

**PHASE 1 ARCHAEOLOGICAL AND CULTURAL IMPACT ASSESSMENT (AIA) FOR THE  
PROPOSED NGQONDO WATER SUPPLY SCHEME, DR AB XUMA LOCAL  
MUNICIPALITY, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE  
PROVINCE**

**Prepared for:**

Indwe Environmental Consulting  
2 Ayr Place  
Bonnie Doon  
East London  
5241  
Tel: 043 555 0656  
Contact person: Kevin Bickell  
Email: kevin@indwecon.co.za

**Compiled by:**

Ms Celeste Booth  
t/a Booth Heritage Consulting  
8 Frances Street  
Oatlands  
Grahamstown  
6140  
Tel: 082 062 4655  
Email: cbooth670@gmail.com  
Contact person: Ms Celeste Booth

**Date: December 2025**

## CONTENTS

|                                                                                                                                                               |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| NOTE                                                                                                                                                          | 3  |
| DECLARATION OF INDEPENDENCE                                                                                                                                   | 3  |
| SUMMARY OF SPECIALIST EXPERTISE                                                                                                                               | 4  |
| EXECUTIVE SUMMARY                                                                                                                                             | 5  |
| Purpose of the Study                                                                                                                                          | 5  |
| Brief Summary of Findings                                                                                                                                     | 5  |
| Recommendations and Mitigation                                                                                                                                | 5  |
| 1 INTRODUCTION                                                                                                                                                | 7  |
| 1.1 Background Information                                                                                                                                    | 7  |
| 1.2. Applicant                                                                                                                                                | 7  |
| 1.3 Environmental Assessment Practitioner (EAP)                                                                                                               | 7  |
| 2 SCOPE OF WORK AND TERMS OF REFERENCE                                                                                                                        | 7  |
| 3 HERITAGE LEGISLATIVE AND POLICY FRAMEWORK                                                                                                                   | 8  |
| 4 ARCHAEOLOGICAL BACKGROUND                                                                                                                                   | 9  |
| 4.1 Early Stone Age (ESA) - 1.5 million to 250 000 years ago                                                                                                  | 9  |
| 4.2 Middle Stone Age (MSA) – 250 000 – 30 000 years ago                                                                                                       | 10 |
| 4.3 Later Stone Age (LSA) – 30 000 years ago – recent (100 years ago)                                                                                         | 13 |
| 4.4 Last 2 000 years – Khoekhoen Pastoralism                                                                                                                  | 16 |
| 4.5 Last 2 000 Years - The Iron Age                                                                                                                           | 17 |
| 4.6 Rock Art (Paintings and Engravings)                                                                                                                       | 19 |
| 4.7 Unmarked Burials and Exposed Human Remains                                                                                                                | 21 |
| 4.8 Historical Background                                                                                                                                     | 21 |
| 4.8.1 The abaThembu (Thembuland)                                                                                                                              | 21 |
| 4.8.2 The amaQwathi (Qwathiland)                                                                                                                              | 24 |
| 5 DESCRIPTION OF THE PROPERTY                                                                                                                                 | 30 |
| 5.1 Location data                                                                                                                                             | 30 |
| 5.2 Map                                                                                                                                                       | 30 |
| 6 ARCHAEOLOGICAL AND CULTURAL HERITAGE INVESTIGATION                                                                                                          | 37 |
| 6.1 Methodology                                                                                                                                               | 37 |
| 6.2 Results of the Archaeological Investigation                                                                                                               | 37 |
| 7 CULTURAL LANDSCAPE                                                                                                                                          | 44 |
| 7.1 Concept of Cultural Landscape                                                                                                                             | 44 |
| 7.2 Archaeological Cultural Landscape                                                                                                                         | 46 |
| 7.3 Historical Cultural Landscape                                                                                                                             | 47 |
| 7.4 Contemporary Cultural Landscape                                                                                                                           | 47 |
| 8. COORDINATES AND SITES FOR THE PROPOSED NGQONDO WATER SUPPLY SCHEME, DR AB XUMA LOCAL MUNICIPALITY, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE | 48 |
| 9 DESCRIPTION AND GRADING OF SITES                                                                                                                            | 48 |
| 10 ASSESSMENTS OF IMPACTS ON THE ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES                                                                               | 48 |
| 10.1 Archaeological and Historical Cultural Heritage                                                                                                          | 48 |
| 10.2 Cultural Landscape and Living Heritage                                                                                                                   | 48 |
| 11 LIMITATIONS AND GAPS IN KNOWLEDGE                                                                                                                          | 49 |
| 11.1 Literature Review                                                                                                                                        | 49 |
| 11.2 Fieldwork                                                                                                                                                | 49 |
| 12 RECOMMENDATIONS AND MITIGATION                                                                                                                             | 49 |
| 13 CONCLUSION                                                                                                                                                 | 51 |
| 14 REFERENCES                                                                                                                                                 | 51 |
| 15 RELEVANT ARCHAEOLOGICAL AND HERITAGE IMPACT ASSESSMENTS                                                                                                    | 55 |
| 16 GENERAL REMARKS AND CONDITIONS                                                                                                                             | 56 |
| APPENDIX A: HERITAGE LEGISLATIVE REQUIREMENTS                                                                                                                 | 58 |
| APPENDIX B: GRADING SYSTEM                                                                                                                                    | 66 |
| APPENDIX C: IDENTIFICATION OF ARCHAEOLOGICAL FEATURES AND MATERIAL FROM COASTAL AND INLAND AREAS: guidelines and procedures for developers                    | 67 |
| APPENDIX D: PROCEDURE AND PROCESSES FOR THE RELOCATION OF GRAVES                                                                                              | 73 |
| APPENDIX E: CHANCE FINDS PROTOCOL                                                                                                                             | 74 |

## LIST OF FIGURES

|                                                                                                                                                                                                                             |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Figure 1. 1:50 000 topographic map 3128 ALL SAINTS (2018 Edition) showing the location of the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province. | 31 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

|                                                                                                                                                                                    |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Figure 2. Close-up of the 1:50 000 topographic map 3128 ALL SAINTS (2004 Edition) showing the location of the proposed Ngqondo Water Supply Scheme.                                | 32 |
| Figure 3. Close-up of the 1:50 000 topographic map 3128 ALL SAINTS (2001 Edition) showing the location of the proposed Ngqondo Water Supply Scheme.                                | 32 |
| Figure 4. Close-up of the 1:50 000 topographic map 3128 ALL SAINTS (1982 Edition) showing the location of the proposed Ngqondo Water Supply Scheme.                                | 33 |
| Figure 5. Close-up of the 1:50 000 topographic map 3128 ALL SAINTS (1982 Edition) showing the location of the proposed Ngqondo Water Supply Scheme.                                | 33 |
| Figure 6. Google Earth generated map of the location proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province. | 34 |
| Figure 7. Google Earth generated map of the location of the proposed showing the location of the proposed Ngqondo Water Supply Scheme showing the surrounding villages.            | 35 |
| Figure 8. Close-up view of the location of the proposed Ngqondo Water Supply Scheme.                                                                                               | 36 |
| Figure 9. View of the existing reservoir and pipeline at the eastern end of the project location.                                                                                  | 38 |
| Figure 10. View of an existing reservoir and associated infrastructure within the footprint of the proposed project.                                                               | 38 |
| Figure 11. View of an existing reservoir and associated infrastructure within the footprint of the proposed project.                                                               | 38 |
| Figure 12. View of an existing reservoir and associated infrastructure within the footprint of the proposed project.                                                               | 39 |
| Figure 13. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.                                                              | 39 |
| Figure 14. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.                                                              | 39 |
| Figure 15. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.                                                              | 40 |
| Figure 16. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.                                                              | 40 |
| Figure 17. View of the existing pipeline situated adjacent to the internal gravel access road.                                                                                     | 40 |
| Figure 18. View of the existing pipeline situated adjacent to the internal gravel access road.                                                                                     | 41 |
| Figure 19. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 41 |
| Figure 20. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 41 |
| Figure 21. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 42 |
| Figure 22. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 42 |
| Figure 23. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 42 |
| Figure 24. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 43 |
| Figure 25. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 43 |
| Figure 26. Landscape view of the general area the implementation of the pipelines.                                                                                                 | 43 |

## LIST OF TABLES

|                                                                                                                                                                      |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Table 1. Coordinates and sites for the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province. | 49 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

## **PHASE 1 ARCHAEOLOGICAL AND CULTURAL IMPACT ASSESSMENT (AIA) FOR THE PROPOSED NGQONDO WATER SUPPLY SCHEME, DR AB XUMA LOCAL MUNICIPALITY, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE**

**NOTE:** The phase 1 archaeological and cultural impact assessment was conducted as a requirement of the ECPHRA (Eastern Cape Provincial Heritage Authority) and National Heritage Resources Act 25 of 1999, Section 38(1):

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, power line, 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 the site –

(i) exceeding 5 000 m<sup>2</sup> in extent,

(d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent,

This report follows the minimum standard guidelines required by the South African Heritage Resources Agency (SAHRA) and the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) for compiling a full Phase 1 Archaeological Impact Assessment (AIA). The Eastern Cape Provincial Heritage Resources (ECPHRA) has been the competent authority in the Eastern Cape Province since 2012. All heritage reports must be submitted to the Eastern Cape Provincial Heritage Resources Authority (ECPHRA) for comment and uploaded to the South African Heritage Information System (SAHRIS) database.

### **DECLARATION OF INDEPENDENCE**

Ms Celeste Booth was appointed on a strictly professional basis to conduct the archaeological and cultural heritage assessment for the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.

This section confirms a declaration of independence that archaeological heritage specialist, Ms Celeste Booth, does not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Amendments to Environmental Impact Assessment Regulations, 2014 as amended.

Ms Celeste Booth further declares that she:

- will act as the independent Specialist in this application;
- will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- will declare that there are no circumstances that may compromise her objectivity in performing such work;
- has expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- will comply with the Act, regulations and all other applicable legislation;
- will take into account, to the extent possible, the matters listed in regulation 8 of the regulations when preparing the application and any report relating to the application;
- has no, and will not engage in, conflicting interests in the undertaking of the activity;
- undertakes to disclose to the applicant and the competent authority all material information in her possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;



- will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- will keep a register of all interested and affected parties that participated in a public participation process; and
- will provide the competent authority with access to all information at her disposal regarding the application, whether such information is favourable to the applicant or not
- confirms that all the particulars furnished in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- realises that a false declaration is an offence and is punishable in terms of section 24F of the Act.

#### **SUMMARY OF SPECIALIST EXPERTISE**

Ms Celeste Booth (BSc Honours: Archaeology) is an archaeologist who has had sixteen (17) years of full-time experience in Cultural Resource Management in the Eastern Cape Province and sections of the Northern Cape and Western Cape Provinces. Ms Booth has conducted several Archaeological Desktop Studies and Phase 1 Archaeological Impact Assessments within the Eastern Cape Province and in the Karoo region across the Eastern Cape, Northern Cape, KwaZulu Natal, and Western Cape Provinces.

## **EXECUTIVE SUMMARY**

### **Purpose of the Study**

The purpose of the study was to conduct a phase 1 archaeological and cultural heritage assessment for the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.

The survey was conducted to establish the range and importance of the exposed and *in situ* archaeological heritage material remains, sites and features; to establish the potential impact of the development; and to make recommendations to minimize possible damage to the archaeological heritage.

### **Brief Summary of Findings**

There is already existing pipeline infrastructure and associated reservoirs and pump stations that have been constructed for the provision of water to residences of the area in the past. The western half of the project comprises mostly existing pipeline and associated reservoir and infrastructure.

No archaeological, historical or similar heritage material, sites or features were identified during the survey.

It is not expected that graves or structures and the cultural landscape and / or the living heritage will be negatively impacted by the implementation of the water reticulation project.

### **Recommendations and Mitigation**

It is essential that cognisance be taken of the larger archaeological landscape of the area in order to avoid the destruction of previously undetected heritage sites. Water sources such as drainage lines and rivers should also be regarded as potentially sensitive in terms of possible Stone Age deposits. Graves and cemeteries generally occur within settlements, often around homesteads and utmost care should be taken not to disturb these high risk heritage resources as they involve complex intrinsic social and ritual attributes within the community.

Development may proceed as planned however the following recommendations and mitigation measures must be implemented prior to and during the course of development:

1. If the current layout of the proposed water reticulation project is re-aligned at any time during the project, it is possible that additional heritage assessments or the heritage specialist may be required.

2. If it is anticipated that graves or other similar heritage features may be disturbed or negatively impacted during the implementation of the project, see Appendix D for recommendations on preferred buffer zones and the procedure to follow if graves / unknown burials are uncovered during the construction process and for the exhumation and reburial of graves.

It is primarily recommended that the suggested pipeline and access road routes be rerouted where burials will be impacted. In addition, conservation buffer zones of at least 20m around the graves, as well as the fencing off of the burials are recommended. However, should the graves or the proposed 20m buffer zones be inevitably impacted on by the planned activities, full grave relocations are recommended for the burials. These measures should be undertaken by a qualified archaeologist, and in accordance with relevant legislation and subject to any local and regional provisions and laws and by-laws pertaining to human remains. A full social consultation process should occur in conjunction with the mitigation of cemeteries and burials. As burial locations in this area follow a general (and fairly common) pattern where graves occur within the context of homestead complexes, utmost care should be taken during construction in occupation areas, not to disturb previously undetected burials.

3. In addition, construction managers/foremen and/or the ECO and/or anyone who may be permanently on-site during pre-construction and construction phases of the project should undergo training before the construction activities start on the possible types of heritage sites and cultural material they may encounter and the procedures to follow when they find sites.
4. A Chance Finds Protocol (see Appendix E) for archaeological and cultural heritage finds must be compiled and be readily available for the Environmental Control Officer (ECO) and/or construction manager/s and/or or anyone who may be permanently on-site during the relevant pre-construction and construction phases of the project to follow the correct procedures when accidentally uncovering archaeological sites and possible unmarked burials.
5. If concentrations of pre-colonial archaeological heritage material (such as below surface dense artefacts accumulations and associated material) and/or human remains (including graves and burials) are uncovered during construction, all work must cease immediately and be reported to the author of the report and / or the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) (043 492 1370). Phase 2 mitigation in the form of test-pitting/sampling or systematic excavations and collections of the archaeological / heritage site may then be conducted to establish the contextual status of the sites and possibly remove the archaeological deposit before development activities continue. The costs for the phase 2 mitigation will be on the onus of the developer.

## **1 INTRODUCTION**

### **1.1 Background Information (from the Environmental Sensitivity Report compiled by Indwe Environmental Consulting)**

Indwe Environmental Consulting have been appointed by Sinakho to conduct an Environmental Impact Assessment, consisting of a Basic Assessment Report, for the Ngqondo WSS in the Dr AB Xuma Local Municipality. The project consists of the following scope:

- Construction of approximately 1.2km of uPVC pipes of sizes ranging from 63mm diameter of various classes.
- Construction of approximately 5km of HDPE pipes of size 50mm diameter of various classes.
- Construction of approximately 4.5km of Klambon steel pipes of sizes ranging from 50mm diameter to 90mm diameter.
- Construction of stand taps, valve chambers, and all associated pipe fittings.
- Construction of new and reinstatement of existing stormwater along the reticulation mains.

### **1.2 Applicant**

Sinakho on behalf of Chris Hani District Municipality

### **1.3 Environmental Assessment Practitioner (EAP)**

Indwe Environmental Consulting

2 Ayr Place

Bonnie Doon

East London

5241

Tel: 043 555 0656

Contact person: Kevin Bickell

Email: kevin@indwecon.co.za

## **2 SCOPE OF WORK AND TERMS OF REFERENCE**

The purpose of the study was to conduct an archaeological and cultural heritage assessment for the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.

The survey was conducted to:

- Identify and map possible heritage sites and occurrences using published and database resources;

- Provide a description of the archaeology and cultural heritage of the site and identify and map any sites of archaeology or cultural significance that may be impacted by the proposed project;
- Assess the sensitivity and conservation significance of any sites of archaeological or cultural heritage significance affected by the proposed project;
- Identify and assess the significance of the potential impacts of the proposed project on archaeological and cultural heritage;
- Make recommendations on the protection and maintenance of any significant cultural heritage and/or archaeological sites that may occur on site;
- Identify practicable mitigation measures to reduce negative impacts on the archaeological resources and indicate how these can be incorporated into the construction and management of the proposed project;
- Provide guidance for the requirement of any permits from the Eastern Cape Provincial Heritage Resources Authority (ECPHRA) that might become necessary.

Archaeological and historical material remains, features, and sites were evaluated and assessed based on the following points:

- Type of site;
- Location and environmental surrounds;
- Site category;
- Context and condition;
- Estimated size and depth of deposit;
- Cultural affinities;
- Record site content;
- Record basic information of finds;
- Estimate relative age of sites from cultural material and other information;
- Record and describe graves, graveyards, and informal burials;
- Assess the importance and significance of material remains, features, and sites; and
- Significance ratings based on local to international.

### **3 HERITAGE LEGISLATIVE AND POLICY FRAMEWORK**

The phase 1 archaeological and cultural impact assessment was conducted as a requirement of the ECPHRA (Eastern Cape Provincial Heritage Authority) and National Heritage Resources Act 25 of 1999, Section 38 (1):

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, power line, 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 the site – (i) exceeding 5 000 m<sup>2</sup> in extent, or
- (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent,

This report follows the minimum standard guidelines required by the South African Heritage Resources Agency (SAHRA) and the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) for compiling a full Phase 1 Archaeological Impact Assessment (AIA). The Eastern Cape Provincial Heritage Resources (ECPHRA) has been the competent authority in the Eastern Cape Province since 2012. All heritage reports must be submitted to the Eastern Cape Provincial Heritage Resources Authority (ECPHRA) for comment and uploaded to the South African Heritage Information System (SAHRIS)

#### **4. ARCHAEOLOGICAL BACKGROUND**

Little is known about the archaeology of the immediate area as no systematic archaeological research has been conducted. However, archaeological background information has been sourced from relevant archaeological impact assessments (AIA's) conducted within the surrounding area and records held at the Albany Museum in addition to archaeological research conducted within the wider region and South Africa.

The archaeological, cultural, and heritage impact assessments were sourced from the SAHRIS database on the South African Heritage Resources Authority (SAHRA) website. The number of reports and projects available on SAHRIS may not reflect all assessments that may have been conducted within the immediate and surrounding area of the study site.

Van Ryneveld (2018b) identified a total of 20 archaeological and cultural heritage sites were identified during two Phase 1 AIA assessments within the proximity of *Engcobo Cluster 6 borrow pit* study site (Van Ryneveld 2011a/b).

