



## HILLAND ENVIRONMENTAL

PHASE I ARCHAEOLOGICAL AND CULTURAL HERITAGE IMPACT  
ASSESSMENT SPECIALIST REPORT FOR THE PROPOSED  
DEVELOPMENT OF A MALL ON PORTION OF THE REMAINDER  
ERF 506 VRYBURG TOWNSHIP WITHIN NALEDI LOCAL  
MUNICIPALITY OF DR RUTH SEGOMOTSE MOMPATI DISTRICT IN  
NORTH WEST PROVINCE.

February, 2022

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## DECLARATION

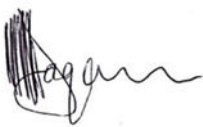
### ABILITY TO CONDUCT THE PROJECT

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Nokusho Ngobeni is a professional archaeologist, with a BA degree in Arts, an Honours degree in Archaeology obtained at University of Pretoria and Master of Science degree in Heritage Management at Witwatersrand University. She has an experience of working at museum, laboratory and in the field for handling archaeological materials (curation). Nokusho is a member of International Association for Impact Assessment (IAIAsa), the Association for southern African Professional Archaeologists (ASAPA) and the Society of Africanist Archaeologists (SAFA). Nokusho has undertaken several Heritage Impact Assessment and relocation of graves.

We declare that this report has been prepared independently of any influence as may be specified by all relevant departments, institutions and organisations. We act as the independent specialists in this application, and 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. We declare that there are no circumstances that may compromise our objectivity in performing such work. We vow to comply with all relevant Acts, Regulations and applicable legislation.

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## Acknowledgements

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## Executive Summary

### **Introduction**

At the request of Hilland Environmental, Vhubvo Consultancy Cc conducted a Phase I Archaeological Impact Assessment Study for the proposed development of a mall on a portion of the remainder Erf 506 Vryburg township. The proposed project is located within the jurisdiction of Naledi Local Municipality of Dr Ruth Segomotse Mompati District in the North West Province. This assessment is a specialist component which will form part of the Environmental Management Programme, and is aimed at investigating the general heritage state of the area affected by the proposed development as well as determining if there is a need to conduct any further investigation from an archaeological perspective. The study aims to advise on mitigation measures should any sites be impacted, these mitigations will, in turn, assist the developer in making decisions on the most appropriate option (s) in line with the National Heritage Resources Act, 1999 (Act 25 of 1999). To reach a defensible recommendation, both desktop study and field survey were conducted. The desktop study was undertaken through South African Heritage Resources Information System (SAHRIS) for previous Archaeological Impact Assessments conducted in the region of the proposed development, and also for research that has been carried out in the wider area over recent years. The field survey was conducted to validate any assumptions made during the desktop study.

### **Receiving Environment**

The proposed development is located on a private land whose topography is characterised by even plain and can be identified as Erf 11883. The area is currently vacant of any activities and was previously used for the purpose of low scale farming, and borrow pits (mining of gravel materials). The landscape of the nearby area proposed for development is semi-urban and is characterised by recreational and industrial landscape, and possesses amongst others infrastructure elements such as major roads, golf playfield and residential complexes. Although transformed, archaeological resources are not unexpected in this area, especially graves. Nevertheless, it must be stated that almost the entire proposed area has been disturbed. If any archaeological sites existed here in the past, it has been completely destroyed during the time when the area was established for farming purposes, or mining of gravel materials. The area is boarded by the N14 national road on the northern section. The east section is a semi park space which is encroached by low grass, while the southern section is a golf playfield, and the western section is used for residential complexes. The area proposed for development is disturbed due to past progresses (see Figures 4 - 7), and no material of archaeological value is expected to be found in the proposed area. The locality map provided in Figure 1 indicates the study area.

### **Impact statement**

The desktop study has shown that the proposed site has no potential to yield any archaeological site or isolated tools. The survey conducted confirms that there is no evidence of any archaeological materials on the



proposed site. Therefore, the proposed development will result in diminutive threats to archaeological and grave sites, with impacts ranging from low to very low. Thus, impact of the proposed development of the mall on archaeological and cultural heritage remains is rated as being low (see Table 1). Noteworthy that the nature of the project will cause intense impact to the ground. However, this will be synonymous with other infrastructures in the area.

### **Restrictions and Assumptions**

Despite that the area had been extensively surveyed (see Figure 11), it is possible that some materials could have been hidden underground and only exposed once construction resumes, however, given the historical nature of what the site was used for (farming and extracting of gravel materials), such is very minimal. This report has offered steps that must be taken in such an event when resources of cultural nature are exposed. It is assumed that any sites, features and objects, including sites of intangible heritage potential have been disturbed/ lost value/ and or currently irrelevant as a result of decades of secondary development in the area and nearby. Note that the visibility of the area proposed for development was high (see Figure 4-9), leading to the successful conduction of this report.

### **Survey Findings and Discussion**

The main aim of the survey was to evaluate potential heritage resources that may be found within the area of the proposed development, as well as to determine if there is any hamartia that may prevent the proposed Mall development. Phase 1 Archaeological and Cultural Heritage Impact Assessment for the proposed Vryburg Mall development on Portion of the Remainder Erf 506 identified *no significant* cultural or archaeological impacts envisaged on the footprint of the proposed area. Though there are no significant archaeological materials identified on the footprint of the proposed site, a structure located on the north-east side of the proposed area was noted (see Figure 14). This structure is however of *low significance* since it is less than 60 years old, and *does not* possess any social or aesthetic value. However, and more importantly, an area zoned for the Bio Museum (see Figure 15) has been documented directly opposite to the area proposed for the mall. This site is approximately 70m to the proposed area of development and is of significance, as such it must be protected in terms of Section 3 of the National Heritage Resource Act (Act 25 of 1999), and falls under those sites that are protected.

The findings aforementioned must be understood within the context of the proposed development. The Mall development proposal entails construction which involves digging and stamping, which subsequently will cause dust and commotion. The movement of machinery and contractors will be common in the area and it is possible that the Mall development may negatively affect the Bio Museum nearby, i.e., construction machinery may be parked, loaded/off-loaded in the Bio Museum area. This study noted that the proposed site and the Museum area are separated by the N14 national road, and that there is a buffer zone of approximately 70m between the proposed development, and the Museum. It must be further noted that there is no consensus



regarding the meaning, purpose, nature and extent of the buffer zone of Natural/ Cultural Landscape. The buffer zone of the listed property is not clearly defined and various institutions, interested and affected parties and other stakeholders have different conceptualizations of what constitutes development and heritage landscape buffer zone. The recommendations in this report are thus given in consideration of the entire context of the proposed development and are not only limited to the footprint of the proposed development.

