make provision for the protection of all these heritage components, including archaeology, shipwrecks, battlefields, graves, and structures older than 60 years, living heritage, historical settlements, landscapes, geological sites, palaeontological sites and objects.

## **GENERAL REMARKS AND CONDITIONS**

It must be emphasized that this letter of recommendation for the exemption of a full Phase 1 archaeological heritage impact assessment is based on the visibility of archaeological sites/material and may not therefore, reflect the true state of affairs. Sites and material may be covered by soil and vegetation and will only be located once this has been removed. In the unlikely event of such finds being uncovered, (during any phase of the mining activities), it must be reported to the archaeologist at the Albany Museum in Makhanda (Grahamstown) (Tel: 046 622 2312) or to the Eastern Cape Provincial Heritage Resources Authority (Tel.: 043 745 0888) immediately. The developer must finance the costs should additional studies be required as outlined above. The consultant is responsible to forward this report to the relevant Heritage Authority for assessment, unless alternative arrangements have been made with the specialist to submit the report.

## **APPENDIX A: brief legislative requirements**

Parts of sections 34, 35(4), 36(3) and 38(1) (8) of the National Heritage Resources Act, No. 25 of 1999 apply:

### ***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, without a permit issued by the responsible heritage resources authority—*

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;*
- (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;*
- (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.*

### ***Burial grounds and graves***

*36. (3) (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority—*

- (a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;*

- (b) *destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or*
- (c) *bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.*

### ***Heritage resources management***

38. (1) *Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorized as –*
- (a) *the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
  - (b) *the construction of a bridge or similar structure exceeding 50m in length;*
  - (c) *any development or other activity which will change the character of the site –*
    - (i) *exceeding 5000m<sup>2</sup> in extent, or*
    - (ii) *involving three or more erven or subdivisions thereof; or*
    - (iii) *involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
    - (iv) *the costs of which will exceed a sum set in terms of regulations by SAHRA, or a provincial resources authority;*
  - (d) *the re-zoning of a site exceeding 10 000m<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 as the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.*



## **APPENDIX B: IDENTIFICATION OF ARCHAEOLOGICAL FEATURES AND MATERIAL FROM INLAND AREAS: guidelines and procedures for developers**

### **Human Skeletal material**

Human remains, whether the complete remains of an individual buried during the past, or scattered human remains resulting from disturbance of the grave, should be reported. In general, the remains are buried in a flexed position on their sides but are also found buried in a sitting position with a flat stone capping or in ceramic pots. Developers are requested to be on the alert for these features and remains.

### **Freshwater mussel shell middens**

Freshwater mussels are found in the muddy banks of rivers and streams and were collected by people in the past as a food resource. Freshwater mussel shell middens are accumulations of mussel shell and are usually found close to rivers and streams. These shell middens frequently contain stone tools, pottery, bone, and occasionally human remains. Shell middens may be of various sizes and depths, but an accumulation which exceeds 1 m<sup>2</sup> in extent, should be reported to an archaeologist.

### **Fossil bone**

All concentrations of bones, whether fossilized or not, should be reported.