##### **4.1 Early Stone Age (ESA) - 1.5 million to 250 000 years ago**

The Early Stone Age occurred from between 1.5 million and 250 000 years ago and refers to the earliest that *Homo sapiens sapiens* predecessors began making stone tools. The earliest stone tool industry was referred to as the Olduvai Industry originating from stone artefacts recorded at Olduvai Gorge, Tanzania. The Acheulian Industry, the predominant southern African Early Stone Age Industry, replaced the Olduvai Industry approximately 1.5 million years ago, is attested to in diverse environments and over wide geographical areas. The hallmark of the Acheulian Industry is its large cutting tools (LCTs or bifaces), primarily handaxes and cleavers. Bifaces emerged in East Africa more than 1.5 million years ago (mya) but have been reported from a wide range of areas, from South Africa to northern Europe and from India to the Iberian coast. The end products were similar across the geographical and chronological distribution of the Acheulian techno-complex: large

flakes that were suitable in size and morphology for the production of handaxes and cleavers perfectly suited to the available raw materials (Sharon 2009).

One of the most well-known Early Stone Age sites in southern Africa is Amanzi Springs (Deacon 1970), situated about 10 km north-east of Kariega (formerly Uitenhage). The site is situated on a north-facing hill overlooking the Coega River. The earliest reference to the spring was made by an early traveller, Barrow (1801). FitzPatrick first reported stone artefacts in the area in 1924. Ray Inskeep (Inskeep 1965) conducted a small-scale excavation of the site in 1963. It was only in 1964 and 1965 that large scale excavations were conducted by Hilary Deacon. In a series of spring deposits, a large number of stone tools were found *in situ* to a depth of 3 - 4 m. Wood and seed material preserved remarkably very well within the spring deposits, and possibly date to between 800 000 to 250 000 years old.

Other Early Stone Age sites that contained preserved bone and plant material include Wonderwerk Cave in the Northern Province, near Kimberly and Montagu Cave in the Western Cape, near the small town of Montagu (Mitchell 2007). Early Stone Age sites have also been reported in the foothills of the Sneeuwerge Mountains (in Prins 2011).

The location of Early Stone Age sites is biased by several factors, the change in land surface, so that the evidence of coastal exploitation is absent, the survival of Early Stone Age material either *in situ* or sealed within Pleistocene deposits is limited by soil and water activities and numerous processes in environmental change over time and research interests of professional archaeologists. Early Stone Age materials are the earliest evidence for human ancestors occupying the Transkei and Ciskei regions and typically occur on floodplains of perennial rivers and along drainage lines and water courses.

Museum collections have handaxes mixed collections and other collections attributed to the Early Stone Age. Sites of convincing Early Stone Age date are indicated in most areas of the Ciskei and are present in the Transkei districts of Kentani, Butterworth, Nqamakwe, St. Mark's, Engcobo, Matatiele, Mount Frere, Mount Ayliff, Bizana, Idutywa, Lusikisiki, Mount Currie and Umtata (Derricourt 1977). Derricourt (1973) notes that museum material and field work confirm the presence of early settlement in the region.

From the CRM archaeological and heritage assessments accessed from the South African Heritage Resources Authority SAHRIS database, ESA stone artefacts have been documented near Elliot (Smith, A.B 2010).

#### **4.2 Middle Stone Age (MSA) (250 000 – 30 000 years ago)**

The Middle Stone Age spans a period from 250 000 - 30 000 years ago and focuses on the emergence of modern humans through the change in technology, behaviour, physical appearance, art and symbolism. Various stone artefact industries occur during this time period, although less is known about the time prior to 120 000 years ago. Extensive

systemic archaeological research is being conducted on sites across southern Africa dating within the last 120 000 years (Thompson & Marean 2008). The large handaxes and cleavers were replaced by smaller stone artefacts called the Middle Stone Age flake and blade industries. Surface scatters of these flake and blade industries occur widespread across southern Africa although rarely with any associated botanical and faunal remains. It is also common for these stone artefacts to be found between the surface and approximately 50 - 80 cm below ground. Fossil bone may in rare cases be associated with Middle Stone Age occurrences (Gess 1969). These stone artefacts, like the Earlier Stone Age handaxes are usually observed in secondary context with no other associated archaeological material.

The Middle Stone Age is distinguished from the Early Stone Age by the smaller-sized and distinctly different stone artefacts and *chaîne opératoire* (method) used in manufacture, the introduction of other types of artefacts and evidence of symbolic behaviour. The prepared core technique was used for the manufacture of the stone artefacts which display a characteristic faceted striking platform and includes mainly unifacial and bifacial flake blades and points. The Howiesons Poort Industry (80 000 - 55 000 years ago) is distinguished from the other Middle Stone Age stone artefacts: the size of tools is generally smaller, the range of raw materials include finer-grained rocks such as silcrete, chalcedony, quartz and hornfels, and include segments, backed blades and trapezoids in the stone toolkit which were sometimes hafted (set or glued) onto handles. In addition to stone artefacts, bone was worked into points, possibly hafted, and used as tools for hunting (Deacon & Deacon 1999).

Other types of artefacts that have been encountered in archaeological excavations include tick shell (*Nassarius kraussianus*) beads, the rim pieces of ostrich eggshell (OES) water flasks, ochre-stained pieces of ostrich eggshell and engraved and scratched ochre pieces, as well as the collection of materials for purely aesthetic reasons. Although Middle Stone Age artefacts occur throughout the Eastern Cape Province, the most well-known Middle Stone Age sites include the type-site for the Howiesons Poort stone tool industry, Howiesons Poort (HP) rock shelter, situated close to Makhanda (formerly Grahamstown), and Klasies River Mouth Cave (KRM), situated along the Tsitsikamma coast. Middle Stone Age sites are located both at the coast and in the interior across southern Africa.

Early research in the (now former) Transkei region found that MSA material is found in most alluvial deposits at various depths. Laidler (1934) notes that MacLouglin had described many such sites. Laidler (ibid) also notes that at Lutuli MSA flakes are found on the surface of old, deeply eroded rock stream beds and embedded in conglomerate and clay which were deposited at a period of silting up of the riverbed, which banked up and gave access to caves and rock surface which were later inhabited by Later Stone Age hunter-gatherers. The hill wash of many hills in the region contains MSA material. A cave situated in the Ngcisininde Valley, near Tsomo (Laidler 1937) contained MSA implements from the Tsolo period of the buildup of boulder and silt deposits.



Other research conducted by Laidler at an open site near a cave at Ezolo (1934) yielded Middle Stone Age stone tools. The assemblage at Ezolo was assumed to belong to the Fauresmith Industry, an industry which was believed to be transitional between the Early and Middle Stone Ages. The assemblage included lance heads as well as a haematite pencil and yellow ochre pencil.

Derricourt (1973) notes that Middle Stone Age (MSA) industries occur widely as surface finds in the Ciskei and Transkei. The period, ranging from about 50 000 to 12 000 years before the present, is now seen to contain much variability between contemporary groups within South Africa, and the simple attribution of distinct culture names is being replaced.

Systematic archaeological research has been conducted on several sites yielding evidence of Middle Stone Age occupation occurring within the foothills of the Drakensburg and extending into Lesotho and KwaZulu Natal. Strathalan Cave B, situated about 10 km north-east of Nganqarhu (formerly Maclear), shows evidence of human behaviour between 29 000 and 22 000 years ago. This period highlights the final years of the Middle Stone Age and is considered transient between the Middle and Late Stone Ages. Excavations at the site revealed that the small cave may have been used as a camp site during cold winter nights and that the people occupying the cave behaved like Late Stone Age hunter-gatherers in some respects, but not all (Opperman, 1996; Opperman & Heydenrych 1990). During 1978 an archaeological research programme was initiated in the north-eastern Cape to gain information on the end Pleistocene and Holocene hunter-gatherer populations and the palaeoecology along a gradient transecting the extension of the Drakensberg escarpment into the Cape. Excavations were conducted at a series of sites in the Dordrecht-Khowa (formerly Elliot)-Ugie-Barkley East area which is also well-known for its painted sites.

The only excavations that were previously carried out were at Belleview (Drakensburg), Moshebi's Shelter and Sehonghong (in eastern Lesotho) and Merino Walk within the Barkley East region. Below the escarpment two rock shelters were excavated at Bonawe and Te Vrede, Khowa (formerly Elliot) and Ugie Districts) above the escarpment excavations have been undertaken in the Barkley East District at Colwinton, Prospect, Wartrail and Ravenscraig. In addition to this an excavation has been conducted at a site on the farm Grassridge near Dordrecht. All sites included end-Pleistocene and Holocene material except Wartrail (entirely Holocene) and Grassridge (Earlier late Pleistocene occupation). Additional sites that also contain late / terminal Pleistocene and Holocene deposits in the eastern highlands of South Africa and Lesotho include Rose Cottage Cave and Melikane, Ha Soloja Shelter does not show evidence of any Late Stone Age occupation (Plug 1996).

Several archaeological research projects are currently ongoing within the wider former Transkei and north-eastern Cape / southern Drakensburg region. In 2011, the Pondoland Paleoenvironment, Paleoclimate, Paleoecology, and Paleoanthropology Project (P5) began a search for new research areas along South Africa's coast (the eastern seaboard and

Pondoland) where long-term and continuous records of modern human evolution and coastal foraging may be found (Fischer *et al.* 2013). In the Stormberg Mountains near Dordrecht, renewed excavations and investigation into Grassridge site, with particular interest in the Middle Stone Age sequence, are currently ongoing. An underlying Middle Stone Age (MSA, ~30030 ka) sequence containing abundant typologically MSA lithic material, well-preserved faunal remains, and charcoal was identified during the 1979 excavations which focused primarily on the Later Stone Age sequence (Collins & Ames 2015).

Scatters of Middle Stone Age stone artefacts are also known to occur within the surrounding area where these have been recorded in archaeological and heritage impact assessments within the region. From the CRM archaeological and heritage assessments accessed from the South African Heritage Resources Authority SAHRIS database, MSA stone artefacts have been documented within the Indwe (Smith 2010, Booth 2020), Dordrecht (Anderson 2019), Khowa (formerly Elliot) and Cala (Van Ryneveld 2011), Cofimvaba (Van Ryneveld 2011) and Ngcobo (Van Ryneveld). The stone artefacts comprised mostly flakes, blades and cores manufactured from quartzite as raw material. The stone artefacts occurred as surface scatters.

#### **4.3 The Later Stone Age (LSA) (30 000 years ago – recent)**

The Later Stone Age (LSA) spans the period from about 30 000 years ago until the colonial era. The period between 30 000 and 20 000 years ago is referred to as the transition from the Middle Stone Age to Later Stone Age; generally, there is a lack of crucial sites and evidence that represent this change, however, several sites in the eastern Cape Highlands eastern Lesotho, and the Drakensburg in KwaZulu Natal have been dated to this time period. By the time of the Later Stone Age the genus *Homo*, in southern Africa, had developed into *Homo sapiens*, and in Europe, had already replaced *Homo neanderthalensis*.

The Later Stone Age is marked by a series of technological innovations, new tools and artefacts, the development of economic, political and social systems, and core symbolic beliefs and rituals. The stone toolkits changed over time according to time-specific needs and raw material availability, from smaller microlithic Robberg (20/18 000-14 000 ya), Wilton (8 000-the last 500 years) Industries and in between, the larger Albany/Oakhurst (14 000-8 000ya) and the Kabeljous (4 500-the last 500 years) Industries. Bored stones were used as part of digging sticks, grooved stones for sharpening and grinding, and stone tools fixed to handles with mastic also become more common. Fishing equipment such as hooks, gorges and sinkers also appear within archaeological excavations. Polished bone tools such as eyed needles, awls, linkshafts and arrowheads also become a more common occurrence. Most importantly bows and arrows revolutionized the hunting economy. It was only within the last 2 000 years that earthenware pottery was introduced, before then tortoiseshell bowls were used for cooking and ostrich eggshell (OES) flasks were used for

storing water. Decorative items like ostrich eggshell and marine/freshwater shell beads and pendants were made.

Hunting and gathering made up the economic way of life of these communities; therefore, they are normally referred to as hunter-gatherers. Hunter-gatherers hunted both small and large game and gathered edible plant foods from the veld. For those that lived at or close to the coast, marine shellfish and seals and other edible marine resources were available for gathering. The political system was mainly egalitarian, and socially, hunter-gatherers lived in bands of up to twenty people during the scarce resource availability dispersal seasons and aggregated according to kinship relations during the abundant resource availability seasons. Symbolic beliefs and rituals are evidenced by the deliberate burial of the dead and in the rock art paintings and engravings scattered across the southern African landscape.

The majority of hunter-gatherer archaeological sites found usually date from the past 10 000 years where San hunter-gatherers inhabited the landscape living in rock shelters and caves as well as on the open landscape. These latter sites are difficult to find because they are in the open veld and often covered by vegetation and sand. Sometimes these sites are only represented by a few stone tools and fragments of bone. The preservation of these sites is poor, and it is not always possible to date them (Deacon and Deacon 1999). Caves and rock shelters, however, in most cases, provide a more substantial preservation record of pre-colonial human occupation.

Later Stone Age sites occur both at the coast (caves, rock shelters, open sites and shell middens) and in the interior (caves, rock shelters and open sites) across southern Africa. There are more than a few significant Later Stone Age sites in the Eastern Cape. The most popular are the type-sites for the above-mentioned stone artefact industries, namely Wilton (for the Wilton Industry), Melkhoutboom (for the Albany Industry), both rock shelters situated to the west of Makhandia (formerly Grahamstown), and Kabeljous Rock Shelter (for the Kabeljous Industry) situated just north of Jeffreys Bay. Caves and rock shelters that were occupied by the San during the Later Stone Age sometimes contain numerous paintings along the walls.

Several cave and rock shelter sites have been recorded into the north-eastern Cape and the foothills of the southern Drakensberg. Several of the sites mentioned in the Middle Stone Age section show evidence of Later Stone Age occupation. Later Stone Age deposits dating from the terminal Pleistocene to 100BP include Rose Cottage Cave (eastern Free State) and Melikane, Sehonghong and Moshebi's Shelter in eastern Lesotho. In the foothills of the Drakensberg recent Later Stone Age assemblages have been documented in the Phuthiatsana-ea-Thaba Basin and include 17 large rock shelters, 32 small rock shelters and cliff edge, 8 large rock shelters and 8 open sites. Later Stone Age assemblages have also been documented at Mhlwazini Cave and Collingham Shelter (Plug 1996). Colwinton's formal stone tool assemblage was dominated by the scrapers which is consistent with a majority of Later Stone Age assemblages in southern Africa. Potsherds and bone fishhooks

were also recorded at the site as well as at Belleview and Driel (Opperman 1982). Strathalan Cave B situated about 10 km north-east of Nqanqarhu (formerly Maclear), shows evidence of human behaviour between 29 000 and 22 000 years ago. However, radiocarbon dating indicates a hiatus of 10 000 years between the final Middle Stone Age date and first Later Stone Age occupation of the adjacent Strathalan Cave A. Ravenscraig was noted for the occurrence of chalcedony bladelets and stone artefacts resembling the Robberg Industry of the southern and eastern Cape. The lowest stratigraphic layer at Colwinton contained stone artefacts resembling those of the Albany Industry of the southern and eastern Cape (Opperman 1982).

Cultural material recovered from excavations by Laidler (1937) at a cave in the Ngcisininde Valley, near Tsomo, included worked clay, bone, shell (ostrich eggshell and marine) and stone. The worked stone is lydianite, almost to the exclusion of any other; chalcedonous material being scarce and limited to a few chips in the upper layer of the deposits. There is no doubt that this shelter during its latter days was the scene of varied and interrupted occupations, indicated as well by the pottery types, as by the snail shells in the sterile strata. Iron Age communities, Khoekhoen, and San hunter-gatherers would have made use of the site.

According to Derricourt (1977) open Later Stone Age sites in the Transkei and Ciskei are mostly located close to water regardless of whether it may be seasonal or perennial water courses and notes that lydianite (indurated shale / hornfels) is predominant. Derricourt (1973) also notes that a large number of LSA remains are known from the area, ranging through open-site chipped stone artefact assemblages, painted rock shelters, and chance finds such as bored stones. Best known LSA sites are the painted rock shelters found in the hilly areas of the Ciskei and in river valleys of the Transkei. These are frequently associated with occupation deposits, if these have not been eroded away. Faunal associations of food waste have survived until the later stages of the sequence and permit some dietary reconstruction. Pottery occurs in the highest and latest levels and perhaps the final activity in the shelter is geometric paintings, higher than more conventional LSA ones, and presumably done by Nguni individuals.

The Matatiele Archaeology and Rock Art (MARA) Research programme initiated in 2011 conducted excavations at a rock shelter, MAF 1, near Matatiele (Pinto *et al.* 2017). Their research findings include a continuous, well stratified cultural sequence dating from the early Holocene up to 2400 cal. BP. Ages obtained from these deposits are suggestive of hunter-gatherer occupation pulses at MAF 1, with possible abandonment of the site over the course of two millennia in the middle Holocene. The presence of a lithic artefact assemblage from this latter phase of occupation at MAF 1 indicates the continued use of the site by hunter-gatherers, with the presence of pottery and in particular the construction of a putative rectilinear dwelling and associated animal enclosure pointing to occupation of the shelter by agropastoralists.

Scatters of Later Stone Age stone artefacts are also known to occur within the surrounding area where these have been recorded in archaeological and heritage impact assessments within the region. From the CRM archaeological and heritage assessments accessed from the South African Heritage Resources Authority SAHRIS database, LSA stone artefacts have been documented within the areas of Dordrecht (Anderson 2019), Khowa (formerly Elliot), and Ugie (Prins & Hall 2010), as well as Later Stone Age oral histories within the Ngcobo area (Van Ryneveld).

#### **4.4 Last 2 000 years – Khoekhoen Pastoralism**

Until 2 000 years ago, hunter-gatherer communities traded, exchanged goods, encountered and interacted with other hunter-gatherer communities. From about 2 000 years ago the social dynamics of the southern African landscape started changing with the immigration of two 'other' groups of people, different in physique, political, economic and social systems, beliefs and rituals. One of these groups, the Khoekhoen pastoralists or herders, entered southern Africa with domestic animals, namely fat-tailed sheep and goats, travelling south towards the coast. Khoekhoen pastoralist sites are often found close to the banks of large streams and rivers. They also introduced thin-walled pottery common in the interior and along the coastal regions of southern Africa. Their economic systems were directed by the accumulation of wealth in domestic stock numbers and their political make-up was more hierarchical than that of the hunter-gatherers.

The most significant Khoekhoen pastoralist sites in the Eastern Cape include Scott's Cave near Patensie (Deacon 1967), Goedgeloof shell midden along the St. Francis coast (Binneman 2007) and Oakleigh rock shelter near Queenstown (Derricourt 1977). Often, these archaeological sites are found close to the banks of large streams and rivers. It is much more difficult to locate Khoekhoen open sites, owing to their settlement pattern and lack of stone artefacts, makes evidence of occupation almost 'invisible'.

Earlier research excavations conducted by Laidler (1937) at a cave in the Ngcisininde Valley, near Tsomo, revealed pottery in the upper layers, which included Iron Age pottery as well as evidence of Khoekhoen pottery. The pottery assemblage included an externally applied lug, a broad bridged, internally reinforced lug, a red burnished neck-body junction with roughly incised criss-cross pattern, and other fragments of thin, red burned, and with string patterned neck, overlapped and consolidated lips.