## Recommendations and Discussions

Recommendations are given from a heritage point of view with the consideration of the nature of the proposed project and the significance of the heritage resources in the vicinity of the proposed area. The following are the recommendations based on the above findings:

- ❖ A Heritage Management Plan (HMP) must be developed to ensure the following:
  - ✓ Guide the developer and relevant stakeholders in addressing concerns related to the identified Bio-Museum; and
  - ✓ Develop a monitoring programme to facilitate effective implementation of the HMP.

It is recommended that a Heritage Management Plan and Monitoring Plan be compiled before construction resumes. This plan must be compiled by a professional archaeologist and be tailored to ensure protection of the area of the Museum which is nearby the proposed development. The management plan must aim to conserve the site from any form of malfunctionality that may happen during construction, either be by accident or ill-informed. Furthermore, it must be designed to retain the significance of the Museum, and ensure that the enhancement, presentation and maintenance of the surrounding area of the Museum is deliberately and thoughtfully designed to protect the heritage values of the place. Other sensitive issues that must be addressed in the HMP are the following:

- ✚ Aspects related to dumping of construction material within the area zoned for a museum must be highlighted;
- ✚ Parking of construction machinery/ and or vehicles of construction workforces during the period of construction; and
- ✚ Labor-intensive workers should be notified about this museum, and its significance.

## Conclusions

A thorough background study and survey of the proposed development was conducted and findings were recorded in line with SAHRA guidelines. As per the recommendations above, there are no major heritage reasons why the proposed development could not be allowed to proceed. It is thus recommended that SAHRA approves the proposed development to proceed subject to the recommendations given above.



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## Acronyms and Abbreviations

AIA	Archaeological Impact Assessment
EMP	Environmental Management Plan
HIA	Heritage Impact Assessment
LIA	Late Iron Age
MIA	Middle Iron Age
EIA	Early Iron Age
HMP	Heritage Management Plan
LSA	Late Stone Age
MSA	Middle Stone Age
ESA	Early Stone Age
NASA	National Archives of South Africa
NHRA	National Heritage Resources Act
SAHRA	South African Heritage Resources Agency



## Glossary of Terms

The following terms used in this Archaeology are defined in the National Heritage Resources Act [NHRA], Act Nr. 25 of 1999, South African Heritage Resources Agency [SAHRA] Policies as well as the Australia ICOMOS Charter (*Burra Charter*):

**Archaeological Material:** remains resulting from human activities, which are in a state of disuse and are in, or on, land and which are older than 100 years, including artifacts, human and hominid remains, and artificial features and structures.

**Artefact:** Any movable object that has been used modified or manufactured by humans.

**Conservation:** All the processes of looking after a site/heritage place or landscape including maintenance, preservation, restoration, reconstruction and adaptation.

**Cultural Heritage Resources:** refers to physical cultural properties such as archaeological sites, palaeontological sites, historic and prehistorical places, buildings, structures and material remains, cultural sites such as places of rituals, burial sites or graves and their associated materials, geological or natural features of cultural importance or scientific significance. This include intangible resources such religion practices, ritual ceremonies, oral histories, memories indigenous knowledge.

**Cultural landscape:** “the combined works of nature and man” and demonstrate “the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both internal and external”.

**Cultural Resources Management (CRM):** the conservation of cultural heritage resources, management, and sustainable utilization and present for present and for the future generations

**Cultural Significance:** is the aesthetic, historical, scientific and social value for past, present and future generations.



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**Chance Finds:** means Archaeological artefacts, features, structures or historical cultural remains such as human burials that are found accidentally in context previously not identified during cultural heritage scoping, screening and assessment studies. Such finds are usually found during earth moving activities such as water pipeline trench excavations.

**Compatible use:** means a use, which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.

**Conservation** means all the processes of looking after a place so as to retain its cultural significance.

**Expansion:** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

**Grave:** A place of interment (variably referred to as burial), including the contents, headstone or other marker of such a place, and any other structure on or associated with such place.

**Heritage impact assessment (HIA):** Refers to the process of identifying, predicting and assessing the potential positive and negative cultural, social, economic and biophysical impacts of any proposed project, plan, programme or policy which requires authorisation of permission by law and which may significantly affect the cultural and natural heritage resources. The HIA includes recommendations for appropriate mitigation measures for minimising or avoiding negative impacts, measures enhancing the positive aspects of the proposal and heritage management and monitoring measures.

**Historic Material:** remains resulting from human activities, which are younger than 100 years, but no longer in use, including artifacts, human remains and artificial features and structures.

**Impact:** the positive or negative effects on human well-being and / or on the environment.

**In situ material:** means material culture and surrounding deposits in their original location and context, for instance archaeological remains that have not been disturbed.



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**Interested and affected parties Individuals:** communities or groups, other than the proponent or the authorities, whose interests may be positively or negatively affected by the proposal or activity and/ or who are concerned with a proposal or activity and its consequences.

**Interpretation:** means all the ways of presenting the cultural significance of a place.

**Late Iron Age:** this period is associated with the development of complex societies and state systems in southern Africa.

**Material culture** means buildings, structure, features, tools and other artefacts that constitute the remains from past societies.

**Mitigate:** The implementation of practical measures to reduce adverse impacts or enhance beneficial impacts of an action.

**Place:** means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

**Protected area:** means those protected areas contemplated in section 9 of the NEMPAA and the core area of a biosphere reserve and shall include their buffers.

**Public participation process:** A process of involving the public in order to identify issues and concerns, and obtain feedback on options and impacts associated with a proposed project, programme or development. Public Participation Process in terms of NEMA refers to: a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to specific matters.

**Setting:** means the area around a place, which may include the visual catchment.

**Significance:** can be differentiated into impact magnitude and impact significance. Impact magnitude is the measurable change (i.e., intensity, duration and likelihood). Impact significance is the value placed on the change by different affected parties (i.e., level of significance and acceptability). It is an anthropocentric concept, which makes use of value judgments and science-based criteria (i.e., biophysical, physical cultural, social and economic).



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**Site:** a spatial cluster of artefacts, structures, and organic and environmental remains, as residues of past human activity.



### 1. Introduction

Hilland Environmental requested Vhubvo Consultancy Cc to conduct an Archaeological Impact Assessment (AIA) for the proposed mall on a portion of remainder Erf 506 Vryburg township. This assessment is a specialist component which will provide the necessary input into the Basic Assessment Report, and form part of the Environmental Management Programme. The main objective of the assessment is to investigate the general state of heritage within the affected area. The study aims are to outline the archaeological sites, cultural resources, sites associated with oral histories, graves, cultural landscapes, and any structure of historical significance that may be affected by the proposed development, and to advise on mitigation measures should any be affected and these will in turn assist the developer to make a decision on the most appropriate options in line with the National Heritage Resource Act, 1999 (Act 25 of 1999). The survey was conducted in accordance with the SAHRA Minimum Standards for Archaeology and Palaeontology which clearly specify the required contents of reports of this nature. The town of Vryburg which is approximately 500m east of the proposed area was founded in 1883, and attained municipal status in 1896. The name Vryburg comes from the period in 1882 when Vryburg was established as the capital of the Republic of Stellaland. The Republicans called themselves Vryburgers (free citizens), and since the Afrikaans word for citizen is ‘burger’ and the word for ‘borough’ is ‘burg’ the name of the town followed. During the Anglo Boer War (1899-1902), a concentration camp was founded close to the town, on the farm Waterloo, and served as a center for educating Tswana people (Van Schalkwyk, 2008). In 1910, the Cape Colony became the Cape Province, and automatically became one of the four provinces of the Union of South Africa and later the Republic of South Africa. Today, Vryburg is the industrial and agricultural capital of the region.