### **Stone artefacts**

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

### **Stone features and platforms**

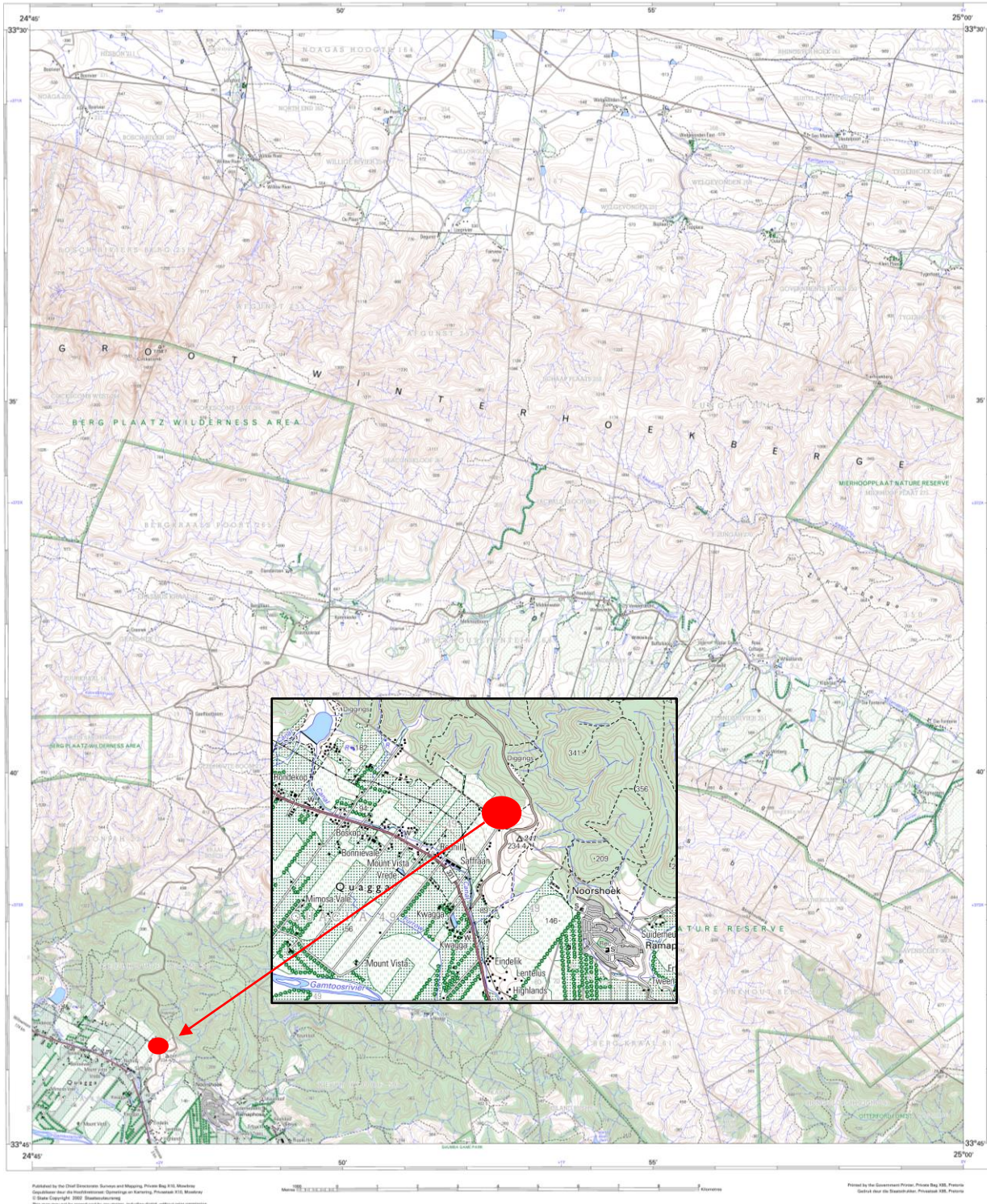
These occur in different forms and sizes, but easily identifiable. The most common are an accumulation of roughly circular fire cracked stones tightly spaced and filled in with charcoal. They are usually 1-2 metres in diameter and may represent cooking platforms. Others may resemble circular single row cobble stone markers. These occur in different sizes and may be the remains of wind breaks or cooking shelters.