Pre-agriculturalist pottery has been documented at some of the sites mentioned above. Pottery from Swaziland to the north-eastern Cape dates between 2 100 and 2 200 years and could possibly be earlier, predating the arrival of the agriculturalists by 400 years. No sheep remains have been found in association with the pottery which is stylistically different from those of the later agriculturalists (Iron Age populations) and a mean thickness of 7-8 mm pottery has been documented at Driel Shelter, Clarke's Shelter and Mhlwazini Cave in the northern Drakensberg with dates ranging between of  $2\ 160 \pm 50\text{BP}$  and  $1\ 775 \pm 40\text{BP}$ ; at Collingham Shelter and Good Hope Shelter with dates ranging

between 2 160 BP and 1 770 BP; and at Moshebi's Shelter in eastern Lesotho with a date of 2 180  $\pm$ 45BP. In the Barkley East district, the dates for the pottery documented at Colwinton Shelter and Bonawe Shelter in the north-eastern Cape, Barkley East District, range between 2 250  $\pm$ 80BP and 920  $\pm$ 50BP (Mazel 1992).

#### **4.5 Last 2 000 Years - The Iron Age**

According to Huffman (2004) multiple strands of evidence help to clarify ancient Nguni history such as linguistics, anthropology and archaeology that indicate an Early Iron Age homeland in East Africa. Nguni speakers started moving south out of East Africa from around AD 1000, probably because of widespread drought and concomitant social disruptions. Once in southern Africa, they continued to live in small political units to employ similar strategies in the face of drought and social disruptions. They built defensive walling between AD 1300 and 1500, and they moved out of KwaZulu-Natal at least three times. The scale of the last disruption, known as the Mfecane or Difaqane, was significantly greater, and it created the first Nguni Empire in southern Africa.

The Nguni-speaking agropastoralists or 'first-farming communities' or Iron Age communities entered southern Africa along the east coast within the last 2 000 years. They owned domestic stock, namely goats, sheep and cattle. Their pottery was different to that of the Khoekhoe, in the shape, thickness, heavy decoration and variety of the vessels. First farming communities lived a relatively sedentary way of life, they planted sorghum and millet and were therefore limited to settle in the summer rainfall areas. In addition, first farming communities possessed the skill of metal working, having the ability to mine and work iron, copper, tin and even gold. Their economic systems were also based on the accumulation of wealth through ownership and their political organization was slightly more hierarchical than that of the Khoekhoen.

Much research has been conducted on the Iron Age (IA) across southern Africa, therefore resulting in well-established chronological and typological frameworks and settlement and economic patterns for the Iron Age sequence (Huffman 2007).

Mackenzie notes that the earliest date for Iron Age settlement in the geographical area formerly referred to as the Transkei is about AD 700 (Cronin, 1982). It has been suggested by Derricourt (1974) that tribes of Iron Age farmers were concentrated mainly in the coastal zone between the Umzimvubu and Kei Rivers. The inland areas and interior basins were the domain of the nomadic hunter-gatherer San. The Nguni people who inhabit Transkei today may be the descendants of these Iron Age farmers, 'although it is possible that their ancestors moved south into Transkei from Natal (Wilson, 1969)

The Iron Age sequence is based on ceramic phases determined by vessel profile and decoration motif and placement. According to Huffman (2007) an eastern migration stream, known as the Chifumbaze Complex spread southwards from East Africa south into southern Africa during the period of about AD 200—300 where several KwaZulu-Natal and

north-Eastern Cape sites were occupied. The Early Iron Age sites in the Eastern Cape dates to between circa AD 600 to AD 900 and can be divided into the following ceramic facies (Maggs 1989; Huffman 2007):

- Msuluzi (AD 500-700);
- Ndondondwane (AD 700 – 800);
- Ntshekane (AD 800 – 900).

Thicker and decorated pottery sherds, kraals, possible remains of domesticated animals, upper and lower grindstones, storage pits, metal and iron implements are associated with identifying Early Iron Age sites. The sites are generally large settlements, but the archaeological visibility may in most cases be difficult owing to the organic nature of the homesteads. Additional evidence of these agropastoralist groups derives from rock paintings of cattle painted by hunter-gatherer groups who encountered or interacted with these communities. The bones of cattle and sheep excavated at Oakleigh Shelter near Komani (formerly Queenstown) may be an indication of possible stock theft (Derricourt 1977). The Early Iron Age (EIA) first-farming communities during the first millennium AD generally preferred to occupy river valleys within the eastern half of southern Africa owing to the summer-rainfall climate that was conducive for growing millet and sorghum.

In comparison to other areas containing Iron Age sites only a small amount of Iron Age research has been conducted in the Eastern Cape thus far. Binneman (1992) supported this view noting that the southerly limit of Early Iron Age settlement was thought to be along the Transkei coast, with Mpame dating back to as early as AD 640 (Cronin 1982). There has been some speculation, however, that Early Iron Age (EIA) populations may have spread well south of the Transkei into the Ciskei, possibly up to the Great Fish River. These areas are on the very outer limits of the summer rainfall region on which the EIA communities were dependent on for cultivating their crops. It is commonly accepted that an ecological boundary restricted these populations in their southward migration.

Earlier investigations into the Early Iron Age in the Transkei and Ciskei includes work at Buffalo River Mouth (Wells 1934; Laidler 1935), at Chalumna River Mouth (Derricourt 1977) and additional research by Feely (1987) and Prins (1989). Early Iron Age Sites (EIA) sites also include Kulubele situated in the Great Kei River Valley near Qumga (formerly Khomga) (Binneman 1996) which provided a date of 1250  $\pm$  40 BP (Pta-5865), with a most probable calibrated age of AD 799 (Vogel, pers. Comm in Binneman *et al.* 1992), Ntsitsana situated in the interior Transkei, 70 km west of the coast, along the Mzimvubu River (Prins & Granger 1993), and Canasta Place situated on the west bank of the Buffalo (Qonce) River (Nogwaza 1994). Along the coast, near Coffee Bay, Early Iron Age sites have been dated from AD 670 and includes the sites of Mpame and Mqanduli. Early Iron Age pottery scatters have been documented along several areas of the Wild Coast coastline including Zig-Zag Cave near Port St Johns (Derricourt 1977). The first-millennium site, Ntsitsana, was excavated and two occupational phases dated to ca. AD 660 and AD 770 were identified. Ceramics associated with these phases are typologically similar to coeval

ceramics of early farming settlement in Natal, although local differences are evident (Prins & Granger).

Iron Age associated cultural material recovered from excavations by Laidler (1937) at a cave in the Ngcisininde Valley, near Tsomo, included a fragment of early Iron Age pottery at the back of the cave. The ash produced a crude taper 'lip,' black, no visible admix; fragment of neck body junction of a small drinking bowl; the greater part of a pot with a vertical channelled externally applied lug, which may have been a link between Iron Age and hunter-gatherer communities, and few fragments of typical Nguni pre-burning burnished pottery; and a fragment of stone with slag on it at the surface. Most of the Nguni pottery was found towards the back of the cave, and in a slightly earthy layer that there was superimposed on the ash. Implements included an Iron Age upper millstone.

Hilltop settlement is mainly associated with Later Iron Age (LIA) settlement patterns that occurred during the second millennium AD. The Later Iron Age communities later moved from settlement in river valleys to the hilltops. Later Iron Age settlements have been formally recorded by the Albany Museum, stone buildings which characterizes the Iron Age sites of Sotho areas, is absent in the Transkei and Ciskei, and a pattern of some mobility without, it is presumed, a stone working technology of significance, makes the allocation of sites a major problem (Derricourt 1973).

Huffman's (2004) ceramic sequence among the Nguni groups contains three facies:

- Blackburn (AD 1 050 – 1 300): along north and south coasts of KwaZulu Natal;
- Moor Park (AD 1 300 – 1 700): first recorded in Estcourt Midlands then along Transkei coast where it was called Umgazana Ware. Appears south of the Mtamvuma River and it is suggested that it was the beginning of the division between southern and northern Nguni people and probably continued into the nineteenth century;
- Nqabeni (AD 1 700 – 1 850): style centres on KwaZulu Natal.

Early Iron Age findings during CRM archaeological and heritage impact assessment surveys are not common. Due to the biodegradable materials used to construct dwellings and the use of natural materials for kraals in comparison to the use of stone in other parts of the country, Iron Age sites are usually identified by the presence of pottery fragments on the landscape. Colonial and Later Iron Age dwellings and stock enclosures are more prolific during surveys (Booth 2014, Kruger 2020, 2021; Van Ryneveld 2010, 2011, Prins & Hall 2010).

#### **4.6 Rock Art (Paintings and Engravings)**

Rock art is generally associated with the Later Stone Age period, mostly dating from the last 5 000 years to the historical period. It is also the most visible form of archaeological evidence. It is difficult to accurately date rock art without destructive practices. The southern African landscape is exceptionally rich in the distribution of rock art which is



determined between paintings and engravings. Rock paintings occur on the walls of caves and rock shelters across southern Africa and are prolific in the Southern Drakensberg, north-eastern Cape extending the entire Drakensberg range into KwaZulu-Natal and Lesotho. Rock engravings are limited to the Karoo and Northern Cape Regions and do not generally occur within the north-eastern Cape region and Transkei region.

Rock art research within the Southern Drakensberg has been conducted by several researchers and students from the Rock Art Research Institute, University of the Witwatersrand, over a period of 25 years, with a well-established database of sites from Nqanqarhu (formerly Maclear), Tsolo, Barkly East, Ugie, Dordrecht and the wider region and extent of the Drakensberg range and Maluti Mountains. The South African Rock Art Database established by the Rock Art Research Institute is a useful source for rock art site information across southern Africa.

The Kei River valley was a route of movements by Stone Age hunters. Stow (Stow & Bleek 1930) and Frobenius (1931) reproduced material from the Kei Basin, Huss and Otto (1925) carried out exploration further down the Kei Valley (in Derricourt 1997). Derricourt also notes that Hewitt and Stapleton (1931) reported shelters with paintings near Cala. Rock paintings have been recorded on at least 20 farms in the Indwe district (Van Riet Lowe 1941). San rock paintings – especially in the foothills of the Drakensberg near Khowa (formerly Elliot) and Ugie (Blundell 2004; Mallen 2008; White 2010). From 2011, more than 200 rock art sites have been recorded in the Matatiele area as part of a systematic survey conducted as part of the Matatiele Archaeology and Rock Art (MARA) research programme (Pinto *et al.* 2017).

Three rock art sites are known from the Rebbelskloof area (Albany Museum database); however, the exact coordinates have not been captured in the database. The site was recorded by Hewitt and Stapleton in 1928, and tracings and photographs are available. St Gabriel's Rock Shelter, also recorded by Hewitt and Stapleton in 1928, is situated within the Cala region. The exact location is also not known. The renowned San rock paintings of the Drakensberg region also belongs to the Later Stone Age period although the majority were made between 4 000 years and about 120 years ago.

Derricourt (1977) reported 3 rock art sites in the greater Ngcobo district. These include paintings of wild ungulates such as eland and elephant as well contact period imagery with depictions of early African agriculturists in contact with San hunter-gatherers (Prins 2011).

The use of rock art sites as sacred sites continues in contemporary society as part of traditional African rituals. The pigments of paintings are still considered as containing spiritual powers for healing in some cases and rainmaking. Pinto *et al* (2017) note that the site MAF 1 within the Matatiele area continues to be used as a traditional initiation school for boys held annually at the site.

## **4.7 Unmarked Burials and Exposed Human Remains**

It is difficult to detect the presence of archaeological human remains on the landscape as these burials, in most cases, are not marked at the surface. Human remains are usually observed when they are exposed through erosion or construction activities for development. In some instances, packed stones or rocks may indicate the presence of informal pre-colonial burials. Recent and historical stone packed burials may also occur within the area.

Cultural Resource Management practitioners whilst conducting archaeological heritage impact assessments have also recorded formal historical and contemporary cemeteries, isolated graves within the boundary of the homestead, and informal burials within the wider region (Booth 2014; Van Ryneveld 2010, 2011; Kruger 2013, 2020, 2021; Gaigher 2023).

The relocation of 22 graves that were affected by construction activities of the upgrading and widening of Route 61, All Saints, Engcobo Local Municipality, Eastern Cape. The 22 graves were relocated within the boundaries of the properties where they are currently located.

## **4.8 Historical Background**

### **4.8.1 The abaThembu (Thembuland)**

Thembuland's territory is the traditional region of the abaThembu people, one of the sub-groups of the amaXhosa nation. It was formerly also known as "Tamboekieland" or "Tambookieland". Thembuland was historically defined as the area between Mthatha and the upper Kei River. As such it formed an area of 80 by 200 kilometers, although its boundary was considered disputable with Pondoland on the coast, and with Fingoland just to the south. Before colonial conquest, it was divided into Thembuland Proper, Emigrant Thembuland and Bomvanaland— the Bomvana were a related people who lived on the east bank of the Bashee River, in what was later the district of Elliotdale. In colonial times it was defined as consisting of the districts of Emjanyana, Engcobo, Mqanduli, Mthatha, St Marks, Southeyville and Xalanga. The hunter-gatherer San and Khoikhoi people inhabited the region in scattered nomadic groups from c. 30,000 BCE (South African History Online).

In the 16<sup>th</sup> century, iron-working Nguni farmers entered the area from the north-east. A sub-group of the Nguni peoples became the abaThembu people. The abaThembu subsequently assimilated to a large degree with the neighbouring amaXhosa people. Thembuland became an independent kingdom, ruled by the Hala royal clan (South African History Online). According to amaXhosa oral tradition, the Hala clan migrated along the east coast of southern Africa before settling in KwaZulu-Natal. The earliest known abaThembu ancestor is Chief Mbulalika-Nanzinzaba, whose grandson (named uMthembu KaNtongakazi), led his people from what became the South African province of KwaZulu-

Natal to Dedesi in the present-day Transkei region of South Africa. The abaThembu emerged as a single political entity during the reign of Nxeko, who settled in Dedesi and was awarded chieftainship by King Togu, who later handed him independence to form a new amaXhosa state. Famous descendants of Nxeko include members of the royal line of the amaXhosa Kingdom and politicians like Nelson Mandela, whose father was a reigning nobleman from a junior branch of the Madiba clan of kings, and Walter Sisulu (Jenkins 2007).

British interference and incursions began in the 19th century (South African History Online). The federation was later annexed by the British Empire shortly after the death of King Sarhili.

From 1871 the abaThembu became engaged in a protracted war against an alliance of neighbouring isiXhosa-speaking peoples, including the Pondo, the Bomvana and the Gcaleka. The abaThembu Paramount-Chief, Ngangelizwe, had sought to unite the various abaThembu clans but had come under increasing military pressure from Sarhili, Paramount-Chief of the Gcaleka. Facing severe military pressure from the combined armies of his enemies, Chief Ngangelizwe and his Ministers approached the nominally-independent Cape Colony to negotiate alliance and possible incorporation (South African History Online).

The Cape Colony, having recently achieved a degree of independence from Britain under the system of Responsible Government, operated under a relatively inclusive system of multi-racial franchise - whereby qualifications for suffrage applied equally to all male residents, regardless of race. Its laws also forbade any white settlement in traditional "Native territory". The Cape was therefore viewed by Ngangelizwe and his ministers as a satisfactory entity to merge with. Ngangelizwe however, was a highly controversial leader in the isiXhosa-speaking community. He was hated by many in the neighbouring Pondo and Gcaleka states, and accused of a range of crimes. The Cape Government demanded his resignation, as a precondition for any annexation (South African History Online).

According to Cape Parliamentary records, the abaThembu leaders demanded, among other things, four (4) magistracies with equal access to the Cape's current system of non-racial franchise, and military protection from both the British and their Gcaleka enemies. The Cape government agreed to these terms and signed them into law with the Thembuland Annexation Act 1876, creating the magisterial districts of Xalanga, St. Marks, Elliot and Engcobo (South African History Online).

Additional stipulations of the 1876 act were that the abaThembu traditional government system was to get full government recognition; the abaThembu King, Chiefs and Subchiefs were to earn government salaries; normal taxation would only begin in 1878; the boundaries of Thembuland were final and were not to be altered in any way; and that the sale of alcohol be prohibited to abaThembu subjects. The resignation of the controversial abaThembu King Ngangelizwe, in favour of his successor, had initially been demanded by

the Cape government as a precondition for annexation, but this condition was waived as being impractical. Otherwise, the terms of the incorporation were implemented as stated (South African History Online).

Traditional land ownership was fully recognised and, with the exception of a few missionaries and white traders, Thembuland was preserved for abaThembu occupation, as part of the "Transkeian territories". However, the British overthrow of the elected Cape government in 1878 and assumption of direct rule over the Cape Colony caused the Confederation Wars, and the later disruption of the treaty's peaceful implementation. The annexation was only finally completed in 1885. Thembuland was defined at the time as being the territory between Mthatha and the Tsomo River, and home to 60,000 people. Thembuland also submitted troops to the Frontier Armed forces of the Cape Colony, who, in this capacity, fought several victorious campaigns against their Gcaleka and Mpondo enemies (South African History Online).

According to the original laws of the Cape Colony, as well as the terms of the Annexation Act, Europeans were prohibited from owning land in the abaThembu territories. This was initially intended to prevent the dispossession of the abaThembu by aggressive settlers, however in the ensuing political upheavals, the law was badly enforced. From the 1880s, the pro-imperialist governments of Prime Ministers John Gordon Sprigg and Cecil Rhodes turned a blind eye to white incursions. Already by 1882, white settlers had illegally moved north of the Great Kei River and, in the same year, Chief Ngangelizwe himself sold territory within Mthatha district to white land owners (South African History Online).

In 1894, the Glen Gray Act constituted the abaThembu chiefs as leaders of "District Councils", thereby establishing a system of proxy rules. The Government of Cecil Rhodes passed legislation, such as the Parliamentary Registration Act, that severely curtailed the voting rights of the abaThembu and all Black African citizens of the Cape. However, it was the Union of South Africa, in the twentieth century, that was to oversee the greatest growth in oppression against the people of Thembuland. Later, in the lead up to the Union of South Africa and the beginning of Apartheid, the franchise and property rights of the abaThembu were gradually revoked, and what rights remained were applied only in their original homeland. Later still, under apartheid, the Transkei was turned into a Bantustan. In the ethnic theory underpinning apartheid, the Transkei was regarded as the "homeland" of the amaXhosa people (South African History Online).

The abaThembu chieftainship has, over a period of almost two centuries changed cyclically. The abaThembu chieftainship throughout its history, has been naturally subjected to indigenous law and, subsequently, to various forms of what Sanders has described as distorted autonomic customary law (Southall 1982 in Yekela 2011). The contemporary abaThembu chieftainship has outlived the colonial and apartheid regimes (Yekela 2011).