### 2. Sites Location and Description

The proposed development is located on a private land whose topography is characterised by even plain and can be identified as Erf 11883. The area is currently vacant of any activities and was previously used for the purpose of low scale farming, and excavation of gravel materials (See Figure 1). The topography of the area is basically fairly steep and open, although grass and shrub cover were fairly in some sections, there are fairly sparse rocky ridges and outcrops present. The study areas are surrounded by existing urban residential developments including housing, roads and other urban infrastructure such as commercial/industrial areas. The north and eastern section is characterised by excavated land which has caused significant damage in the area (see Figure 7-8),



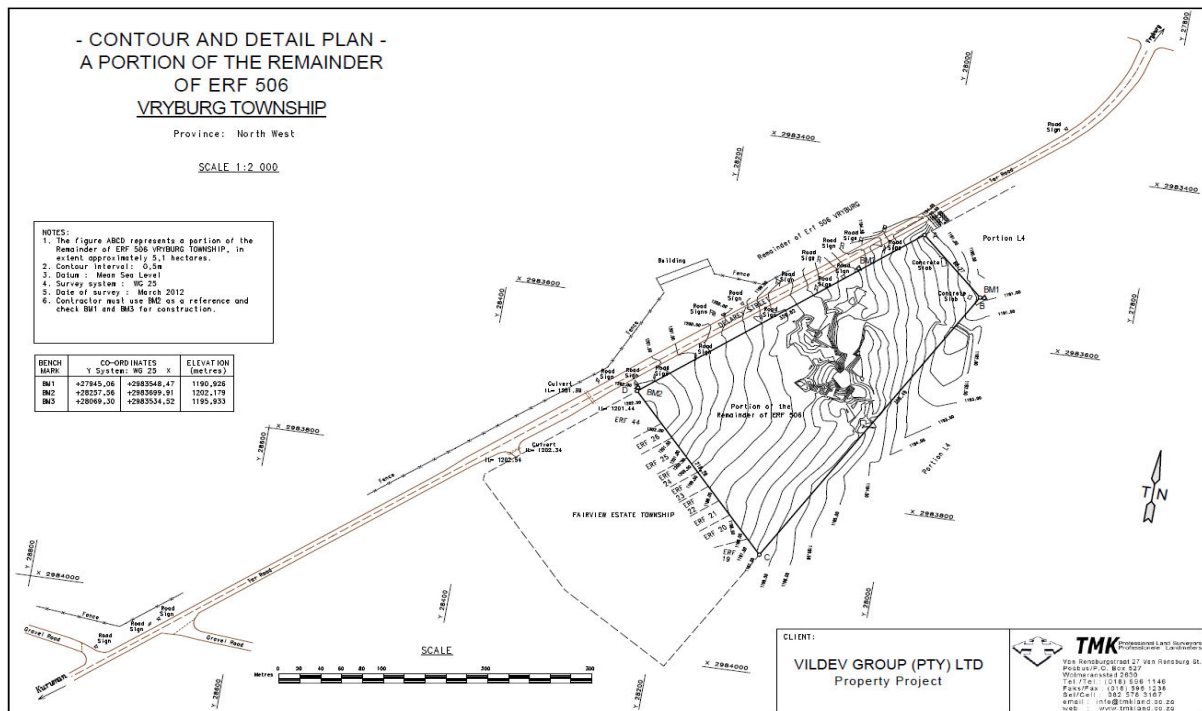


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while the south and western section is marred by past construction materials that has been dumped throughout these sections (see Figure 9). It will appear all rubles from the time when residential and other nearby complexes were being built were dumped in the area. The landscape of the nearby area proposed for development is semi-urban and is characterised by recreational and industrial landscape, and possesses amongst others infrastructure elements such as major roads and residential complexes. Although transformed, archaeological resources are not unexpected in this area, especially graves. Nevertheless, almost the entire proposed area has been disturbed. If any archaeological sites existed here in the past, it has been completely destroyed during the time when the area was established for farming purposes, or mining for gravel materials. The area is boarded by the N14 national road on the northern section. The east section is a semi park space which is encroached by low grass, while the southern section is a golf playfield, and the western section is used for residential complexes. The area proposed for development is disturbed due to past progresses (see Figures 4 - 7), and no material of archaeological value is expected to be found in the proposed area. The locality map provided in Figure 2 indicates the study area.

### Summary of Project Location Details

Province:	North West
Local:	Naledi
District:	Dr Ruth Segomotse Mompoti
Farm name:	Erf 506 Vryburg
Proposed development:	Vryburg Mall