### **Historical artefacts or features**

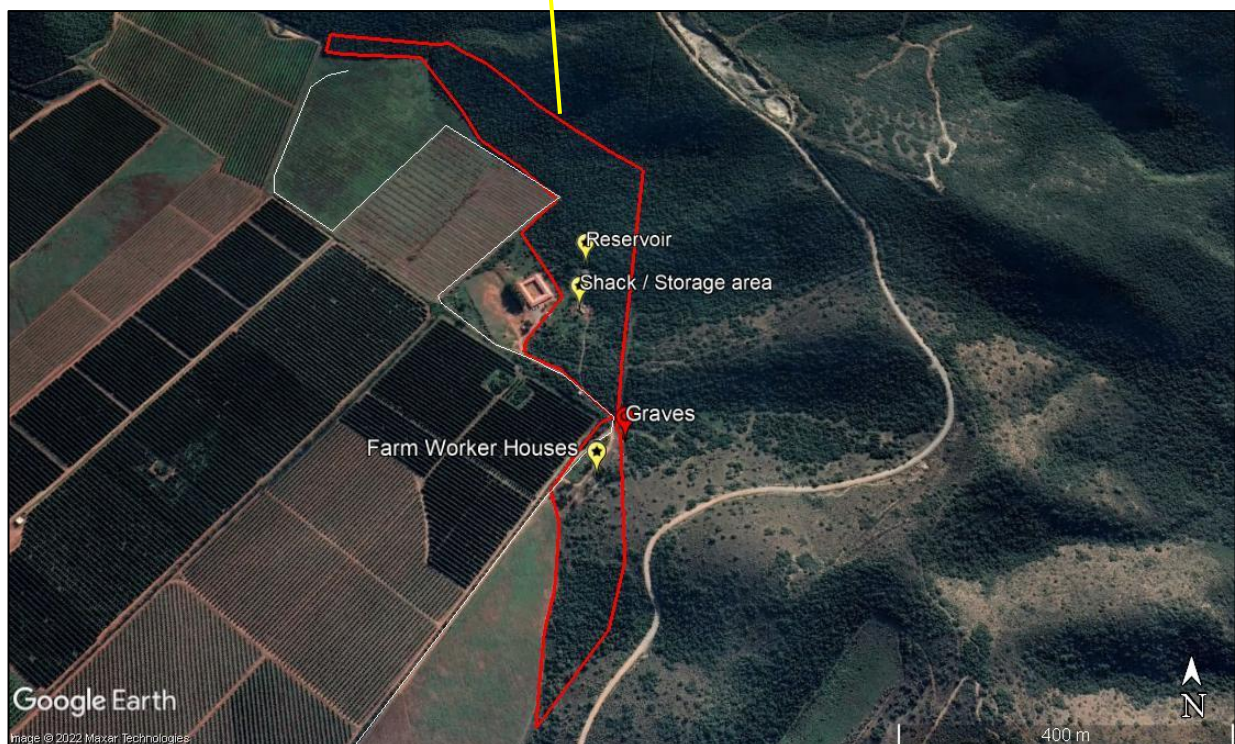
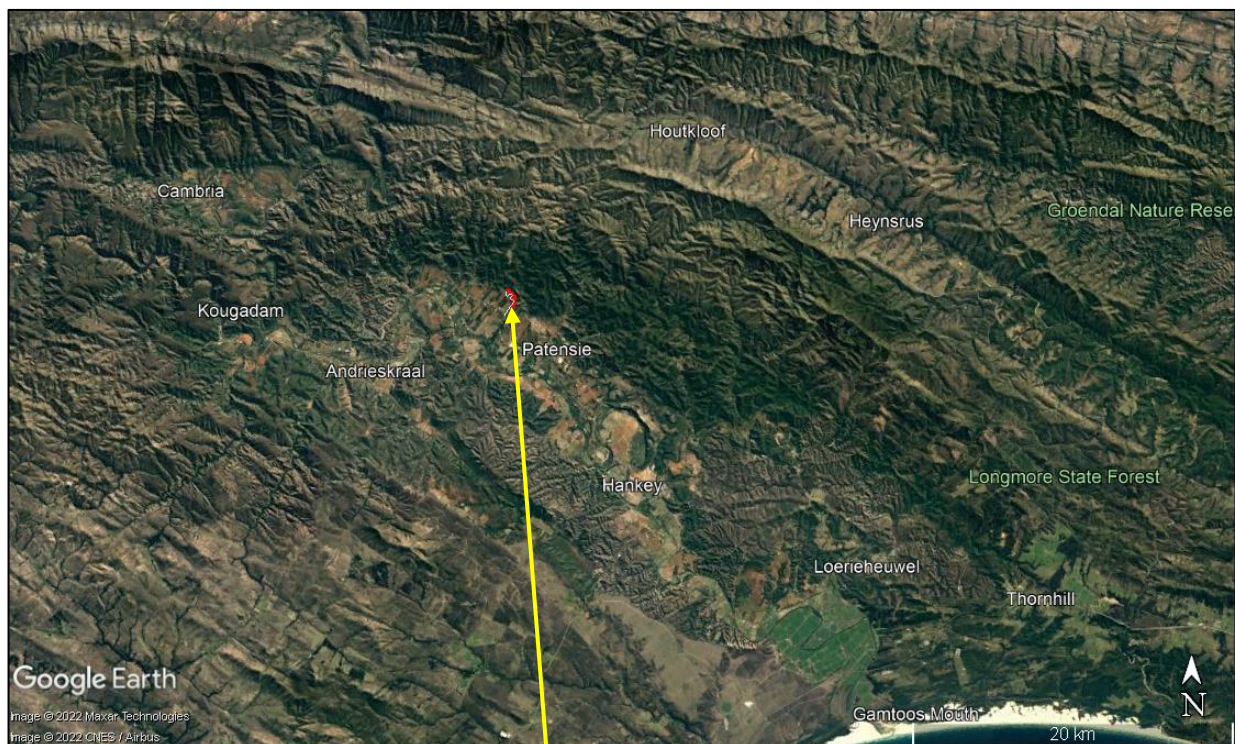
These are easy to identify and include foundations of buildings or other construction features and items from domestic and military activities.

3324DB COCKSCOMB

1:50 000 SOUTH AFRICA  
SUID-AFRIKA



**Map 1. 1:50 000 Topographic maps indicating the approximate location of the proposed agricultural development on Portion 8 of the Farm Stuurmans Kop No. 55 and Portion 125 of the Farm Quacha No. 49 near Patensie, Kouga Local Municipality, Eastern Cape Province (indicated with the red arrow).**



**Map 2. Aerial views of the general location of the proposed area for the proposed agricultural development on Portion 8 of the Farm Stuurmans Kop No. 55 and Portion 125 of the Farm Quacha No. 49 (indicated with the yellow arrow). The proposed agricultural area is outlined in red. The buildings / structures that are located within the proposed development area are indicated with the yellow placemarks and the location of the graves is indicated with the red placemark.**