Dalindyebo, an acknowledged state ward, died on 22 April 1920 while preparing to attend a session of the General Council in Mthatha. Silimela performed his last important duty as

abaThembu chief regent on July 1924. This was when he informed the resident magistrate that the abaThembu people had decided to ask the Government to allow Sampu to take over the duties of Paramount Chief of the abaThembus and permit Regent Silimela to return to his own location in the District of Engcobo (Yeleka 2011). Sabata's regional authority comprised the districts of Mthatha, Mqanduli, Engcobo and possibly a portion of Elliotdale, while Matanzima's regional authority comprised the districts of St Marks and Xalanga (Cala) with the possible inclusion later of Glen Grey as well. The recommendation was made to the Governor-General to authorise Daliwonga Kaizer Matanzima to assume the title of paramount chief by reason of the extent of his area of jurisdiction, the responsibilities attaching to his office, the chiefs subordinate to him and the Native population residing in the areas under his control (Mthikrakra 2008 in Yekela 2011).

Mangcotywa's remarks on Sabata's claims of authority over certain districts of abaThembuland brought forth a response from President Matanzima who addressed a letter to the Prime Minister. The President stated:

I have to direct that you instruct Paramount Chief Dalindyebo to stop causing intertribal disturbances by making false claims over the Districts of Xhora, Cofimvaba, Cala and Lady Frere vide Imvo Transkei dated 3 March, 1979. His assertions that he fears nobody are noted as a matter of insubordination against the President. Cabinet should at once put him in his place by redefining and gazetting Sabata's area of jurisdiction of 3 districts of the Dalindyebo region only namely Engcobo, Mqanduli and Mthatha. I will sign the gazette (Yekela 2011).

#### **4.8.2 The amaQwathi (Qwathiland)**

The district is known to fall under the amaQwathi chieftaincy who established themselves in the area around circa 1850/1860 (van Ryneveld, 2015). The foundation of the amaQwathi chieftaincy, Mtshutshumbe and his followers who emigrated from EmaXesibeni to Thembuland before 1700 (Ndima 1988). The amaQwathi are said to be related to the Xesibe of Mt Ayliff and Mqanduli districts with their place of origin being Ema'Xesibeni in the present district of Mt Ayliff. Among notable amaQwathi Chiefs are Stokwe ka-Ndlela, Dalasile ka-Fabu and Fubu (van Ryneveld 2015 in Tomose 2024) Although the Qwathi are found in the heart of Thembuland, in the district of Engcobo, they are not abaThembu (Ndima 1988).

Apart from the San this whole area between the Mbashe and Qumanco rivers was uninhabited before the arrival of the amaQwathi. It lay, however, within the area of jurisdiction then claimed by the abaThembu kings. The abaThembu king at this time was Dlomo, Mnguti's grandson whose capital was at Nyhwarha in the present district of Idutywa. On the eastern side of the Mbashe between Tabase and Baziya was an abaThembu chief, Sebeni, one of Mnguti's son's, who reported the arrival of the amaQwathi in the neighbourhood of King Dlomo (Sihele in Ndima 1998). Dlomo nursed some fears about the choice of the place of occupation and warned them that the place they had chosen had dense forests infested with wild animals and inhabited by brave,

mischievous and dangerous San. The amaQwathi impressed by the beauty of the land with forests and grazing lands insisted on getting the land. They replied that they were not afraid of wild animals, after all they were hunters who were living also on the meat of wild animals. They showed no fear for the San (Sihele in Ndimma 1998).

Average summer temperatures vary between 18°C and 22°C and winter temperatures are between 10°C and 7°C. In winter the Gulandoda and Drakensburg ranges are often covered with snow. The average annual rain fall varies between 1 inch and 40 inches. This rainfall also feeds the four rivers (4) of Qwathiland, namely Mbashe, Xuka, Mgwali and Qumanco and their tributaries (Sihele in Ndimma 1998). The country tends to be well wooded and mountainous with most of the indigenous forests and bushes covering the hills and their slopes. An article in the Cape Monthly Magazine of 1874-75 describes this as follows (Sihele in Ndimma 1998):

A belt of hills formed almost a semi circle from North to West with a dark covering of thick bush. Gardens, tended mostly by women, were usually carved out between the huts, rivers and roads. These were shut off from animals by stones, mimosa and aloe trees. The rest of the land was given over to pasturage and hunting grounds. The main agricultural products are maize, ... corn, sorghum, tobacco and pumpkins but the land is better suited for stock farming.

Pasturage is suitable for cattle, sheep and goats. The whole of Qwathiland falls almost within the belt of sweetveld with few patches of sourveld here and there especially in the low lying areas. In summer, cattle graze on the low-lying areas but in winter on the bushy mountainous areas where the grass is comparatively palatable because of moisture from the mist which always covers the mountains and from the melting snow (Makaula 1987; Mazwembe 1987 pers. comm in Ndimma 1998). Some traces of coal were discovered by white settlers on the Gulandoda and Drakensberg ranges but mining of it was never developed because it was of a low grade and expensive to mine (Makaula 1987; Mazwembe 1987 pers. comm in Ndimma 1998).

Dlomo accepted the amaQwathi and was happy to have them between the abaThembu and the amaMpondomise as they would serve as a buffer. In return the amaQwathi were also thankful for having received the land and promised to give to the abaThembu kings one hundred head of cattle annually. Although they occupied the land within the area of jurisdiction claimed by the abaThembu kings, there was no attempt by the abaThembu at assimilation and absorption. They enjoyed a large measure of independence. The abaThembu merely took them as allies because they were powerful and proved to be of great help to the abaThembu during the Mfecane (Sihele in Ndimma 1998).

Ever since then, the end of the seventeenth century, the amaQwathi people have been in occupation of the area between the Mbashe and Qumanco rivers. These boundaries have never changed except after the 1880 Rebellion, when the western boundary was changed from Qumanco to the Mgwali river and the area between the Slang river and the sources of Mbashe river which were a part of the Elliot district was given to white farmers (Ndimma 1988).

In about 1670 Mtshutshumbe died and was succeeded by his son Mndwane. In about 1680 the two sons of Nxego, Dlomo and Hlanga, became involved in a war of succession against each other. Hlanga was defeated. He fled across the Mbashe to the Ludwesa coast. Knowing the Xesibe to be skillful in war and in the art of making weapons, he invited the amaQwathi to come to his assistance. They left the place with the intention of joining Hlanga but turned away before the crossing Mbashe river, it is suspected that they were prevented from crossing the Mbashe by the Bomvana (Sihele in Ndimba 1998).

In 1875 Qwathiland and Thembuland came under British Control. Probart suggested that the region be divided into four (4) magisterial districts each to be under its own magistrate but all four to be under the chief magistrate for Thembuland. The first of these districts was Mjanyana in the area under the jurisdiction of Silimela, Ngangelizwe's right hand son. It was to be under magistrate W. Wright who also acted as the Chief Magistrate for the whole of Thembuland. The second seat of magistracy Mthatha also under Ngangelizwe who was the King of all the abaThembu. The magistrate appointed for this district was Major Boyes who assumed duty in April 1876. The third district was Mqanduli which was dominated by the abaThembu under Bacela, hence J.H. Scott as was designated, on appointment, the magistrate with Bacela. The fourth was the district of Engcobo, the site selected for the magistrate with Dalasile. In April 1876, W.E. Stanford was stationed there as magistrate (Brownlee 1975 in Ndimba 1988). Colonial control was formally asserted over the amaQwathi in April 1876 when Stanford arrived. Dalasile's outright opposition to control had given way to a reluctant and hesitant acquiescence (Master 1966 in Ndimba 1988).

Just before the outbreak of the Rebellion the people of Mpangele, Mgudlwa and Dalasile in the upper parts of the district of Engcobo entered the farms of the Dutch farmers and captured all the cattle they could find. This was a challenge to the white community and the colonial government, and the beginning of the 1880-1881 Rebellion (Ndimba 1988). The ninth Frontier war also contributed to the outbreak of the Qwathi Rebellion of 1880 as a result, because of Dalasile's neutrality, his refusal to assist the colonial government when called upon to do so, he was fined one hundred head of cattle. The census of 1879 also could be counted another as reason for Dalasile's rebellion. it contributed largely to the tension that existed in Qwathiland (Ndimba 1988).

The tension that had always hung over Engcobo was worsened by the demand that the hut tax be paid in 1879. The imposition of hut tax and the deterioration of economic conditions were further causes of unrest in Qwathiland during this period. The hut tax was generally regarded as unfair because the government did not build the huts, neither did they provide the material (Elliot's Report 1980 in Ndimba 1988).

On the 29th of October, Dalasile was joined at Engcobo by the Western abaThembu chiefs such as Stokwe Ndlela, Gecelo, Mbambonduna and Siqungathi. They decided to launch an attack on Western Thembuland and Mfenguland first. These chiefs decided on a joint action

which makes it impossible to distinguish between the amaQwathi side and the abaThembu since they were fighting side by side (Ndima 1988).

When the amaQwathi rebels surrendered, they were relocated between Mbashe and Qumanco rivers below the Gulandoda mountains. None of them were settled above the Gulandoda mountains. This left the territory between the Gulandoda and the Drakensburg ranges, which included Maxongo's Hoek, which was originally Stokwe Tyali's land, but had been given to the Gcina chief, Mpangele, after Stokwe's rebellion in 1878, with the exception of the portion that had been given to the "good" amaMfengu and loyal abaThembu, vacant. Since Mpangele had joined with Dalasile and other rebels, he, too, had to vacate the area (Ndima 1988)

The existence of such a large, rich and vacant tract of land tempted destitute white farmers from the colony to move in. They were determined to take possession of the country and overcome all resistance. The white "squatters" justified their conduct with the claim that the farms in the colony had been worked out and that there was insufficient pasturage. They argued that the country had been cleared by the colonial volunteers as and such should be reallocated by the government for the general benefit of the burghers especially those in need like themselves (Ndima 1988) .

This rich and vacant land also attracted the amaMfengu of Peddie and those in the Transkei territories. Stanford the magistrate was opposed to giving the land to the Peddie amaMfengu and proposed that their claims and applications should take second place behind his own local favourite amaMfengu. He argued that the latter had rendered good service to the government in every war since 1846. He was also opposed to the allocation of this portion of the country to the white "squatters" whose claims he considered exorbitant. He suggested that the vacant land be surveyed into farms with a government headman appointed over each. Distribution of government lands and pastures would be made by the senior headman of each of them (Probarts Report 1875 in Ndima 1988).

In a letter to the chief magistrate of Thembuland dated 3rd August 1882, J.W. Sauer, the Secretary for Native Affairs, instructed him to open negotiations with Ngangelizwe to secure his cooperation regarding the disposal of the vacant land. He pointed out that if arrangements could be made, it was proposed to settle European farmers in Maxongo's Hoek and Black farmers in the other portions of Dalasile's country. The Thembu might be settled in portions not intended for European occupation. He also presumed that a money payment either in one sum or annually to Ngangelizwe would be the best mode of compensating him. He said that it should be pointed out that, Dalasile, by having gone into rebellion, had forfeited his land. This meant that a large part of the vacant land which Stanford had recommended for the amaMfengu and loyal abaThembu had to be reserved for white settlement (Ndima 1988).

The present day districts of Khowa (formerly Elliot) and Indwe, formerly part of Thembuland, were defined, beacons off and ceded to the government of the colony.



Ngangelizwe did at least make it clear that, while he consented to the government taking over, confiscation should not be extended south of the line. He feared that should the boundary be extended, the amaQwathi would not only lose some more territory but excessive overcrowding of the rest of Thembuland would be the result (Saunders 1978; Master 1966 in Ndimba 1988).

The country, below the Gulanoda range of mountains and eastward of Engcobo to the Mbashe river, was given to the surrendered amaQwathi rebels. (Brownlee 1878; Probart's Report 1876; Master 1966 in Ndimba 1988). On surrender, Dalasile with the members of his family was located in the Manzana location, not very far from the magistracy, it being considered that better supervision could be exercised with regard to him (Brownlee 1878; Probart's Report 1876; Master 1966 in Ndimba 1988). The settlement of Dalasile in this location was a temporary measure because it was feared that his proximity to the magistracy was dangerous and risky. Hence he was later relocated at Qota about twenty five kilometres to the south east of Engcobo (Ndimba 1988).

As compensation for the loss of Mhlwazi location, known as "Jumbasvelt", confiscated for European settlement, Mgudlwa, the loyal Jumba chief, was given land between the Qumanco and Mgwali rivers, land formerly occupied by the amaMfengu chief, Mendela, who had been placed there by Dalasile. Before the war Mendela was cooperating with the magistrate and Stanford had relied on him for support during the rebellion. But Mendela and his people did not turn out and so he fell into disfavour. He was now removed with his people to the eastern side of the Mgwali river (Probart's Report 1876 in Ndimba 1988). Mcobololo, another Mfengu chief, who had proved to be loyal, was relocated in his former location between the Xuka and the Mbashe rivers as the ploughing season was drawing near (Probart's Report 1876 in Ndimba 1988).

Within a radius of six kilometres from Engcobo, Blacks of certified good character and industrious habits, among them, the amaMfengu and loyal abaThembu, were located. The idea behind this scheme was that, in the event of another outbreak, there would be a population in the immediate neighbourhood of the magistracy whose loyalty could be depended upon (Probart's Report 1876 in Ndimba 1988).

#### EARLY QWATHI WARS 1782-1848

(a) Qwathi - Rharhabe War 1782

(b) Qwathi-Thembu War: The reign of Fubu by warfare. The most important of these wars was the Qwathi-Thembu war of the beginning of the nineteenth century. importance lies in the fact that although the amaQwathi were a small chiefdom, they were able to goad the abaThembu nation into war, the results of which were indecisive, hence, in subsequent years, the Thembu were always cautious in their dealings with the amaQwathi.

(c) Qwathi-Bhaca War 1824

(d) The Qwathi and the Ngwane of Matiwane 1828

(e) Qwathi-Thembu Alliance against the Sotho - In about 1830.

- (f) Fubu's hunting Party skirmished by the Gcaleka at Mntuntloni.
- (g) Qwathi-San War
- (h) Qwathi-Mpondomise War (Matiwane) (Ndimma 1988)

The All Saints' Mission Station built in Xuka Valley on a stretch of land granted by Chief Fubu of amaQwathi to Archdeacon Waters and the Reverend John Gordon of the 'Society for the Propagation of the Gospel in Foreign Parts' (SPG) on the 01 November 1859, a day known as the All Saints' Day (van Ryneveld, 2015). In 1876 Walter Stanford arrived at the station to take up his appointment as Resident Magistrate to the amaQwathi. He established the seat of his magistracy some 8 km from the station on a site known locally as Engcobo, a Xhosa term meaning "a green place next to a stream". In 1879 when the amaQwathi rose in rebellion and, during the ensuing hostilities, both the mission and the magistracy were burnt to the ground, forcing their residents to flee. Following the surrender of the amaQwathi, the magistracy was re-established at Ngcobo in 1881 (Tomose 2024 / Gaigher 2023).

Traditionally known as emaQwathini (the land of the Qwathi people), the town of Ngcobo has evolved to accommodate many nationalities. Recently, this town is a home to many Chinese, Pakistani, North African traders and more. The first non-Xhosa professionals to settle in this area were Indian doctors working at All Saints Hospital and Ghanaian teachers who flooded the whole of the Transkei in the 1980s (Gaigher 2023). Nelson Mandela received an excellent education by the standards for Xhosa boys of his time, here. His conscience was prickled early by the imperial attitudes embedded in his missionary education. Intending to gain skills needed to become a privy councillor for the Thembu royal house, Mandela began his secondary education at Clarkebury Boarding Institute in Engcobo, a Western-style institution that was the largest school for black Africans in Thembuland." (<http://www.sahistory.org.za/place/ngcobo>) (Gaigher 2023).

Kruger (2013) noted possible recent historical period remnants in the form of an old, ruined homestead and stock kraal occur along the proposed water supply route. At the site, the remains of 2 huts (foundation structures, floors and walls), a partially intact square stone stock kraal and material culture in the form of artefact remains (glass, metal, plastic, stone, grind stones) were noted. The exact age of the homestead is not known but it probably dates to the recent Historical Period. It was recommended that the site be recorded and that the context and temporality of the sites be established by means of desktop studies and ethnographic inferences if they were to be impacted in any way.

## **5 DESCRIPTION OF THE PROPERTY**

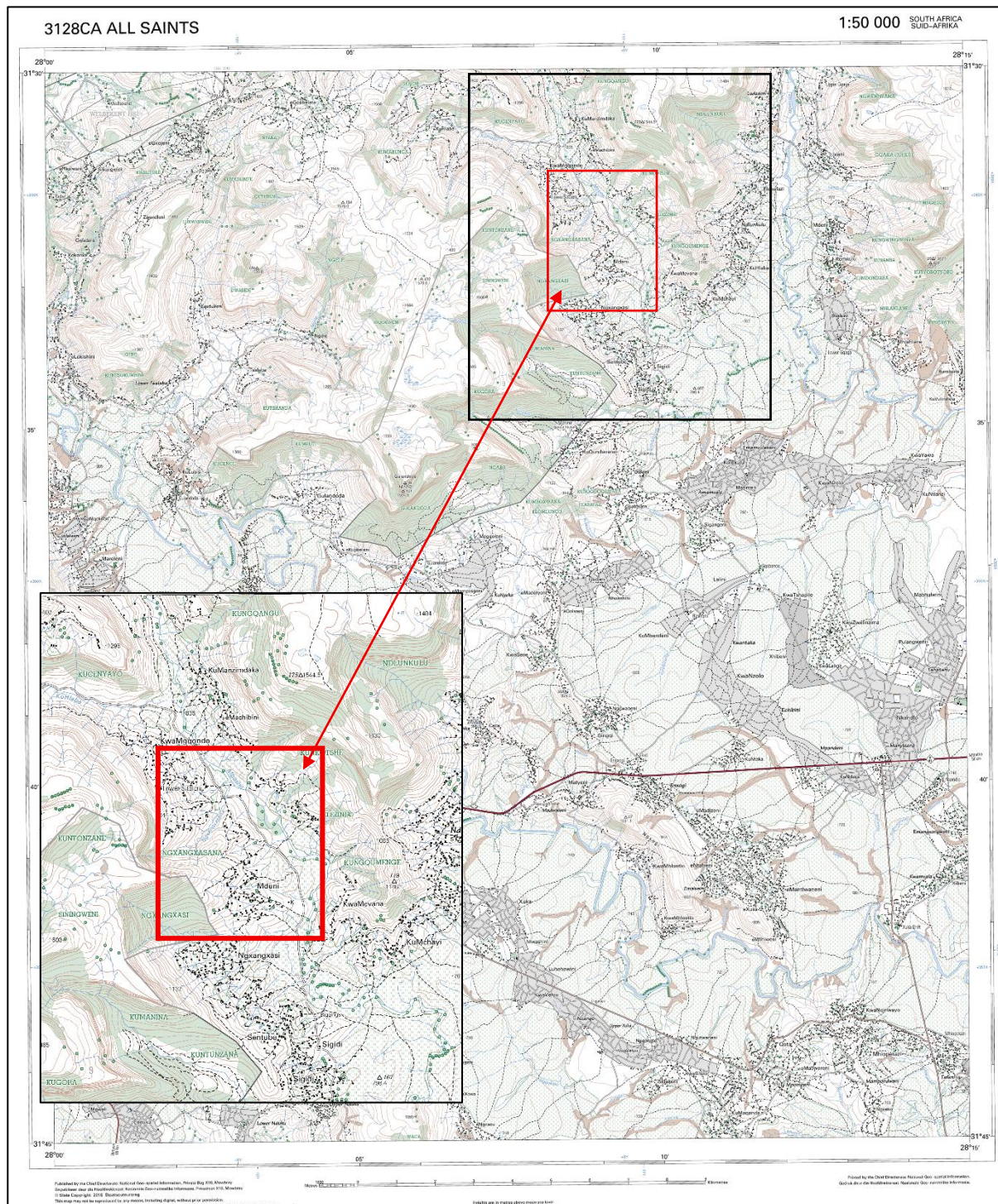
### **5.1 Location data**

Ngcobo is the main town of the Dr AB Xuma Local Municipality, which falls within the Chris Hani District Municipality of the Eastern Cape Province. It is situated in the western part of the former Bantustan of Transkei. Ngcobo is situated along R61 regional road and surrounded by the towns of Cofimvaba, Dutywa, Mthatha, Elliot and Cala. The Mbashe River separates Ngcobo from Mthatha. The proposed development falls within the Dr AB Xuma Local Municipality, northeast of Engcobo.