**Figure 1:** Topographical map depicting past usage of the area as a borrow pit.



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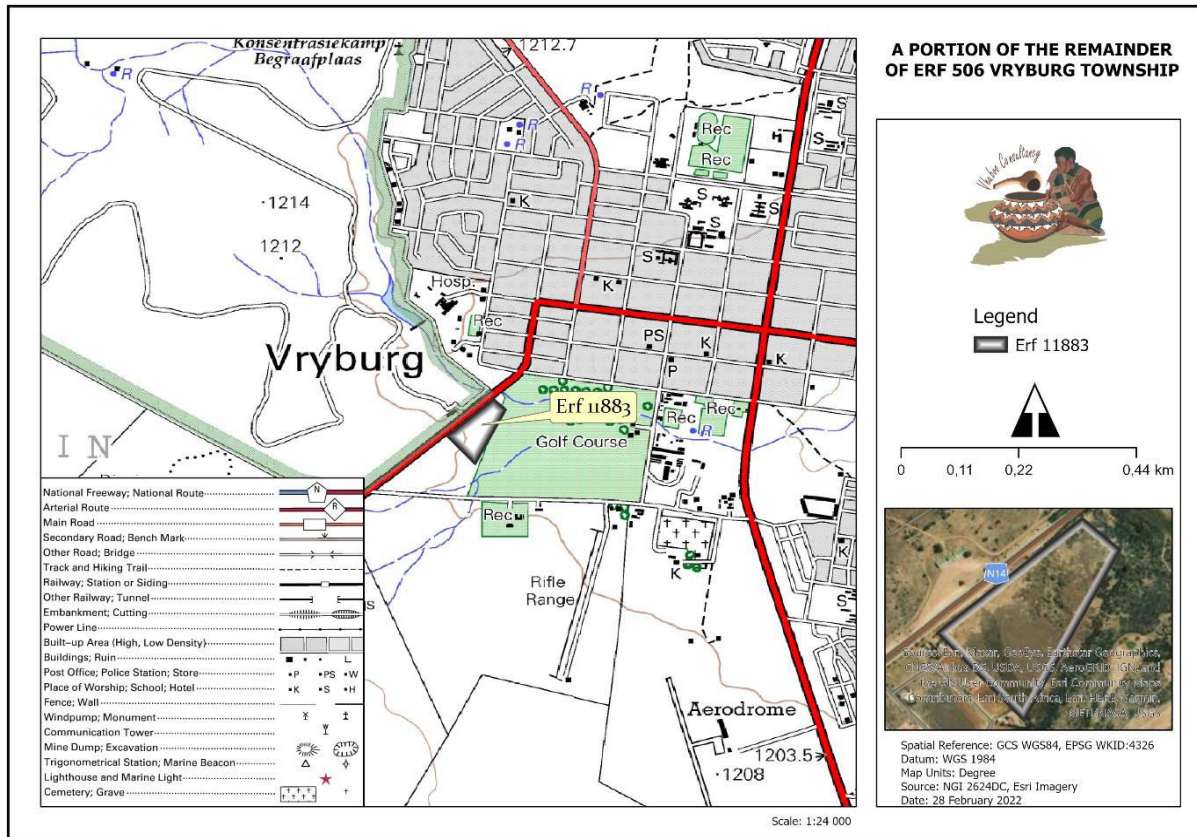


Figure 2: Topographical map indicating the study area.

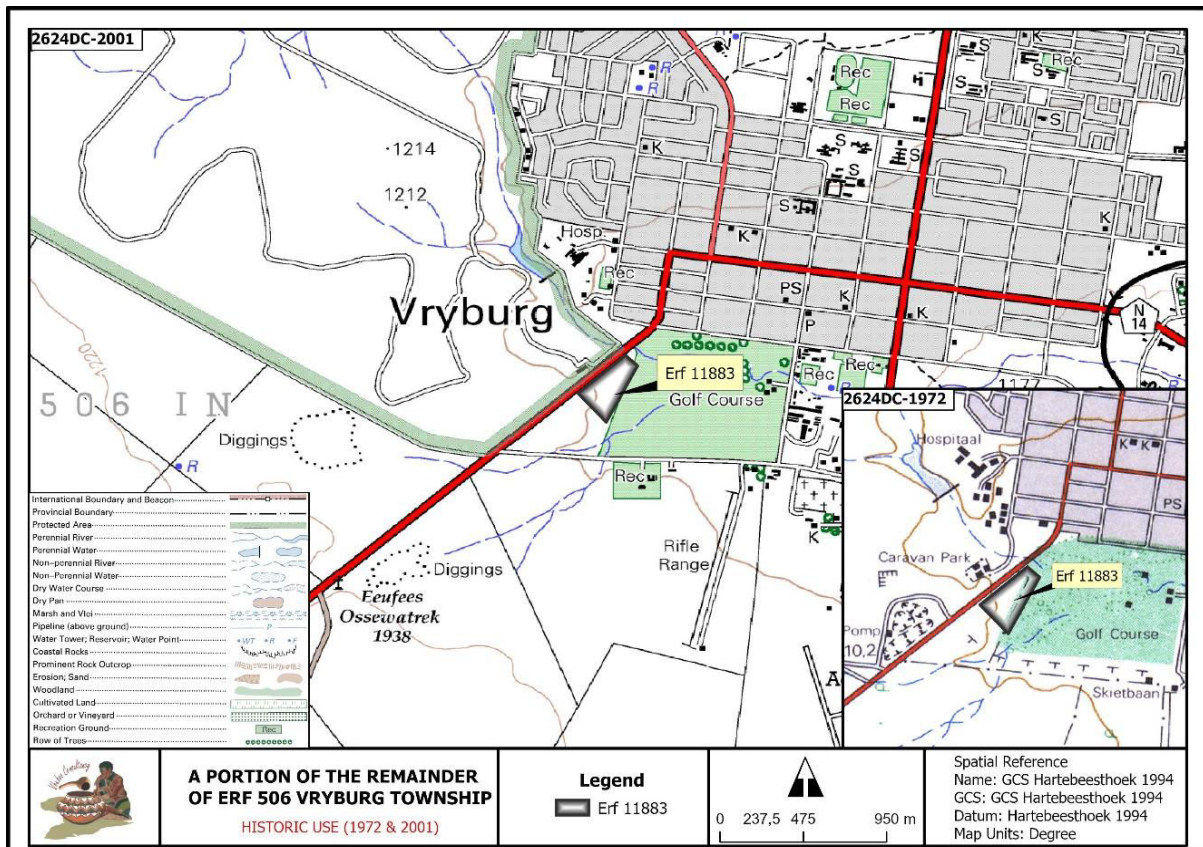


Figure 3: A historical topographical map dating to 1972 indicating the area at its early stage.



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**Figure 4:** An overview of the southern section of the area proposed for the mall.



**Figure 5:** View of western section of the proposed area. Note some of the complexes bordering the proposed area.

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**Figure 6:** View of the northern section of the area proposed for the mall with the Bio-Museum further up.



**Figure 7:** An overview of the eastern section that has been mined for gravel materials over the years.

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**Figure 8:** View of the south eastern section of the proposed area showing excavated area.



**Figure 9:** Note remnants of bricks that has been dumped on the south and eastern section of the proposed area.

### 3. Nature and Need of the Proposed Project

The proposed development intends to build a new Mall in Vryburg. Malls are needed as they offer convenience, choice and safety for individuals. Furthermore, the construction of the mall will lead to job creation, micro-economic investments and developments. The residents within the municipality will have access to standard of retails that were previously unavailable locally. Building a mall near residential areas is cost effective as to most residents it will cost nothing to cheaper transport fee to access the mall. The malls also serve as social hubs that provides community gathering place.

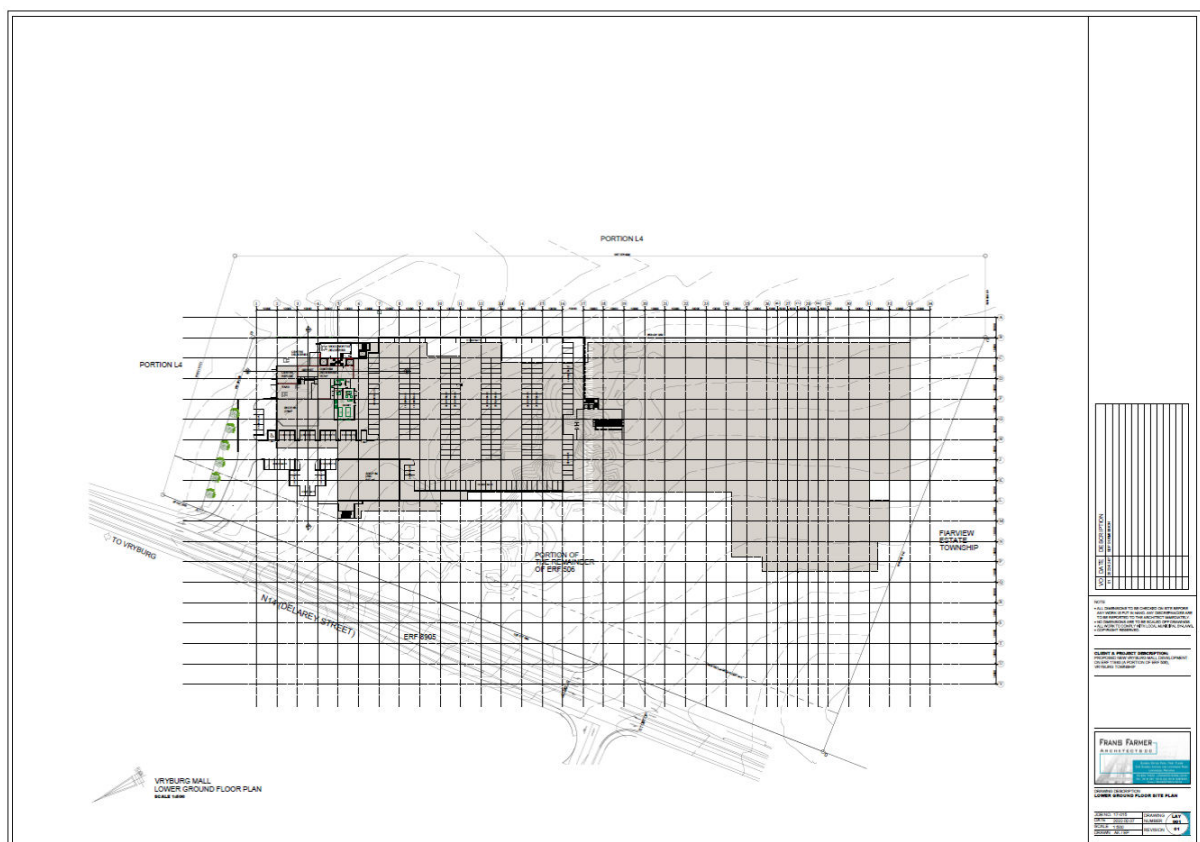


Figure 10: View of the layout plan of the proposed area.

### 4. Purpose of the Cultural Heritage Study

The purpose of this Archaeological Impact Assessment is the following:

- Generally, assess the potential cultural heritage and archaeological impacts associated with the development and operation of the proposed project;



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- Identify all objects, sites, occurrences and structures of an archaeological or historical nature (cultural heritage sites) located on the portion of land that will be impacted upon by the proposed development
- Assess the significance of the cultural resources in terms of their archaeological, historical, scientific, social, religious, aesthetic and tourism value;
- Describe the possible impact of the proposed development on these cultural remains, according to a standard set of conventions;
- Recommend appropriate and practical mitigation measures to minimise the negative impacts and maximise potential benefits associated with the proposed development;
- Propose suitable mitigation measures to minimize possible negative impacts on the cultural resources; and
- Review applicable legislative requirements.

## 5. Methodology and Approach

### 5.1 Background study introduction

The methodological approach is informed by the 2012 SAHRA Policy Guidelines for impact assessment. As part of this study, the following tasks were conducted:

- 1) Literature review;
- 2) Consultations with the developer and appointed consultants;
- 3) Completion of a field survey; and
- 4) Analysis of the acquired data, leading to the production of this report.

#### 5.1.1 Literature Review

The desktop study was undertaken through SAHRIS for previous Cultural Heritage Impact Assessments conducted in the region of the proposed development, and also for research that has been carried out in the area over the recent years, as well as historical aerial maps located in the Deeds Office. These sources were used to screen the proposed area and to understand the baseline of heritage sensitivities.

#### 5.1.2 Oral interview

Oral interview was initiated with Bio Museum officials, this aimed to understand the landscapes and/ or intangible heritage of the area.

#### 5.1.3 Physical survey

The field survey was undertaken on the 26th of February 2022. Two archaeologists from Vhubvo conducted the survey. See figure 11 for tracklog of the archaeologist.



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### 5.1.4 Documentation

The general project area was documented. This documentation included taking photographs using a Sony Cybershort Digital Camera with 10.1 mega-pixel capability. Plotting of finds was done by a Garmin etrex Venture HC.

### 5.1.5 Restrictions and Assumptions

Although no archaeological resources are expected, archaeological materials may be under the surface and therefore unidentifiable to the surveyor until they are exposed once development resume.