### **5.2 Maps**

1:50 000 Topographic Map: 3128 ALL SAINTS CA (Figure 1)

Google Earth maps showing the location of the proposed project (Figures 2 - 7)

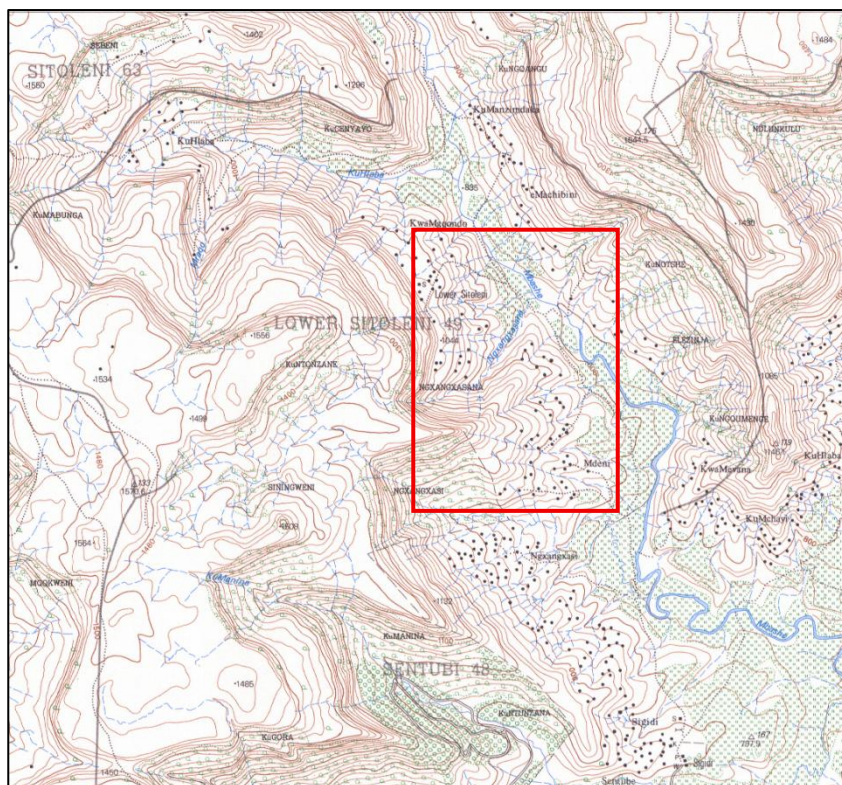


**Figure 1. 1:50 000 topographic map 3128 ALL SAINTS (2018 Edition) showing the location of the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.**

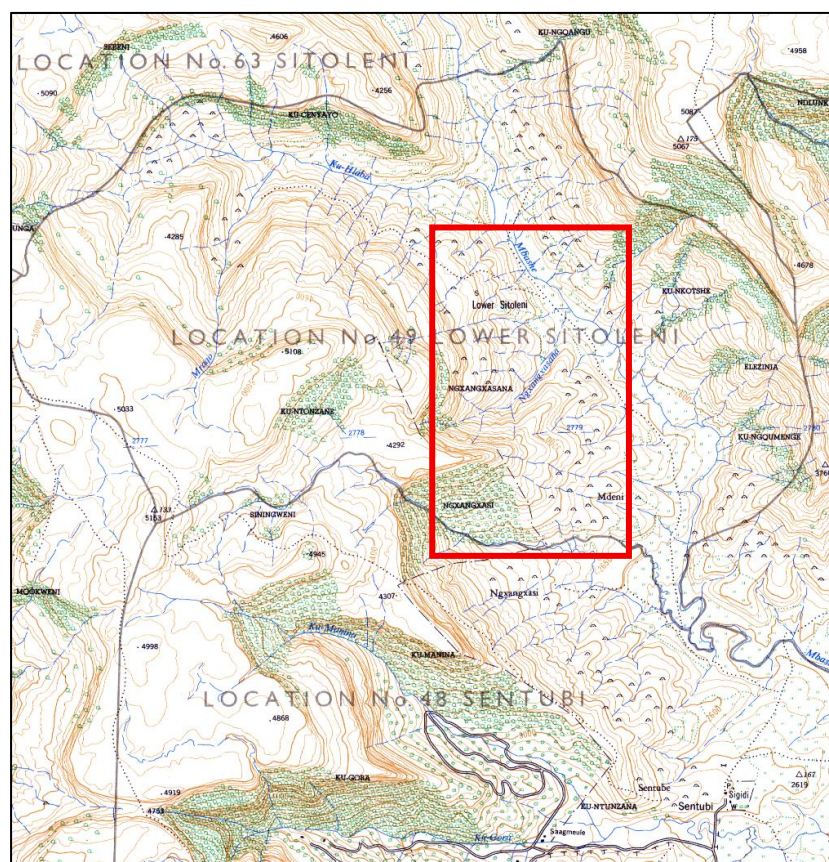






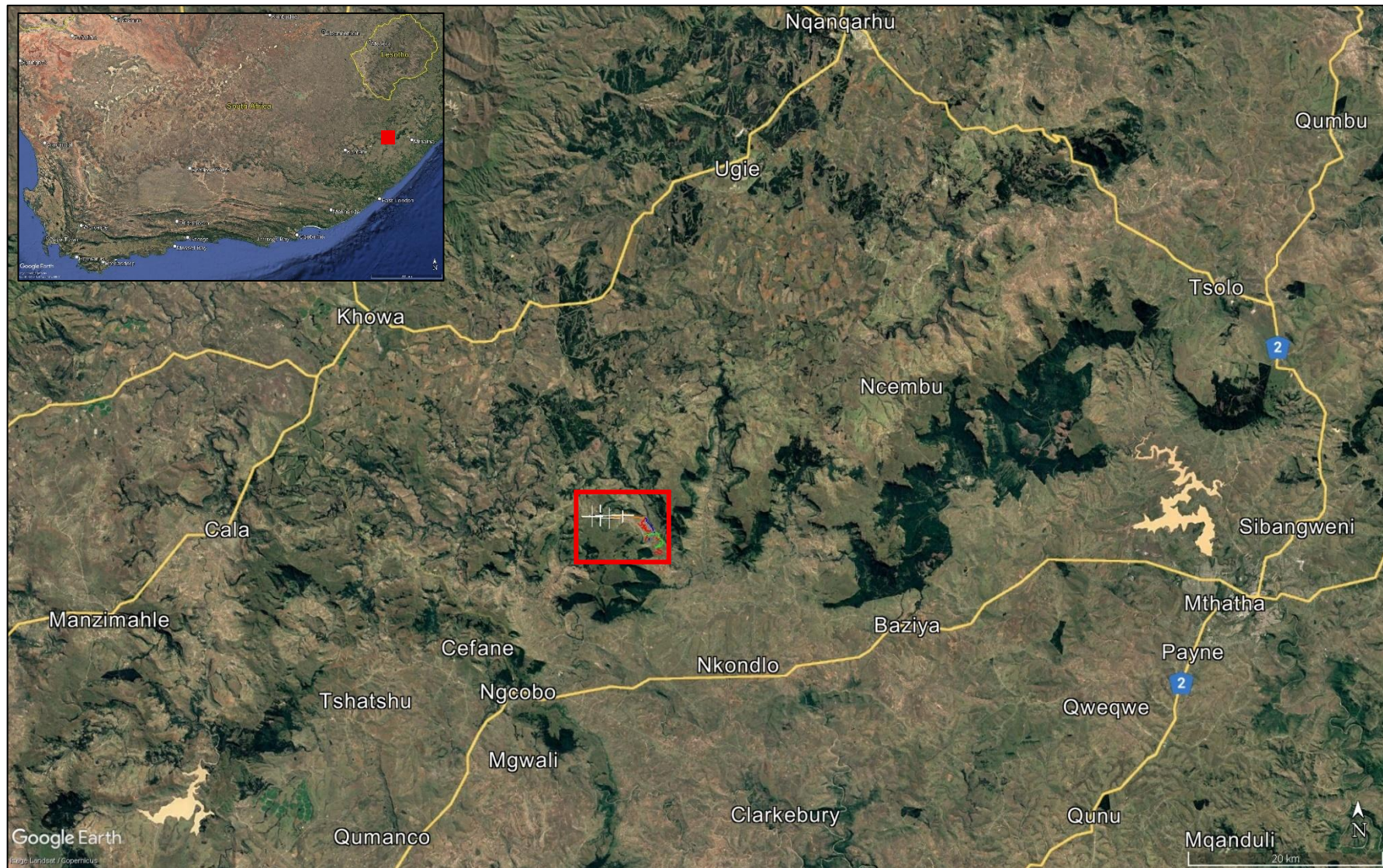


**Figure 4. Close-up of the 1:50 000 topographic map 3128 ALL SAINTS (1982 Edition) showing the location of the proposed Ngqondo Water Supply Scheme.**



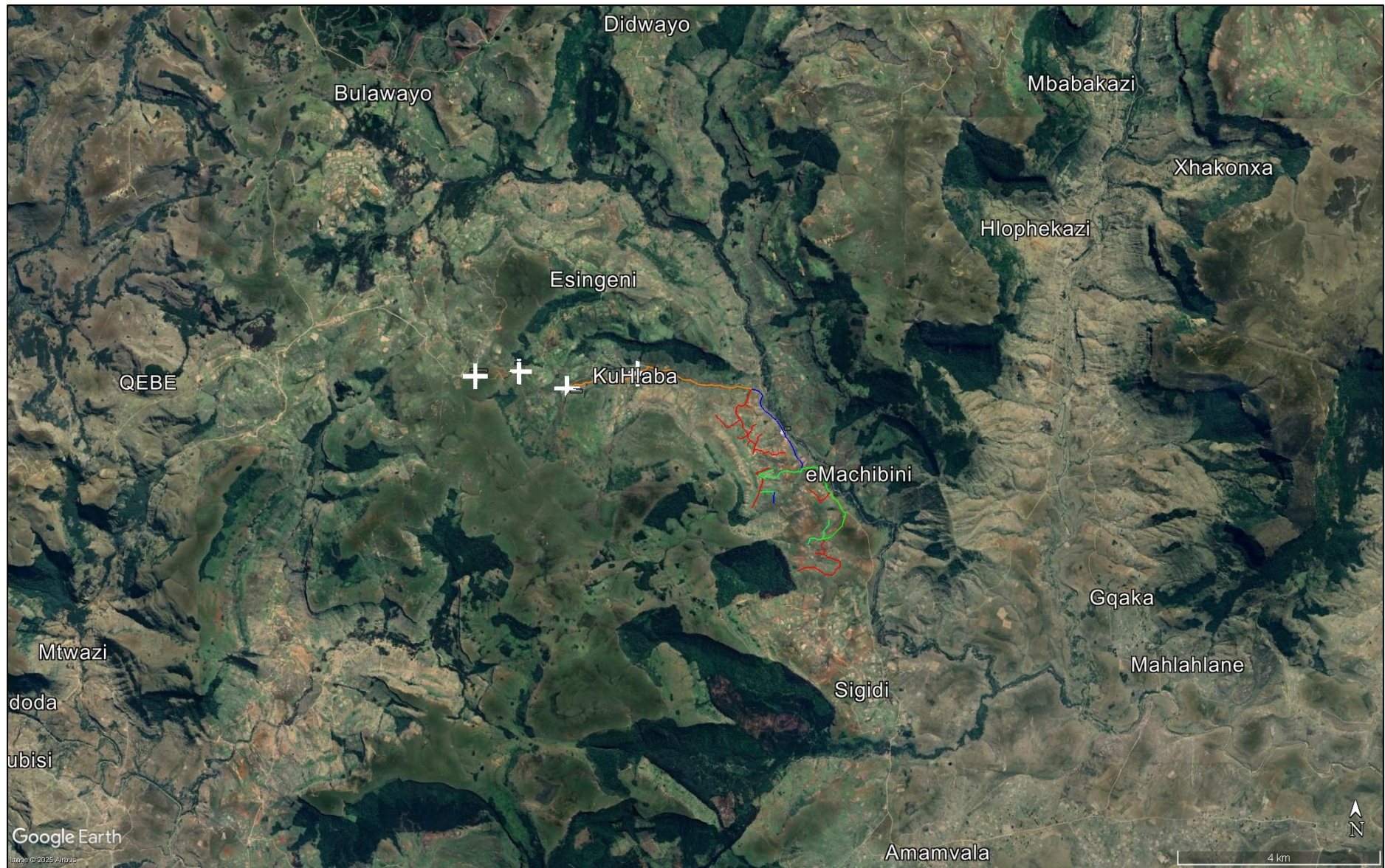
**Figure 5. Close-up of the 1:50 000 topographic map 3128 ALL SAINTS (1982 Edition) showing the location of the proposed Ngqondo Water Supply Scheme.**





**Figure 6. Google Earth generated map of the location proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.**





**Figure 7. Google Earth generated map of the location of the proposed showing the location of the proposed Ngqondo Water Supply Scheme showing the surrounding villages.**





Figure 8. Close-up view of the location of the proposed Ngqondo Water Supply Scheme.

## **6 ARCHAEOLOGICAL AND CULTURAL HERITAGE INVESTIGATION**

### **6.1 Methodology**

A literature review was conducted prior to the field survey to establish the potential archaeological and cultural heritage sites that may be encountered within the proposed area and provide insight into the archaeological background of the wider region. An archaeological background information chapter has been included in this report.

The area for proposed was surveyed on foot by the author of the report accompanied by a security escort. GPS co-ordinates, the survey tracks, and sites were plotted using the Avenza Maps application.

### **6.2 Results of the Field Assessment**

An existing pipeline is currently available that connects the command reservoir in Sundwana to the Water Treatment Facility in Ngqondo. The existing infrastructure includes four (4) existing reservoirs / pump stations spread out along the project footprint (Figures 8 – 11). The existing pipelines extend from the reservoir situated at the astern end of the project area and are situated along the internal gravel access road (Figures 12 – 18).

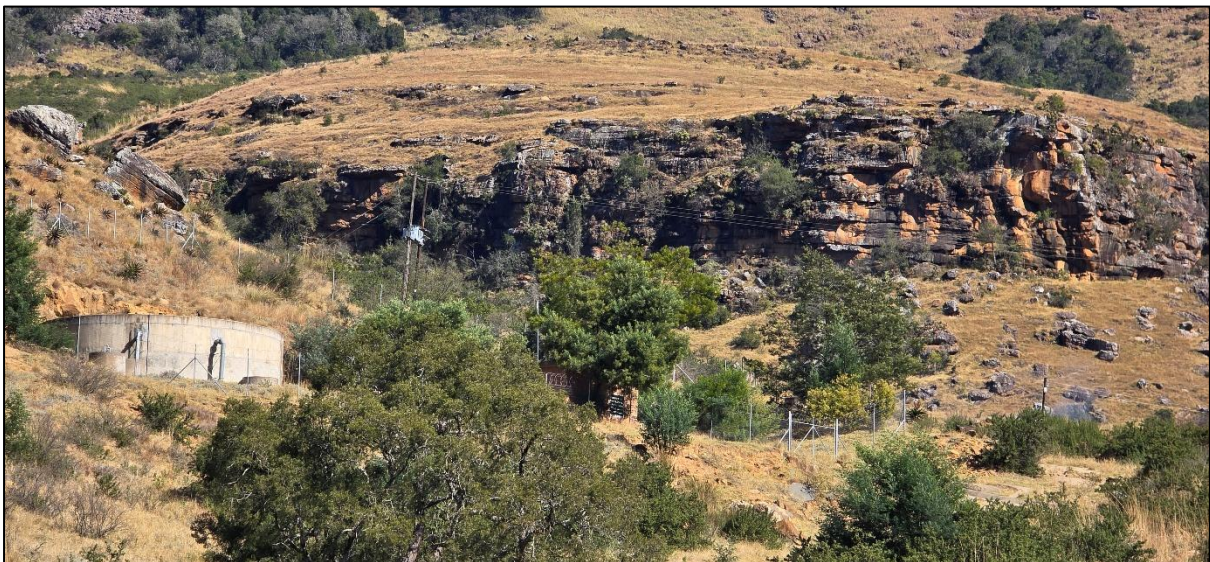
The scope of the current project will include installing a bulk line from the WTW facility to the remainder of the Ngqondo village, as well as reticulation for the installation of standpipes within the village itself. Archaeological visibility was generally good over most of the area surveyed. Figures 19 – 26 show the general landscape of the area for the implementation of the pipelines.

No visible archaeological and / or other similar heritage remains were identified during the assessment for the proposed residential development and associated infrastructure. Stone artefacts may occur up to 80 cm below ground and unmarked burials up to 150 cm below ground. If it is anticipated that graves or other similar heritage features may be disturbed or negatively impacted during the implementation of the project, see Appendix D for recommendations on preferred buffer zones and the procedure to follow if graves / unknown burials are uncovered during the construction process and for the exhumation and reburial of graves.





**Figure 9. View of the existing reservoir and pipeline at the eastern end of the project location.**



**Figure 10. View of an existing reservoir and associated infrastructure within the footprint of the proposed project.**



**Figure 11. View of an existing reservoir and associated infrastructure within the footprint of the proposed project.**

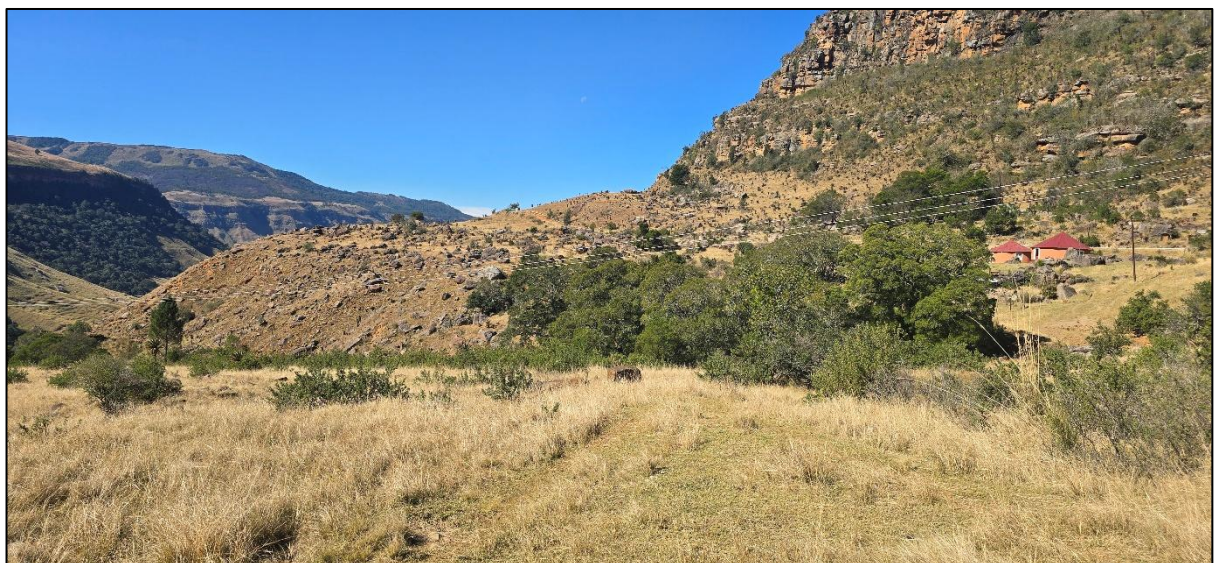




**Figure 12. View of an existing reservoir and associated infrastructure within the footprint of the proposed project.**



**Figure 13. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.**



**Figure 14. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.**





**Figure 15. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.**



**Figure 16. View of the existing pipeline extending from the reservoir situated at the astern end of the project area.**



**Figure 17. View of the existing pipeline situated adjacent to the internal gravel access road.**

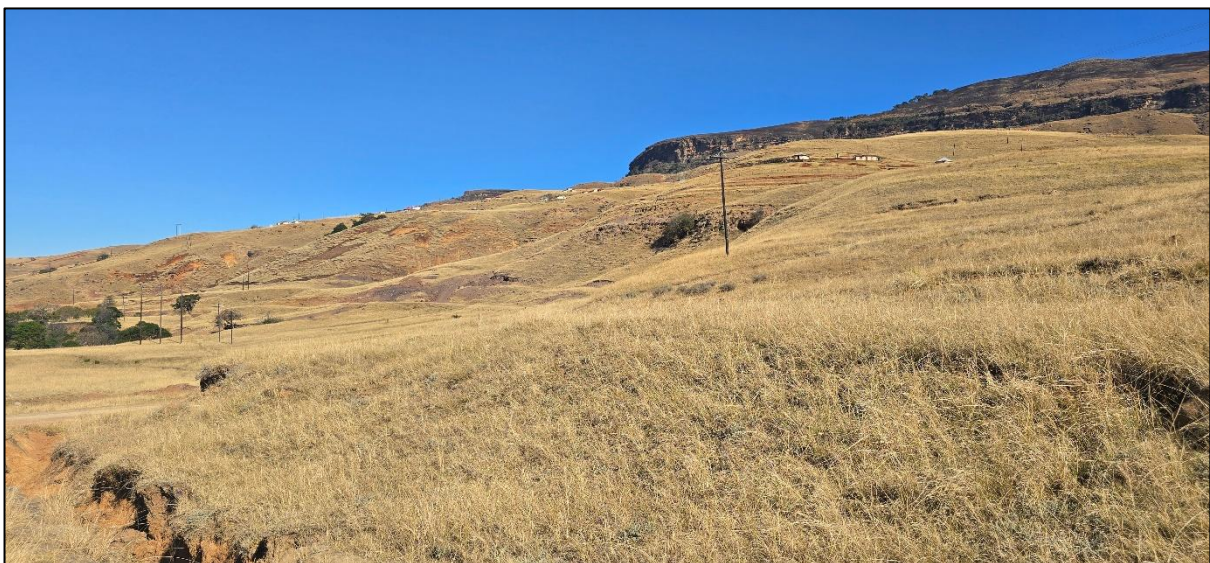




**Figure 18. View of the existing pipeline situated adjacent to the internal gravel access road.**



**Figure 19. Landscape view of the general area the implementation of the pipelines.**



**Figure 20. Landscape view of the general area the implementation of the pipelines.**





**Figure 21. Landscape view of the general area the implementation of the pipelines.**



**Figure 22. Landscape view of the general area the implementation of the pipelines.**



**Figure 23. Landscape view of the general area the implementation of the pipelines.**





**Figure 24. Landscape view of the general area the implementation of the pipelines.**



**Figure 25. Landscape view of the general area the implementation of the pipelines.**



**Figure 26. Landscape view of the general area the implementation of the pipelines.**



## **7 CULTURAL AND LIVING LANDSCAPE**

Cultural landscapes have increasingly become a significant considering factor when conducting various archaeological and heritage impact assessments for proposed developments. This section gives a brief introduction to the concept of the cultural landscape and its relation to various aspects of the dynamic interaction of humans as cultural agents and the landscape as a medium. A description of the interwoven relationships of humans with the landscape over time will be given including the archaeological, historical, and contemporary connections. Lastly, the living heritage makes up a small part of the study undertaken, its significance will be highlighted in relation to the communities who still identify with the area and retain a sense of identity to the landscape.

### **7.1 Concept of Cultural Landscape**

Cultural landscapes can be interpreted as complex and rich extended historical records conceptualised as organisations of space, time, meaning, and communication moulded through cultural process. The connections between landscape and identity and, hence, memory is fundamental to the understanding of landscape and human sense of place. Cultural landscapes are the interface of culture and nature, tangible and intangible heritage, and biological and cultural diversity. They represent a closely woven net of relationships, the essence of culture and people's identity. They are a symbol of the growing recognition of the fundamental links between local communities and their heritage, human kind, and its natural environment. In contemporary society, particular landscapes can be understood by taking into consideration the way in which they have been settled and modified including overall spatial organisation, settlement patterns, land uses, circulation networks, field layout, fencing, buildings, topography, vegetation, and structures. The dynamics and complex nature of cultural landscapes can be regarded as text, written and read by individuals and groups for very different purposes and with very many interpretations. The messages embedded in the landscape can be read as signs about values, beliefs, and practices from various perspectives. Most cultural landscapes are living landscapes where changes over time result in a montage effect or series of layers, each layer able to tell the human story and relationships between people and the natural processes.

The impact of human action of the landscape occurs over time so that a cultural landscape is the result of a complex history and creates the significance of place in shaping historical identities by examining a community's presence or sense of place. The deeply social nature of relationships to place has always mediated people's understanding of their environment and their movements within it, and is a process which continues to inform the construction of people's social identity today. Social and spatial relationships are dialectically interactive and interdependent. Cultural landscape reflects social relations and institutions and they shape subsequent social relations.

Cultural landscapes tell the story of people, events, and places through time, offering a sense of continuity, a sense of the stream of time. Landscapes reflect human activity and are imbued with cultural values. They combine elements of space and time, and represent political as well as social and cultural constructs. Culture shapes the landscape through day-to-day routine and these practices become traditions incorporated with a collective memory the ultimate embodiments of memorial consciousness', examples such as monuments, annual events and, archives. As they have evolved over time, and as human activity has changed, they have acquired many layers of meaning that can be analysed through archaeological, historical, geographical, and sociological study.

Indigenous people, European explorers, missionaries, pastoralists, international and domestic travellers all looked or look at similar landscapes and experience different versions of reality. Regardless of the power of different cultural groups, however, all groups create cultural landscape and interpret them from their own perspectives. This gives rise to tensions and contradictions between groups, invariably expressed in landscape forms as well.

Most cultural landscapes are living landscapes where changes over time result in a montage effect or series of layers, each layer able to tell the human story and relationships between people and the natural processes. A common theme underpinning the concept of ideology of landscape itself is the setting for everything we do is that of the landscape as a repository of intangible values and human meaning that nurture our very existence.

Intangible elements are the foundation of the existence of cultural landscapes, and that are still occupied by contemporary communities, Landscape, culture and collective memory of a social group are intertwined and that this binds the individuals to their community. Culture shapes their everyday life, the values bind gradually, change slowly, and transfer from generation to generation – culture is a form of memory. We see landscapes as a result of our shared system of beliefs and ideologies. In this way landscape is a cultural construct, a mirror of our memories and myths encoded with meanings which can be read and interpreted. Pivotal to the significance of cultural landscapes and the ideas of the ordinarily sacred is the realisation that it is the places, traditions, and activities of ordinary people that create a rich cultural tapestry of life, particularly through our recognition of the values people attach to their everyday places and concomitant sense of place and identity.

Living heritage means cultural expressions and practices that form a body of knowledge and provide for continuity, dynamism, and meaning of social life to generations of people as individuals, social groups, and communities. It also allows for identity and sense of belonging for people as well as an accumulation of intellectual capital current and future generation in the context of mutual respect for human, social and cultural rights.

Protection of these cultural landscapes involves some management issues such as successful conservation is based on the continuing vital link between people and their

landscapes. This link can be disrupted or affected by for instance economic reasons. Other threats can also be attributed to urban expansion and development, tourism, war and looting and something beyond our human intervention: natural disasters and climate change. Cultural landscape management and conservation processes bring people together in caring for their collective identity and heritage, and provide a shared local vision within a global context. Local communities need, therefore, to be involved in every aspect of identification, planning and management of the areas as they are the most effective guardians of landscape heritage.

Most elements of living heritage are under threat of extinction due to neglect, modernisation, urbanisation, globalisation, and environmental degradation. Living heritage is at the centre of people's culture and identity, it is important to provide space for its continued existence. Living heritage must not be seen as merely safeguarding the past, but it must be seen as safeguarding the logic of continuity of what all communities or social groups regard as their valuable heritage, shared or exclusive.

In some instances, villages may capitalise on local landscape assets in order to promote tourism. Travel and tourism activities are built around the quest for experience, and the experience of place and landscape is a core element of that quest. It is a constant desire for new experiences that drives tourism, rather than a quest for authenticity. It is, therefore, important to engage actively with the tourism industry so that aspects of life and landscape important to cultural identity, including connection with place are maintained.

## **7.2 Archaeological Cultural Landscape**

Although there were no archaeological sites or material identified exposed at the surface within the proposed development site, the area is considered as part of the wider cultural landscape. The area and surrounds was once part of an ancient landscape inhabited by various families of the genus *Homo*. Various studies recording archaeological sites and occurrences within the wider region of the proposed development area have reported on the evidence of the presence of *Homo erectus* (Early Stone Age), *Homo sapiens* (Middle Stone Age), and *Homo sapiens sapiens* (Later Stone Age). The only remains dating to the Early and Middle Stone Ages are stone artefacts as the organic evidence and sites have not been preserved. Later Stone Age sites and rock art are usually more well preserved in caves and rock shelters, no caves or rock shelters will be impacted during the implementation of the pipeline, however, caves and rock shelters situated along the Mbashe River may contain evidence of occupation and / or rock art paintings.

### **7.3 Historical Cultural Landscape**

The archaeological interpretation of the cultural landscape relies solely on the presence and surface visibility of artefacts left behind on the landscape by the communities and people who occupied and migrated through the area proposed for development. A more comprehensive historical layer is able to be fitted onto the cultural landscape owing to the availability of written documents and the continuing existence of the traces left behind by European Settlers and the moulding of these traces used to shape the contemporary communities that occupies and regards itself attached to its present cultural landscape.

### **7.4 Contemporary Landscape**

Most cultural landscapes are living landscapes where changes over time result in a montage effect or series of layers, each layer able to tell the human story and relationships between people and the natural processes. The contemporary cultural landscape is the product of millennia and centuries of human interaction, more so when the European Settlers entered the area. Remnants of these cultural interactions remain on the landscape, such as the built environment, features, artefacts, and marked and unmarked graves / burials with only oral histories and stories handed down from one generation to the next to remain in the collective memory of the community/ies living on the landscape.

Intangible elements are the foundation of the existence of cultural landscapes, and that are still occupied by contemporary communities, Landscape, culture and collective memory of a social group are intertwined and that this binds the individuals to their community.

Cultural landscape management and conservation processes bring people together in caring for their collective identity and heritage and provide a shared local vision within a global context. Local communities need, therefore, to be involved in every aspect of identification, planning and management of the areas as they are the most effective guardians of landscape heritage.

The cultural landscape in the study area is strongly associated with rural living and subsistence farming. There is still a strong community feeling here with many ancient traditions still surviving.

## **8 COORDINATES AND SITES FOR THE PROPOSED NGQONDO WATER SUPPLY SCHEME, DR AB XUMA LOCAL MUNICIPALITY, CHRIS HANI DISTRICT MUNICIPALITY, EASTERN CAPE PROVINCE**

**Table 1. Coordinates and sites for the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.**

| REFERENCE                                            | DESCRIPTION                                          | CO-ORDINATE                  | HERITAGE GRADING |
|------------------------------------------------------|------------------------------------------------------|------------------------------|------------------|
| Eastern most point of the water reticulation project | Eastern most point of the water reticulation project | 31°30'55.68"S; 28° 4'56.47"E | N/A              |
| Western most point of the water reticulation project | Western most point of the water reticulation project | 31°32'59.53"S; 28° 9'14.72"E | N/A              |

## **9 DESCRIPTION AND GRADING OF SITES (see Appendix B)**

No archaeological, cultural or heritage sites, resources or features were identified during the survey for the proposed proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province.

If it is anticipated that graves or other similar heritage features may be disturbed or negatively impacted during the implementation of the project, see Appendix D for recommendations on preferred buffer zones and the procedure to follow if graves / unknown burials are uncovered during the construction process and for the exhumation and reburial of graves.

## **10 ASSESSMENTS OF IMPACTS ON THE ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES**

### **10.1 Archaeological and Historical Cultural Heritage**

Negative impact on the archaeological landscape is considered as low as no observed material heritage resources would be negatively impacted. However, unseen material resources, such as stone artefacts and unmarked human burials may be negatively impacted if uncovered during the course of the proposed development and recommendations and mitigation measures in this report are ignored.

### **10.2 Cultural Landscape and Living Heritage**

The impact on the current cultural landscape is considered as low. Although remnants of past and present cultural landscape still occur on the landscape within the proposed

development and surrounds, the changing landscape necessitates for basic water infrastructure and services to the communities.

## **11 LIMITATIONS AND GAPS IN KNOWLEDGE**

### **11.1 Literature Review**

The gathering of information, consultation and research is limited to archaeological heritage data that is known and has been recorded over time. Little systematic archaeological research has been conducted within the immediate area of the proposed development.

However, several relevant archaeological and heritage impact assessments have been conducted within the region. These impact assessments have identified several Early, Middle, and Later Stone Age artefact scatters and sites, coastal archaeological sites, historical artefacts and built environment structures, as well as evidence of Iron Age agropastoralist occupation and/or interaction by the presence of broken earthenware pot sherds and associated material culture and settlement patterns.

### **11.2 Field Assessment**

It is ideal for the entire area to be surveyed on foot, especially areas that have not been researched extensively or at all. The identification of archaeological / historical heritage sites is limited to the surface and in areas where archaeological visibility may be hindered by dense vegetation cover, limited to the investigation of disturbed surface areas. The state of archaeological remains can only be determined by surface observation which in itself is limited and does not expose the true state of archaeological evidence. However, a physical survey observation is able to assess the environment where a desktop assessment cannot do justice in determining the significance of the archaeological sensitivity of the proposed development area.

Most importantly, archaeological and heritage resources are a non-renewable resource that cannot be replaced once lost or destroyed, therefore, every effort should be taken to preserve or conserve the most significant of heritage resources. Mitigation measures have been recommended by the author and should be respected and implemented prior to the commencement of the proposed development.

## **12 RECOMMENDATIONS AND MITIGATION**

It is essential that cognisance be taken of the larger archaeological landscape of the area in order to avoid the destruction of previously undetected heritage sites. Water sources such as drainage lines and rivers should also be regarded as potentially sensitive in terms of possible Stone Age deposits. Graves and cemeteries generally occur within settlements, often around homesteads and utmost care should be taken not to disturb these high risk

heritage resources as they involve complex intrinsic social and ritual attributes within the community.

Development may proceed as planned however the following recommendations and mitigation measures must be implemented prior to and during the course of development:

1. If the current layout of the proposed water reticulation project is re-aligned at any time during the project, it is possible that additional heritage assessments or the heritage specialist may be required.
2. If it is anticipated that graves or other similar heritage features may be disturbed or negatively impacted during the implementation of the project, see Appendix D for recommendations on preferred buffer zones and the procedure to follow if graves / unknown burials are uncovered during the construction process and for the exhumation and reburial of graves.

It is primarily recommended that the suggested pipeline and access road routes be rerouted where burials will be impacted. In addition, conservation buffer zones of at least 20m around the graves, as well as the fencing off of the burials are recommended. However, should the graves or the proposed 20m buffer zones be inevitably impacted on by the planned activities, full grave relocations are recommended for the burials. These measures should be undertaken by a qualified archaeologist, and in accordance with relevant legislation and subject to any local and regional provisions and laws and by-laws pertaining to human remains. A full social consultation process should occur in conjunction with the mitigation of cemeteries and burials. As burial locations in this area follow a general (and fairly common) pattern where graves occur within the context of homestead complexes, utmost care should be taken during construction in occupation areas, not to disturb previously undetected burials.

3. In addition, construction managers/foremen and/or the ECO and/or anyone who may be permanently on-site during pre-construction and construction phases of the project should undergo training before the construction activities start on the possible types of heritage sites and cultural material they may encounter and the procedures to follow when they find sites.
4. A Chance Finds Protocol (see Appendix E) for archaeological and cultural heritage finds must be compiled and be readily available for the Environmental Control Officer (ECO) and/or construction manager/s and/or anyone who may be permanently on-site during the relevant pre-construction and construction phases of the project to follow the correct procedures when accidentally uncovering archaeological sites and possible unmarked burials.
5. If concentrations of pre-colonial archaeological heritage material (such as below surface dense artefacts accumulations and associated material) and/or human remains

(including graves and burials) are uncovered during construction, all work must cease immediately and be reported to the author of the report and / or the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) (043 492 1370). Phase 2 mitigation in the form of test-pitting/sampling or systematic excavations and collections of the archaeological / heritage site may then be conducted to establish the contextual status of the sites and possibly remove the archaeological deposit before development activities continue. The costs for the phase 2 mitigation will be on the onus of the developer.