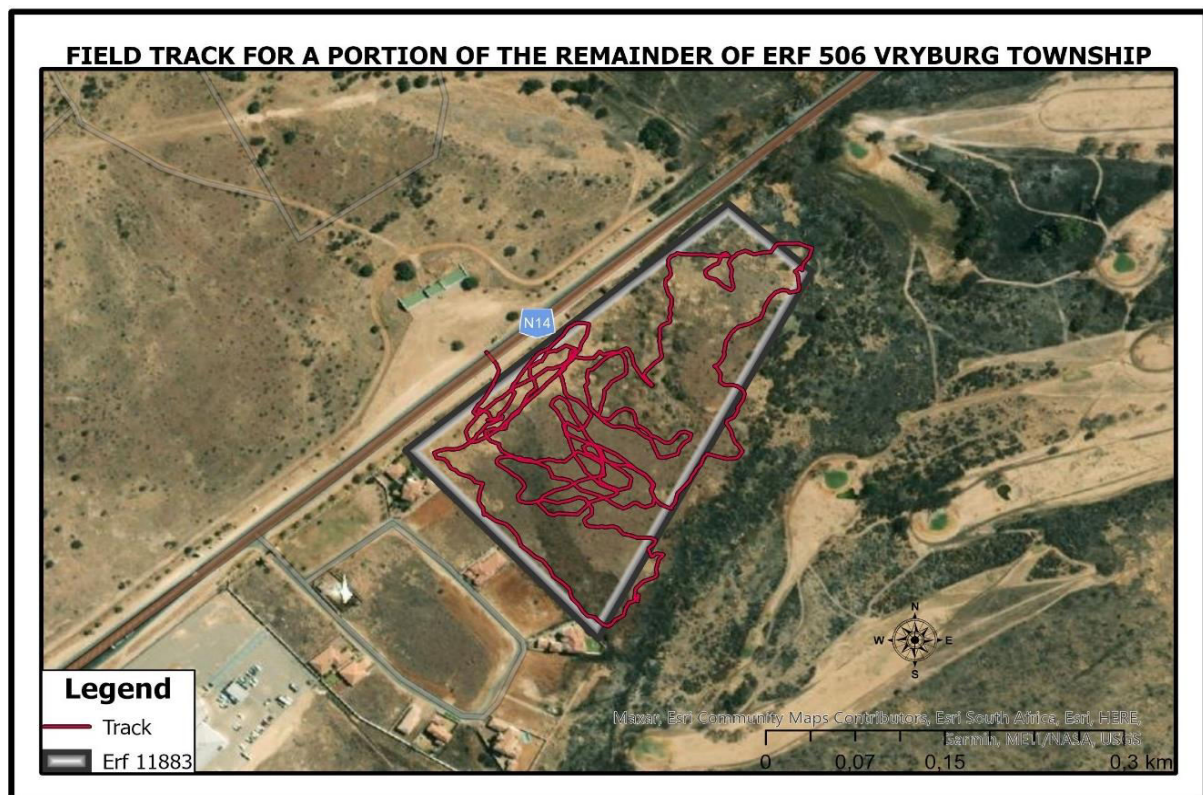


Figure 11: Field track of the surveyed area.

## 6. Applicable Heritage Legislation

Several legislations provide the legal basis for the protection and preservation of both cultural and natural resources. These include the National Environment Management Act (No. 107 of 1998); Mineral Amendment Act (No 103 of 1993); Tourism Act (No. 72 of 1993); Cultural Institution Act (No. 119 of 1998), and the National Heritage Resources Act (Act 25 of 1999). Section 38 (1) of the National Heritage Resources Act requires that where relevant, an Impact Assessment is undertaken in case where a listed activity is triggered. Such activities include:



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- (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50 m in length; and
- (c) any development or other activity which will change the character of an area of land, or water -
  - (i) exceeding 5 000 m<sup>2</sup> in extent;
  - (ii) involving three or more existing 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 Heritage Resources Authority;
- (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a Provincial Heritage Resources Authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

Section 3 of the National Heritage Resources Act (25 of 1999) lists a wide range of national resources protected under the act as they are deemed to be national estate. When conducting Heritage Impact Assessment (HIA) the following heritage resources have to be identified:

- (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 formation of cultural significance
- (e) Geological sites of scientific or cultural importance
- (f) Archaeological and paleontological sites
- (g) Graves and burial grounds including-
  - (i) ancestral graves
  - (ii) royal graves and graves of traditional leaders
  - (iii) graves of victims of conflict
  - (iv) graves of individuals designated by the Minister by notice in the Gazette
  - (v) historical graves and cemeteries; and
  - (vi) other human remains which are not covered by 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) moveable objects, including -
    - (i) objects recovered from the soil or waters of South Africa, including archaeological and paleontological objects and material, meteorites and rare geological specimens
    - (ii) objects to which oral traditions are attached or which are associated with living heritage
    - (iii) ethnographic art and objects
    - (iv) military objects
    - (v) objects of decorative or fine art
    - (vi) objects of scientific or technological interest; and
    - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1 of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

**Other sections of the Act with a direct relevance to the AIA are the following:**

**Section 34(1)** No person may alter or demolish any structure or part of a structure, which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

**Section 35(4)** No person may, without a permit issued by the responsible heritage resources authority:



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- *destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite*

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

- *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 formal cemetery administered by a local authority; or*
- *bring onto or use at a burial ground or grave any excavation equipment, or any equipment which assists in detection or recovery of metals.*

### 7. Degree of Significance

This category requires a broad, but detailed knowledge of the various disciplines that might be involved. Large sites, for example, may not be very important, but a small site, on the other hand, may have great significance, as it is unique for the region. The following table is used to grade heritage resources.

**Table 1:** Grading systems for identified heritage resources in terms of National Heritage Resources Act (Act 25 of 1999).

Level	Significance	Possible action
<b>National (Grade I)</b>	Site of National Value	Nominated to be declared by SAHRA
<b>Provincial (Grade II)</b>	Site of Provincial Value	Nominated to be declared by PHRA
<b>Local Grade (IIIA)</b>	Site of High Value Locally	Retained as heritage
<b>Local Grade (IIIB)</b>	Site of High Value Locally	Mitigated and part retained as heritage
<b>General Protected Area A</b>	Site of High to Medium	Mitigation necessary before destruction
<b>General Protected Area B</b>	Medium Value	Recording before destruction
<b>General Protected Area C</b>	Low Value	No action required before destruction

#### Significance rating of sites

(i) High

(ii) Medium

(iii) Low

This category relates to the actual artefact or site in terms of its actual value as it is found today, and refers more specifically to the condition that the item is in. For example, an archaeological site may be the only one of its kind in the region, thus its regional significance is high, but there is



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heavy erosion of the greater part of the site, therefore its significance rating would be medium to low. Generally speaking, the following are guidelines for the nature of the mitigation that must take place as Phase 2 of the project.

### High

- This is a 'do not touch' situation, alternative must be sought for the project, examples would be natural and cultural landscapes like the Mapungubwe Cultural Landscape World Heritage Site, or the house in which John Langalibalele resided.
- Certain sites, or features may be exceptionally important, but do not warrant leaving entirely alone. In such cases, detailed mapping of the site and all its features is imperative, as is the collection of diagnostic artefactual material on the surface of the site. Extensive excavations must be done to retrieve as much information as possible before destruction. Such excavations might cover more than half the site and would be mandatory; it would also be advisable to negotiate with the client to see what mutual agreement in writing could be reached, whereby part of the site is left for future research.

### Medium

- Sites of medium significance require detailed mapping of all the features and the collection of diagnostic artefactual material from the surface of the site. A series of test trenches and test pits should be excavated to retrieve basic information before destruction.

### Low

- These sites require minimum or no mitigation. Minimum mitigation recommended could be a collection of all surface materials and/ or detailed site mapping and documentation. No excavations would be considered to be necessary.

In all the above scenarios, permits will be required from the South African Heritage Resources Agency (SAHRA) or the appropriate PHRA as per the legislation (the National Heritage Resources Act, no. 25 of 1999). Destruction of any heritage site may only take place when the appropriate heritage authority has issued a permit. The following table is used to determine rating system on the receiving environment.

**Table 2:** Rating System.

NATURE
Including a brief description of the impact of the heritage parameter being assessed in the context of the project. This criterion includes a brief written statement of the heritage aspect being impacted upon by a particular action or activity.



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### TOPOGRAPHICAL EXTENT

This is defined as the area over which the impact will be expressed. Typically, the severity and significance of an impact have different scales and as such bracketing ranges are often required. This is often useful during the detailed assessment of a project in terms of further defining the determined.

1	Site	The impact will only affect site.
2	Local/district	Will affect the local area or district.
3	Province/region	Will affect the entire province or region.
4	International and National	Will affect the entire country.