### **13 CONCLUSION**

The purpose of the study was to conduct a phase 1 archaeological and cultural heritage assessment for the proposed Ngqondo Water Supply Scheme, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province. The survey was conducted to establish the range and importance of the exposed and *in situ* archaeological heritage material remains, sites and features; to establish the potential impact of the development; and to make recommendations to minimize possible damage to the archaeological heritage.

There is already existing pipeline infrastructure and associated reservoirs and pump stations that have been constructed for the provision of water to residences of the area in the past. The western half of the project comprises mostly existing pipeline and associated reservoir and infrastructure.

No archaeological, historical or similar heritage material, sites or features were identified during the survey. It is not expected that graves or structures and the cultural landscape and / or the living heritage will be negatively impacted by the implementation of the water reticulation project. Development may proceed as planned however the recommendations must be considered prior to the commencement of development and be included as part of the environmental management plan for the project.

### **14 REFERENCES**

- Beinart, W. 2003. *The rise of conservation in South Africa*. Oxford University Press.
- Binneman, JNF. 1996. The symbolic construction of communities during the Holocene Later Stone Age in the south-eastern Cape. Unpublished D.Phil. thesis: University of the Witwatersrand.
- Binneman, JNF. 1997. Results from a test excavation at The Havens Cave, Cambria, south-Eastern Cape. *Southern African Field Archaeology* 6: 93-105.
- Binneman, JNF. 1998. Results from a test excavation at Kleinpoort Shelter in the Baviaanskloof, Eastern Cape Province. *Southern African Field Archaeology* 7: 90-97.



- Binneman, JNF. 1999a. Results from a test excavation at Groot Kommandokloof Shelter in the Baviaanskloof / Kouga region, Eastern Cape Province. *Southern African Field Archaeology* 8: 100-107.
- Binneman, JNF. 1999b. Mummified human remains from the Kouga Mountains, Eastern Cape. *The Digging Stick* 16: 1-12.
- Binneman, JNF. 2000. Results from two test excavations in the Baviaanskloof Mountains, Eastern Cape Province. *Southern African Field Archaeology* 9: 81-92.
- Binneman, JNF. 2001. An introduction to a Later Stone Age coastal research project along the south-eastern Cape coast. *Southern African Field Archaeology* 10: 75-87.
- Binneman, JNF. 2005. Archaeological research along the south-eastern Cape coast part 1: open-air shell middens. *Southern African Field Archaeology* 13 & 14: 49-77. 2004 / 2005.
- Binneman, JNF. 2007. Archaeological research along the south-eastern Cape Coast part 2, caves and shelters: Kabeljous River Shelter 1 and associated stone tool industries. *Southern African Field Archaeology* 15 & 16: 57-74.
- Binneman, J. & Hall, S. 1993. The context of four painted stones from the south-eastern Cape and Eastern Cape. *Southern African Field Archaeology*, 2:89-95.
- Brownlee, F. (ed) Transkeian Native Territories: Historical Records. Lovedale, 1923.
- Cairns, P. 1975. A report on the circular stone features associated with coastal shell middens at Cape St Francis. *The Southern African Archaeological Bulletin*, 30 (117/118): 36-39.
- Deacon, H.J. 1995. Two late Pleistocene-Holocene Archaeological Depositories from the Southern Cape, South Africa. *Southern African Archaeological Bulletin*, 5:121-131.
- Deacon, J. 1965. Part 1: Cultural Material from the Gamtoos Valley Shelter (Andrieskraal). *The Southern African Archaeological Bulletin*, 20(80): 193-200.
- Deacon, H.J. 2008. The Context of the 1967-68 sample of human remains from Cave 1 KRM Main Site. *South African Archaeological Society, Goodwin Series*, 10: 143-149.
- De Villiers, H. 1974. Human Skeletal Remains from Cape St Francis, Cape Province. *The South African Archaeological Bulletin*, 29 (115/116): 89-91.
- Dewar, G. & Pfeiffer, S. 2004. Postural Behaviour of Later Stone Age People in South Africa. *The South African Archaeological Bulletin*, 59(180): 52-58.
- Francheschini, G. & Compton, J.S. 2006. Holocene Evolution of the 16 Mile Beach Complex, Western Cape, South Africa. *Journal of Coastal Research*, 22(5): 1158-1166.
- G20-81, Elliot's Report, 31/02/80.
- G39-76, Probart's Report, 24/12/1875.
- Gess, W.H.R. 1969. Excavations of a Pleistocene bone deposit at Aloes near Port Elizabeth. *South African Archaeological Bulletin* 24:31-32.
- Hall, S. & Binneman, J. 1987. Later Stone Age Burial Variability in the Cape: A Social Interpretation. *The South African Archaeological Bulletin*, 42(146): 140-142.
- Henderson, Z. 1992. The context of some MSA hearths at Klasies River Shelter 1 B: Implications for understanding human behaviour. *Southern African Field Archaeology*, 1:14-26.

- Hertling, U.M. & Lubke, R.A. 1999. Dune stabilization in South Africa. *Environmental Management* 24(4):467-482.
- Hine, P. Sealy, J. Halkett, D. & Hart, T. 2010. Antiquity of Stone Walled Tidal Fish Traps on the Cape Coast, South Africa. *The South African Archaeological Bulletin*, 65 (191): 35-44.
- Hollman, J. 2005. Using Behavioural Postures and Morphology to Identify Hunter-gatherer Rock Paintings of Therianthropes in Western and Eastern Cape Provinces, South Africa. *The Southern African Archaeological Bulletin*, 60(182): 84-95.
- Jenkins, Elwyn (2007), *Falling into place: the story of modern South African place names*, David Philip Publishers, p. 75
- Klein, R. 1986. A provisional statement on terminal Pleistocene Mammalian extinctions in the Cape Biotic Zone, Southern Cape Province, South Africa. *Goodwin Series*, No. 2, Progress in Later Cenozoic Studies in South Africa, pp 39-45.
- Klein, R.G. 1986. The Prehistory of the Stone Age Herders in the Cape province of South Africa. *Goodwin Series*, Vol. 5, Prehistoric Pastoralism in Southern Africa, pp 5-12.
- Leadley-Brown, C.R. 1929. "A history of All Saints Parish" (All Saints, 1929).
- Madaka, Maudlina: interviewed by D.S. Yekela at Tyhalarha, 27 January 2006.
- Maggs, T. 1977. Some recent radiocarbon dates from Eastern and Southern Africa. *The Journal of African History*, 18(2): 161-191.
- Makaula, A.M. Interview with, 20/8/87 Grahamstown. Bhaca, Teacher, Rhodes University, Master, V.M. "Resistance to Colonial Control of Thembuland" (M.A., University of Cape Town, 1966).
- Mazwembe,
- Mazwembe, D., Qwathi (Sidindi), Councillor, Tshapile: Engcobo, 16/7/87; 9/9/88.
- Mitchell, P.J. 1996. Prehistoric Exchange and Interaction in South-Eastern Southern Africa: Marine Shells and Ostrich Eggshell. *The African Archaeological Review*, 13(1): 36-76.
- Mthikrakra, B. 2008. Ukumkani uSabata Dalindyebo Ah! Jonguhlangall. Nienaber, G.S. & Raper, P.E. 19n. Toponymylca Hottentotica. HSRC: Pretoria.
- Mxutu, D.B., Qwathi (Sidindi), Retired Clerk, All Saints: Engcobo, 13/6/87; 4/10/87; 9/9/88; 28/9/88. Interview with, 13/6/87, All Saints, Engcobo. PR 3664, 1 of 4, Cory Library Rhodes University.
- N.A.51, Stanford to Secretary for Native Affairs, 10/9/79.
- N.A.55, Elliot to Secretary for Native Affairs, 23/12/79.
- N.A.88, Brownlee (SNA) to Elliot (CMT), 2/8/83.
- National Heritage Resources Act 25 of 1999.
- Ndima, M. 1988. A History of the Qwathi People From Earliest Times to 1910. Thesis Submitted in Fulfilment of the Requirements for the Degree of Master of Arts of Rhodes University.
- Ntsebeza, L. & Ndletyana, M. 2009. Comrade King Sabata Dalindyebo, Ah! Jonguhlanga.
- Parkington, J. & Hall, M. 1987. Patterning in recent radiocarbon dates from Southern Africa as a reflection of prehistoric settlement and interaction. *The Journal of African History*, 28(1): 1-25.

- Pearce, D.G. 2005. Iconography and Interpretation of the Tierkloof Painted Stone. *Goodwin Series*, 9, Further Approaches to Southern African Rock Art, pp 45-53. PE.ORG.ZA
- Pfeiffer, S. & Harrington, L. 2011. Bioarchaeological evidence for the basis of small adult stature in Southern Africa. *Growth, mortality and small stature*. Current Anthropology, 52(3).
- Phillips, A. 1998. The nature of cultural landscapes – a nature conservation perspective. *Landscape Research* 23:1, 21-38. Port Elizabeth Main Library.
- Rapoport, A. 1992. On cultural landscapes. *TDSR* 3:3, 33-47.
- Rudner I J. 1968. Strandloper pottery from South and South West Africa. *Annals of the South African Museum* 49(2). Cape Town.
- Rudner, J. 1979. The use of stone artefacts and pottery among the Khoisan peoples in historic and protohistoric times. *The South African Archaeological Bulletin*, 34(129): 3-17.
- Saunders, C.C. 1978. "Annexation of Transkeian Territories". Archives Year Book for South African History (Pretoria).
- Sealy, J. & Pfeiffer, S. 2000. Diet, Body Size, and Landscape Use among Holocene People in the Southern Cape, South Africa. *Current Anthropology* 41(4): 642-655.
- Sihele, E.G. ND. "Ngoobani abaThembu Bevelaphi?"
- Soga, J.H. 1930. The South Eastern Bantu (Johannesburg).
- South African Heritage Resources Agency (SAHRA): Minimum Standards for Archaeological Impact Assessments.
- South African History Online
- Southall, R. 1982. South Africa's Transkei (London).
- Sparrman, A. 1785. A voyage to the Cape of Good Hope towards the Antarctic polar circle and around the world, but chiefly into the country of the Hottentots and Caffres, from the year 1772 to 1776. Vol. 1. London: Robinson.
- State President Republic of Transkei – The Honourable Prime Minister, Mthatha Archives, File No.2/1/8, 5 March 1979
- Steyn, M.; Binneman, J & Loots, M. 2007. The Kouga Mummified Human Remains. *South African Archaeological Bulletin*, 62(185): 3-8.
- Tankard, A.J. & Roger, J. 1978. Late Cenozoic palaeoenvironments on the west coast of Southern Africa. *Journal of Biogeography*, 5: 319-337.
- Taylor, K. 2008. Landscape and Memory: cultural landscapes, intangible values and some thoughts on Asia. In: 16th ICOMOS General Assembly and International Symposium: 'Finding the spirit of place between the tangible and intangible', 29 September – 4 October 2008, Quebec, Canada.
- Thackeray, F. & Feast, E.C. 1974. A Midden Burial from Cape St Francis, Eastern Cape Province. *The South African Archaeological Bulletin*, 29(115/116): 92.
- Theal, G.M. 1896. Historische Dokumenten. Reis van den Vaandrig Beutler in 1752. Van de Sandt de VHliers & Co (Spk) Drukkers: Kaapstad.
- Tomlinson, R. 2002. The Second World War 1939 – 1945, Artillery Buildings in Algoa Bay. *Military History Journal*, 12(3).
- Tropp, J. 2003. The contested nature of colonial landscapes: historical perspectives on

- livestock and environments in the Transkei.
- Tropp, J. 2003. The Python and the Crying Tree: Interpreting Tales of Environmental and Colonial Power in the Transkei. *The International Journal of African Historical Studies*, 2003, Vol. 36, No. 3.
- Turner, M. 1970. A Search for the Tsitsikamma Shelters. *The South African Archaeological Bulletin*, 28(98): 67-70.
- Yekela (Nee` LUSU), D. S. 2011. Unity And Division: Aspects of the History of Abathembu Chieftainship C. 1920 To C.1980. Thesis Presented for the Degree of Doctor of Philosophy in the Department of Historical Studies, University Of Cape Town.
- Wagenaar, E.J.C. 1982. "A forgotten Frontier zone" Archives Year Book for South African History.
- Wurz, S. 2008. Modern Behaviour at Klasies River. *Goodwin Series*, 10, Current Themes in MSA Research, pp 150-156.
- Xundu, M. Interview with, 2/7/87, Manzana location Engcobo.

## **15 RELEVANT ARCHAEOLOGICAL AND HERITAGE IMPACT ASSESSMENTS**

Very little systematic archaeological research has been conducted within the immediate and surrounding areas for the proposed project, therefore, Cultural Resource Management (CRM) Reports, such as archaeological and heritage impact assessments, assist in attempting to predict the archaeological and heritage resources that may be found within the proposed development areas. The following reports are considered relevant to the current project:

- Gaigher, S. 2023. Heritage Impact Assessment for the Proposed SANRAL R61 Section 6 Borrow Pit in the Engcobo Local Municipality, Chris Hani District Municipality of the Eastern Cape Province.
- Kruger, N. 2020. Archaeological Impact Assessment of Areas Demarcated for the Proposed Cluster 6 Gqaga Bulk Rising Main West Water Supply Scheme Project, Lixeni and Natyana Areas, CHDM, Eastern Cape Province.
- Prins, F. 2011. Cultural Heritage Impact Assessment for the R61 Section 6 Road Upgrade Project between Cofimvaba and Engcobo, Eastern Cape.
- Tomose, N. 2024. Integrated Heritage Impact Assessment Study (Inclusive of Desktop Palaeontological Assessment) in Terms of Section 38 (3) of the National Heritage Resources Act (Act, No. 25 of 1999) for the Proposed of Nonkala Bridge, Mdangelwa Bridge, Kingston Bridge, Hala Bridge , Nthyanga Nthyangeni Bridge, Nabileyo Bridge, Ngqokoqweni Bridge and Sinqumeni/ Ndlunkulu Bridge In Engcobo District, Dr AB Xuma Local Municipality, Chris Hani District Municipality, Eastern Cape Province, South Africa.
- Van Ryneveld, K. 2011a. Phase 1 Archaeological Impact Assessment: Gqaga Villages Reticulation Water Supply Scheme – Bulk Water Supply Backlog, Ngcobo Cluster 6, Eastern Cape, South Africa.
- Van Ryneveld, K. 2011b. Phase 1 Archaeological Impact Assessment: Bulk Rising Main East, Ngcobo Cluster 6, Eastern Cape, South Africa.

- Van Ryneveld, K. 2011c. Manzimdaka Villages Water Supply Backlog: Ngcobo Cluster 6, Eastern Cape, South Africa.
- Van Ryneveld, K. 2011d. Archaeological Impact Assessment: Utilisation of Borrow Pits, CHDM, Eastern Cape, South Africa.
- Van Ryneveld, K. 2011e. Phase 1 Archaeological Impact Assessment: The Qmanco Borrow Pit, near Engcobo, CHDM, Eastern Cape, South Africa.
- Van Ryneveld, K. Phase 1 Archaeological Impact Assessment: Qutubeni Villages Water Reticulation Scheme: Bulk Water Supply Backlog – Ngcobo Cluster 6, Chuqolweni, Marellani, Sidindi, Expindweni, Engxangxasi, Silindini and Hala Villages), Qutubeni, Eastern Cape, South Africa.
- Van Ryneveld, K. 2015. Basic Heritage Impact Assessment (HIA) - The Engcobo Mall Development, (Portion of Portion 1 & Portion 136 of Engcobo Township), Ngcobo, Ngcobo Local Municipality, Eastern Cape.
- Van Ryneveld, K. 2018a. Phase 1 Archaeological & Cultural Heritage Impact Assessment – Adventure Trail within the Hala Area of the Engcobo Local Municipality, Chris Hani District Municipality, Eastern Cape.
- Van Ryneveld, K. 2018b. Phase 1 Archaeological Impact Assessment Utilization of Existing Borrow Pit (Cluster 6 Bulk Water Supply Project), Engcobo, Eastern Cape, South Africa.
- Van Schalkwyk, L. 2002. Cultural Heritage Assessment of the Proposed Upgrade of the District Road Between Engcobo and Idutywa, Eastern Cape Province, South Africa.
- Van Schalkwyk, L. 2010. Heritage Impact Assessment of Aggregate Mining on Unregistered State Land AA17 (Goso), Ngcobo Local Municipality, Eastern Cape Province, South Africa.

## **16 GENERAL REMARKS AND CONDITIONS**

**NOTE:** This report is a phase 1 archaeological and cultural heritage impact assessment only and does not include or exempt other required specialist assessments as part of the heritage impact assessments (HIAs).

The National Heritage Resources Act (Act No. 25 of 1999, Section 35 [Brief Legislative Requirements]) requires a full Heritage Impact Assessment (HIA) in order that all heritage resources including 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.

It must be emphasized that the conclusions and recommendations expressed in this phase 1 archaeological impact assessment (AIA) are based on the visibility of archaeological remains, features and, sites and may not reflect the true state of affairs. Many archaeological remains, features and, sites may be covered by soil and vegetation and will

only be located once this has been removed. In the event of such archaeological heritage being uncovered (such as during any phase of construction activities), archaeologists or the relevant heritage authority must be informed immediately so that they can investigate the importance of the sites and excavate or collect material before it is destroyed. The onus is on the developer to ensure that this agreement is honoured in accordance with the National Heritage Resources Act No. 25 of 1999 (NHRA 25 of 1999).

Archaeological Specialist Reports (desktops and AIA's) will be assessed by the relevant heritage resources authority. The final comment/decision rests with the heritage resources authority that may confirm the recommendations in the archaeological specialist report and grant a permit or a formal letter of permission for the destruction of any cultural sites.

## APPENDIX A: HERITAGE LEGISLATIVE REQUIREMENTS

Sections 3, 34, 35, 36, 38, 48, 49 and 51 of the National Heritage Resources Act 25 of 1999 apply:

### **S3. National estate**

(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 and 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 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 (Act No. 43 of 1996).

(3) Without limiting the generality of subsections (1) and (2), a place or object is to be considered part of <sup>19</sup> national estate if it has cultural significance or other special value because of –

- (a) its importance in the community, or pattern of South Africa's history;
- (b) its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- (c) its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- (d) its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- (e) its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- (f) its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- (g) its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and
- (i) sites of significance relating to the history of slavery in South Africa.

### ***S34. Structures***

- (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.
- (2) Within three months of the refusal of the provincial heritage resources authority to issue a permit, consideration must be given to the protection of the place concerned in terms of one of the formal designations provided for in Part 1 of this Chapter.
- (3) The provincial heritage resources authority may at its discretion, by notice in the Provincial Gazette, make an exemption from the requirements of subsection (1) within a defined geographical area, provided that it is satisfied that heritage resources falling into the defined area or category have been identified and adequately provided for in terms of the provisions of Part 1 of this Chapter.
- (4) Should the provincial heritage resources authority believe it to be necessary if by, following a three-month notice period published in the Provincial Gazette, withdraw or amend a notice under subsection (3).