### PROBABILITY

This describes the chance of occurrence of an impact

1	Unlikely	The chance of the impact occurring is extremely low (Less than 25% chance of occurrence).
2	Possible	The impact may occur (Between a 25% to 50% chance of occurrence).
3	Probable	The impact will likely occur (Between 50% to 75% chance of occurrence).
4	Definite	Impact will certainly occur (Greater than 75% chance of occurrence).

### REVERSIBILITY

This describes the degree to which an impact on a heritage parameter can be successfully reversed upon completion of the proposed activity.

1	Completely reversible	The impact is reversible with implementation of minor mitigation measures.
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2	Partly reversible	The impact is partly reversible but more intense mitigation measures are required.
3	Barely reversible	The impact is unlikely to be reversed even with intense mitigation measures.
4	Irreversible	The impact is irreversible and mitigation measures exist.

### IRREPLACEABLE LOSS OF RESOURCES

This describes the degree to which heritage resources will be irreplaceably lost as a result of proposed activity

1	No loss of resource	The impact will not result in the loss of any resources.
2	Marginal loss of resource	The impact will result in marginal loss of resources.
3	Significant loss of resource	The impact will result insignificant loss of resources.
4	Complete loss of resource	The impact is result in a complete loss of all resources.

### DURATION

This describes the duration of the impact on the heritage parameter. Duration indicates the lifetime of a result of the proposed activity.



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<b>1</b>	Short term	The impact and its effects will either disappear with mitigation or will be mitigated through natural process in span shorter than the construction phase (0-1 years), or the impact and its effects will last for the period of a relatively short construction period and a limited recovery time after construction, thereafter it will be entirely negated (0-2 years).
<b>2</b>	Medium term	The impact and its effects will continue or last for some time after the construction phase but will be mitigated by direct human action or by natural processes thereafter (2-10 years).
<b>3</b>	Long term	The impact and its effects will continue or last for entire operational life of the development, but will be mitigated by direct human action or by natural processes thereafter (10-50 years).
<b>4</b>	Permanent	The only class of the impact that will non-transitory. Mitigation either by man or natural process will not occur in such a way or such a time span that the impact can be considered transient (Indefinite).

### CUMULATIVE EFFECT

This describes the cumulative effect of the impacts on the heritage parameter. A cumulative effect/impact is an effect, which in itself may not be significant but may become significant if added to other existing or potential impacts emanating from similar or diverse activities as a result of the project activity in question.



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1	Negligible Cumulative Impact	The impact would result in negligible to no cumulative effects.
2	Low Cumulative Impact	The impact would result in insignificant cumulative effects
3	Medium Cumulative Impact	The impact would result in minor cumulative effects
4	High Cumulative Impact	The impact would result in significant cumulative effects.

### MAGNITUDE

Describes the severity of an impact.

1	Low	Impact affects the quality, use and integrity of the system/component in a way that is barely perceptible.
2	Medium	Impact alters the quality, use and integrity of the system/component but system/component still continues to function in a moderately modified way and maintains general integrity (some impact on integrity).
3	High	Impact affects the continued viability of the system/component and the quality, use, integrity and functionality of the system or component is severely impaired and may temporarily cease. High costs of rehabilitation and remediation.



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4	Very High	Impact affects the continued viability of the system/component and the quality, use, integrity and functionality of the system or component permanently ceases and is irreversibly impaired (system collapsed). Rehabilitation and remediation often impossible. If possible, rehabilitation and remediation often unfeasible due to extremely high costs of rehabilitation and remediation.
<b>SIGNIFICANCE</b>		
Significance is determined through a synthesis of impact characteristics. Significance is an indication of the importance of the impact in terms of both physical extent and time scale, and therefore indicates the level of mitigation required. This describes the significance of the impact on heritage parameter.		

## 7. Discussion of (Pre-) History of South Africa

South Africa possesses a rich archaeological record. It has one of the longest sequences of human development in the world. South African scientists have been actively involved in the search of human origins since 1925 when Raymond Dart identified the *Taung* child as an infant halfway between apes and humans. Dart named the remains *Australopithecus Africanus*, southern ape-man, and his work fundamentally changed the focus of human evolution from Europe and Asia to Africa, and it is now widely accepted that humanity originated from Africa, hence reference to Africa as the “cradle of humanity” (Robins et al.1998). In many ways Dart’s discovery marked the birth of palaeoanthropology as a discipline. The archaeology of South Africa which fits well into the southern African periodisation is broadly divided into Stone Age, Iron Age and the Historical Period.

### *Stone Age*

The Stone Age is the pre-historic period when humans widely used stone for tool making (Robins et al. 1998). As the early ancestors progressed physically, mentally and socially they developed stone tools. These tools are the earliest evidence for culture in southern Africa (Clark & Kuman





2000). The Stone Age began approximately 2.6 million years ago and ended around 20 000 years ago. It is divided into three phases namely the Early Stone Age, Middle Stone Age and Later Stone Age. It is argued that there are two transitional periods. Noteworthy that the time used for Stone Age is approximate and it differs from one researcher to another (See Robins et al.1998; Korsman & Mayor 1999; Mitchell 2002).

### *Early Stone Age (ESA)*

The Early Stone Age is dominated by two industries; the Oldowan and Acheulian. The Oldowan industry which was the earliest was developed by the earliest members of the genus Homo, such as Homo habilis around 2.6 million years ago. The Oldowan tools which are only found in Africa, and not anywhere else are mainly simple flakes which were struck from cobbles. The assemblage comprises tools such as cobble cores and pebble choppers. They were not task-specific tools, and one tool could be used for many functions (Wurz 2000). The Oldowan industry was completely replaced by the Acheulian around 1.7 million years ago. Homo ergaster was probably responsible for the manufacture of Acheulian tools in South Africa. Acheulian tools were longer with sharper edges which suggest they could be used for a variety of activities ranging from butchering of animals, chopping of wood, digging roots and cracking bones for marrow.

### *Middle Stone Age (MSA)*

The Middle Stone Age artefacts started appearing about 250 000 years ago and these replaced the larger handaxes and cleavers. In contrast to the ESA technique of removing flakes from a core, MSA tools were flakes to start with. There were of a predetermined size and shape and were made by preparing a core of suitable material and striking off the flake so that it was flaked according to a shape which the toolmaker desired. MSA people made a range of tools from both coarse and fine-grained rock types, sometimes rocks used for tool making were transported considerable distances, probably in bags or containers, as such tool assemblages from some MSA sites tend to lack some of the preliminary cores and contain predominantly finished products like flakes and retouched pieces. The stone toolkit of this period is dominated by elongated, parallel-sided blades as well as triangular flakes. Many MSA sites have evidence of control of fire, prior to this, rock shelters and caves would have been dangerous for human occupation due to predators (Deacon & Deacon 1999). Besides the introduction of fire, the widespread use of red ochre, probably as body paint, also shows that MSA behavior had become more human. The recent finds of decorated ochre at Blombos and decorated ostrich egg shells at Diepkloof also in the Cape further



cements the point. Other sites that have yielded MSA tools in South Africa are Klassies River Mouth, Bloombos and Border Cave (Deacon & Deacon 1999).