### ***S35. Archaeology, palaeontology and meteorites***

- (1) Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority: Provided that the protection of any wreck in the territorial waters and maritime cultural zone shall be the responsibility of SAHRA.
- (2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collation policy acceptable to the heritage resources authority and may in doing so establish such terms and conditions as it sees fit for the conservation of such objects.
- (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 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 assist 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 not 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.



- (5) The responsible heritage resources authority may, after consultation with the owner of the land on which archaeological or palaeontological site or a 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.
- (6)(a) Within a period of two years from the commencement of this Act, any person in possession of any archaeological or palaeontological material or object or any meteorite which was acquired other than in terms of a permit issued in terms of this Act, equivalent provincial legislation or the National Monuments Act, 1969 (Act No. 28 of 1969), must lodge with the responsible heritage resources authority lists of such objects and other information prescribed period shall be deemed to have been recovered after the date on which this Act came into effect.
- (b) Paragraph (a) does not apply to any public museum or university.
- (c) The responsible authority may at its discretion, by notice in the Gazette or the Provincial Gazette, as the case may be, exempt any institution from the requirements of paragraph (a) subject to such conditions as may be specified in the notice, and may by similar notice withdraw or amend such exemption.
- (8) and object or collection listed under subsection (7) –
  - (a) remains in the ownership of the possessor for the duration of his or her lifetime, and SAHRA must be notified who the successor is; and
- (9) must be regularly monitored in accordance with regulations by the responsible heritage authority.

### ***S36. Burial grounds and graves***

- (1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.
- (2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated with the grave referred to in subsection (1), and must maintain such memorials.
- (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.
- (3) SAHRA or provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) 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.
- (4) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection (3)(b) 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.
- (5) 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 the 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.

(6)(a) SAHRA must, over a period of five years from the commencement of this Act, submit to Minister for his or her approval lists of graves and burial grounds of persons connected with the liberation struggle and who died in exile or as a result of the action of State security forces or agent's provocateur and which, after a process of public consultation, it believes should be included among those protected under this section.

(c) The Minister must publish such lists as he or she approved in the Gazette.

(6) Subject to section 56(2), SAHRA has the power, with respect to the graves of victims of conflict outside the Republic, to perform any function of a provincial heritage resources authority in terms of this section.

(7) SAHRA must assist other State Departments in identifying graves in a foreign country of victims of conflict connected with the liberation struggle and, following negotiations with the next of kin, or relevant authorities, it may reinter the remains of that person in a prominent place in the capital of the Republic.

### ***S.37 Public monuments and memorials***

Public monuments and memorials must, without the need to publish a notice to this effect, be protected in the same manner as places which are entered in a heritage register referred to in section 30.

### ***S38. Heritage resources management***

(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, power line, 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 the site –

(i) exceeding 5 000 m<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 10 000 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 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.

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

(a) if there is a 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 (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 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 alternative; 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 the 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 development; and
  - (e) whether the appointment of specialists is required as a condition of approval of the proposal.
- (5) A provincial heritage resources authority may not make any decision under subsection (4) with respect to any development with impacts on a heritage resource protected at 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 impact of such development of 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 Mineral 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 regards 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 the 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 continue to apply.

#### **S48. Permits**

- (1) A heritage resources authority may prescribe the manner in which an application is made to it for any permit in terms of this Act and other requirements for permit applications, including –
- (a) any particulars or information to be furnished in the application and any documents, drawings, plans, photographs and fees which should accompany the application;
  - (b) minimum qualifications and standards of practice required of persons making application for a permit to perform specified actions in relation to particular categories of protected heritage resources;
  - (c) standards and conditions for the excavation and curation of archaeological and palaeontological objects and material and meteorites recovered by authority of a permit;

- (d) the conditions under which, bore a permit is issued, a financial deposit must be lodged and held in trust for the duration of the permit or such period as the heritage resources authority may specify, and conditions of forfeiture of such deposit;
  - (e) conditions for the temporary export and return of objects under section 32 or section 35;
  - (f) the submission of reports on work done under authority of a permit; and
  - (g) the responsibilities of the heritage resources authority regarding monitoring of work done under authority of a permit.
- (2) On application by any person in the manner prescribed under subsection (1), a heritage resources authority may in its discretion issue to such person a permit to perform such actions at such time and subject to such terms, conditions and restrictions or directions as may be specified in the permit, including a condition –
- (a) that the applicant give security in such form and such amount determined by the heritage resources authority concerned, having regard to the nature and extent of the work referred to in the permit, to ensure the satisfactory completion of such work or the curation of objects and material recovered during the course of the work; or
  - (b) providing for the recycling or deposit in a materials bank of historical building materials; or
  - (c) stipulating that design proposals be revised; or
  - (d) regarding the qualifications and expertise required to perform those actions for which the permit is issued.
- (3) A heritage resources authority may at its discretion, in respect of any heritage resource protected by it in terms of the provisions of Chapter II, by notice in the Gazette or the Provincial Gazette, as the case may be, grant an exemption from the requirement to obtain a permit from it for such activities or class of activities by such persons or class of persons in such circumstances as are specified in the notice.

#### **S49. Appeals**

- (1) Regulations by the Minister and the MEC must provide for a system of appeal to the SAHRA Council for a provincial heritage resources council against a decision of a committee or other delegated representative of SAHRA or a provincial heritage resources body authority.
- (2) Anybody wishing to appeal against a decision of the SAHRA Council or the council of a provincial heritage resources authority must notify the Minister or MEC in writing within 30 days. The Minister or MEC, must have due regards to –
- (a) the cultural significance of the heritage resources in question;
  - (b) heritage conservation principles; and
  - (c) any other relevant factor which is brought to its attention by the appellant or the heritage resources authority.

#### **S51. Offences and penalties**

- (1) Notwithstanding the provisions of any other law, any person who contravenes –
- (a) sections 27(18), 29(10), 32(13) OR 32(19) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 1 of the Schedule;
  - (b) sections 33(2), 35(4) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 2 of the Schedule;
  - (c) sections 28(3) or 34(1) are guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 3 of the Schedule;
  - (d) sections 27(22), 32(15), 35(6), or 44(3) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 4 of the Schedule;
  - (e) sections 27(23)(b), 32(17), 35(3) or 51(8) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 5 of the Schedule;
  - (f) sections 32(13), 32(16), 32(20), 35(7)(a), 44(2), 50(5) or 50(12) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 6 of the Schedule.
- (2) The Minister, with the concurrence of the relevant MEC, may prescribe a penalty of a fine or of imprisonment for a period not exceeding six months for any contravention or failure to comply with regulations by heritage resources authorities or by-laws by local authorities.
- (3) The Minister or the MEC, as the case may be, may make regulations in terms of which the magistrate of the district concerned may –

- (a) levy admission of guild fines up to a maximum amount of R10 000 for infringement of the terms of this Act for which such heritage resources authority is responsible; and
  - (b) serve a notice upon a person who is contravening a specified provision of this Act or has not complied with the terms of a permit issued by such authority, imposing a daily fine of R50 for the duration of the contravention, subject to a maximum period of 365 days.
- (4) The Minister may from time to time by regulation adjust the amounts referred to in subsection (3) in order to account for the effect of inflation.
- (5) Any person who-
- (a) fails to provide any information that is required to be given, whether or not on the request of a heritage resources authority, in terms of this Act;
  - (b) for the purpose of obtaining, whether for himself or herself or for any other person, any permit, consent or authority in terms of this Act, makes any statement or representation knowing it to be false or not knowing or believing it to be true;
  - (c) fails to comply with or perform any act contrary to the terms, conditions, restrictions or directions subject to which any permit, consent or authority has been issued to him or her in terms of this Act;
  - (d) obstructs the holder of a permit in terms of this Act in exercising a right granted to him or her by means of such a permit;
  - (e) damages, takes, or removes, or causes to be damaged, taken or removed from a place protected in terms of this Act any badge or sign erected by a heritage authority or a local authority under section 25(2)(j) or section 27(17), any interpretive display or any other property or thing.
  - (f) receives any badge, emblem or any other property or thing unlawfully taken or removed from a place protected in terms of this Act; and
  - (g) within the terms of this Act, commits or attempts to commit any other unlawful act, violates any prohibition or fails to perform any obligation imposed upon him or by its terms, or who counsels, procures, solicits or employs any other person to do so.
- shall be guilty of an offence and upon conviction shall be liable to such maximum penalties, in the form of a fine or imprisonment or both such fine and such imprisonment, as shall be specified in the regulations under subsection (3).
- (6) Any person who believes that there has been an infringement of any provision of this Act, may lay a charge with the South African Police Service or notify a heritage resources authority.
- (7) A magistrate's court shall, notwithstanding the provisions of any other law, be competent to impose any penalty under this Act.
- (8) When any person has been convicted of any contravention of this Act which has resulted in damage or to alteration of a protected heritage resource the court may -
- (a) order such person to put right the result of the act of which he or she was guilty, in the manner so specified and within such period as may be so specified, and upon failure of such person to comply with the terms of such order, order such person to pay to the heritage resources authority responsible for the protection of such resource a sum equivalent to the cost of making good; or
  - (b) when it is of the opinion that such a person is not in a position to make good damage done to a heritage resources by virtue of the offender not being the owner or occupier of a heritage resources or for any other reason, or when it is advised by the heritage resources authority responsible for the protection of such resource that it is unrealistic or undesirable to require that the results of the act be made good, order such person to pay the heritage resources authority a sum equivalent to the cost of making good.
- (9) In addition to other penalties, if the owner of a place has been convicted of an offence in terms of this Act involving the destruction of, or damage to, the place, the Minister on the advice of SAHRA or the MEC on the advice of a provincial heritage resources authority, may serve on the owner an order that no development of such place may be undertaken, except when making good the damage and maintaining the cultural value of the place, or for a period not exceeding 10 years specified in the order.
- (10) Before making the order, the local authority and any person with a registered interest in the land must be given a reasonable period to make submissions on whether the order should be made and for how long.
- (11) An order of no development under subsection (9) attaches to the land and is binding not only on the owner as at the date of the order, but also on any person who becomes an owner of the place while the order remains in force.
- (12) The Minister on the advice of SAHRA, may reconsider an order of no development and may in writing amend or repeal such order.

(13) In any case involving vandalism, and whenever else a court deems it appropriate, community service involving conservation of heritage resources may be substituted for, or instituted in addition to, a fine or imprisonment.

(14) Where a court convicts a person of an offence in terms of this Act, it may order for forfeiture to SAHRA or the provincial heritage resources authority concerned, as the case may be, of a vehicle, craft, equipment or any other thing used or otherwise involved in the committing of the offence.

(15) A vehicle, craft, equipment or other thing forfeited under subsection (14) may be sold or otherwise disposed of as the heritage resources authority concerned deems fit.

## **APPENDIX B: GRADING SYSTEM**

The National Heritage Resources Act 25 of 1999 stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act and the South African Heritage Resources Agency:

- National: This site is suggested to be considered of Grade 1 significance and should be nominated as such. Heritage resources with qualities so exceptional that they are of special national significance.
- Provincial: This site is suggested to be considered of Grade II significance and should be nominated as such. Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region
- Local: This site is suggested to be Grade IIIA significance. This site should be retained as a heritage register site (High significance) and so mitigation as part of the development process is not advised.
- Local: This site is suggested to be Grade IIIB significance. It could be mitigated and (part) retained as a heritage register site (High significance).
- 'General' Protection A (Field Rating IV A): This site should be mitigated before destruction (usually High/Medium significance).
- 'General' Protection B (Field Rating IV B): This site should be recorded before destruction (usually medium significance).
- 'General' Protection C (Field Rating IV C): This site has been sufficiently recorded (in the Phase 1). It requires no further recording before destruction (usually Low significance).

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

### 1. Stone artefacts

Stone artefacts are the most common and identifiable precolonial artefacts occurring on the South Africa landscape. Early Stone Age, Middle Stone Age and Later Stone Age stone artefacts occur in various concentrations on the South Africa landscape. Stone artefacts are very commonly found occurring on flat floodplains in a mostly secondary or disturbed context. However, stone artefacts can be also be found in an *in situ* or undisturbed context in areas where little human or animal impact happens such as open sites mostly near rocky outcrops, amongst boulders and caves.

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



**Early Stone Age (ESA) stone artefact**  
(1.5 million years ago – 250 000 years ago)



**Middle Stone Age stone artefacts**  
(250 000 – 30 000 years ago)



**Later Stone Age stone artefacts**  
(30 000 years ago – historical times)



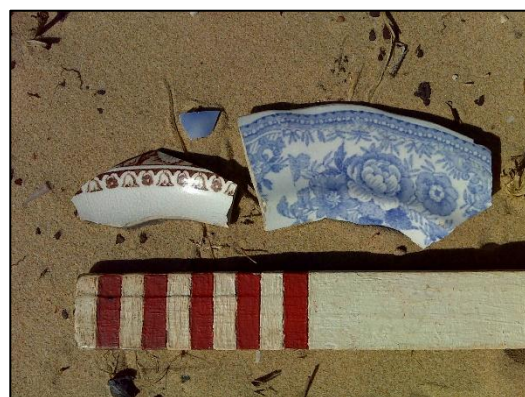
## 2. Pottery scatters

Pottery scatters can be associated with either Khoekhoen pastoralists, the Nguni first farming communities (referred to as the South African Iron Age) or colonial settlement and can be dated to within the last 2 000 years which occur both at the coast and inland. Pottery associated with Bushmen / hunter-gatherers is generally thought to occur in the Karoo region. The most obvious difference between Khoekhoen and Nguni pottery are the decorations, shapes, sizes and wall thickness. Khoekhoen pottery is generally thinner than the thicker walled and robust Nguni pottery. Colonial ceramics ranges from earthenware, stoneware, porcelain and European glazed and unglazed ceramics.

Precolonial pottery and colonial ceramics are more easily identifiable by the layman and should be reported.



**Khoekhoen earthenware pottery**  
(last 2 000 years)



**Iron Age earthenware pottery**  
(last 2 000 years)



**Examples of 19<sup>th</sup> century European ceramics**

### 3. Historical artefacts and features

These are easy to identify and include colonial artefacts (such as ceramics, glass, metal, etc.), foundations of buildings or other construction features and items from domestic and military activities associated with early travellers' encounters on the landscape and European settlement.



**Example of a Fortified Structure  
(Fort Double Drift)**



**Ruin of stone packed dwelling**



**Glass artefacts**



#### 4. Shell middens (marine and freshwater)

Shell middens can be defined as an accumulation of marine or freshwater shell deposited by past human populations rather than the result of natural or animal activity. Marine shell middens occur all along the coast and may extend within 5 km of the coastline. This area is generally regarded as being archaeologically sensitive. The shells are concentrated in a specific locality above the high-water mark and frequently contain various edible and sometimes inedible marine shells, stone tools, pottery, bone (fish and animal) and occasionally also 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. Freshwater shell middens occur along river banks and comprise freshwater shell, fish and animal bone, stone tools, pottery, and sometimes human remains.



Examples of the occurrence of coastal shell middens

## 5. Large stone features

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



**Examples of stone packed features**



## 6. Graves, Burials and Human Skeletal material

Formal historical graves are easily identifiable as they are in most cases fenced off or marked with engraved headstones. Informal stone packed graves in several instances also occur within these fenced off areas.

It is difficult to detect the presence of archaeological human remains on the landscape as these burials, in most cases, are not marked at the surface. Human remains are usually observed when they are exposed through erosion or construction activities for development. Several human remains have been rescued eroding out of the dunes along this coastline and dongas in inland areas. In some instances, packed stones or rocks may indicate the presence of informal pre-colonial burials.

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 and developers are requested to be on the alert for this.



**Exposed human remains eroding out a coastal shell midden.**



**Exposed human remains eroding out an inland donga**

## **APPENDIX D: PROCEDURE AND PROCESSES FOR THE RELOCATION OF GRAVES**

Once it has been decided to relocate particular graves, the following steps should be taken:

- Notices of the intention to relocate the graves need to be put up at the burial site for a period of 60 days. This should contain information where communities and family members can contact the developer/archaeologist/public-relations officer/undertaker. All information pertaining to the identification of the graves needs to be documented for the application of an ECPHRA permit. The notices need to be in at least 3 languages, English, and two other languages. This is a requirement by law.
- Notices of the intention needs to be placed in at least two local newspapers and have the same information as the above point. This is a requirement by law.
- Local radio stations can also be used to try contact family members. This is not required by law, but is helpful in trying to contact family members.
- During this time (60 days) a suitable cemetery need to be identified close to the development area or otherwise one specified by the family of the deceased. An open day for family members should be arranged after the period of 60 days so that they can gather to discuss the way forward, and to sort out any problems. The developer needs to take the families requirements into account. This is a requirement by law.
- Once the 60 days has passed and all the information from the family members have been received, a permit can be requested from SAHRA. This is a requirement by law.
- Once the permit has been received, the graves may be exhumed and relocated.
- All headstones must be relocated with the graves as well as any items found in the grave. Information needed for the ECPHRA permit application:
  - The permit application needs to be done by an archaeologist.
  - A map of the area where the graves have been located.
  - A survey report of the area prepared by an archaeologist.
  - All the information on the families that have identified graves.
  - If graves have not been identified and there are no headstones to indicate the grave, these are then unknown graves and should be handled as if they are older than 60 years. This information also needs to be given to ECPHRA.
  - A letter from the landowner giving permission to the developer to exhume and relocate the graves.
  - A letter from the new cemetery confirming that the graves will be reburied there.
  - Details of the farm name and number, magisterial district and GPS coordinates of the gravesite.

## **APPENDIX E: CHANCE FINDS PROTOCOL**

The Chance Finds Protocol may include but not be limited to the following:

- A heritage practitioner should be appointed to develop a heritage induction program and conduct training for the ECO, as well as team leaders, in the identification of heritage resources and artefacts;
- An appropriately qualified heritage consultant should be identified to be called upon if any possible heritage resources or artefacts are identified;
- Should an archaeological site or cultural material be discovered during construction (or operation), the area should be demarcated, and construction activities be halted;
- The qualified archaeologist will then need to come out to the site and evaluate the extent and importance of the heritage resources and make the necessary recommendations for mitigating the find and impact on the heritage resource;
- The contractor therefore should have some sort of contingency plan so that operations could move elsewhere temporarily while the material and data are recovered;
- Should the heritage consultant conclude that the find is a heritage resource protected in terms of the NHRA (1999) Sections 34, 35, 37 and NHRA (1999) Regulations (Regulation 38, 39, 40), he or she should notify SAHRA and/or the relevant PHRA;
- Based on the comments received from the PHRA, the heritage consultant would present the relevant terms of reference to the client for implementation;
- Construction/Operational activities can commence as soon as the site has been cleared and signed off by the archaeologist.