### ***Later Stone Age (LSA)***

The Later Stone Age ranges from 20 000 to 2000 years ago. It is important to note that the transition from MSA to LSA did not occur simultaneously in southern Africa. It is described by Deacon (1984) as a period when man refined small blade tools conversely abandoning the MSA prepared-core technique. Anatomically speaking, as the brain gets bigger, tools became smaller and more efficient. Thus, refined artefacts such as thumbnails, convex –edge scrapers, crescents, and bladelets are associated with this period. Other tools of the period are hammers, adzes, bores, grooved stones, hafted tools, points. The period also saw the introduction of poisoned arrows to enhance the effectiveness of bone points and this led to improved hunting (Walker & Thorp 1997). Faunal evidence suggests that LSA hunter-gatherers trapped and hunted zebras, impala, warthog and bovid of various sizes. They also diversified their protein diet by gathering tortoises, marine resources and land snails (*Achatina*) in large quantities. In addition to bow-hunting and marine sources collection, human behaviour was recognisably modern in many ways; uniquely traits such as rock art and purposefully burial with ornaments was a common practice (Villa *et al.*2012). Rock art in form of paintings and engravings is an important signature of this period. Examples of LSA sites in South Africa are Cottage Cave, Nelson Bay Cave.

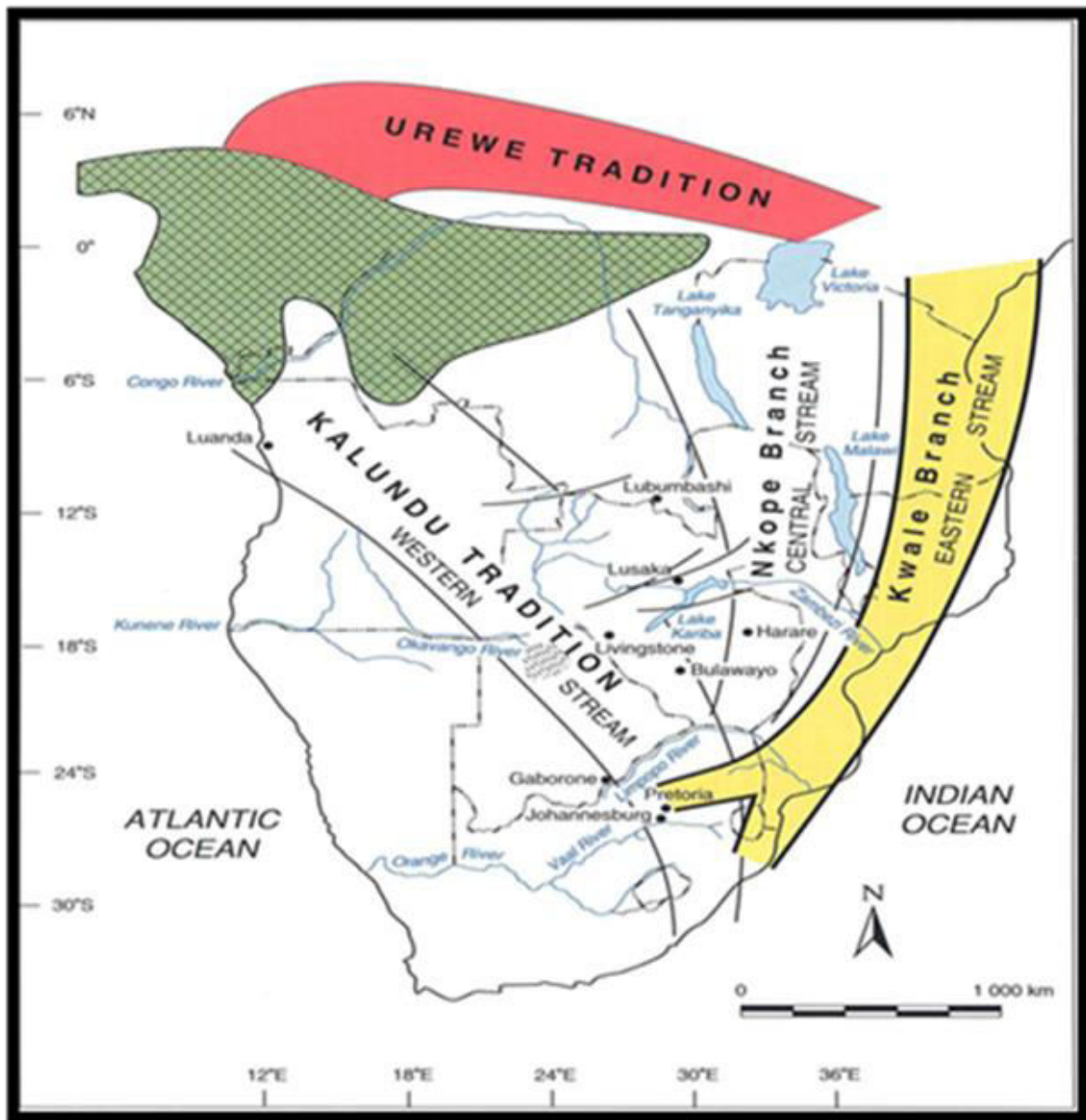
### **Iron Age**

Iron Age is a period in human history when metal was mainly used to produce tools. The period marks the movement of farming communities into South Africa in the first millennium AD, or 2500 years ago (Mitchell 2002:259). The people were agro-pastoralists that settled in the vicinity of water. In terms of material culture, pottery is a dominant and critical component of an Iron Age assemblage. Iron Age archaeologists use pottery to identify the presence and chronology of different cultural groups on sites. Through the study of stylistic traditions related to vessel shape and decoration, the movement, interaction and lineage of cultural groups can be traced (Huffman 1989). Pottery seriation in conjunction with linguistic data has been used by researchers to trace the origin of these people who brought the Iron Age culture. Researchers have traced the origin of the Bantu people with their agro pastoral to what is now the border of Nigeria and Cameroon. These people migrated eastward and southward breaking into two groups. According to Huffman (2007) there were two streams of Early Iron Age expansion in southern Africa, one referred to as



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the Urewe-Kwale tradition (or the eastern stream) and another one called the Kalundu tradition (or the western stream). Refer to figure 12 below:



**Figure 12:** View of the spread of EIA movements, namely Urewe-Kwale and Kalundu traditions in southern Africa (From Huffman 2007:336).

### *Early Iron Age (EIA)*

Early Iron Age dwelling were built-in low-lying areas, such as river valleys and the coastal plain, where forests and savannas facilitated shifting (slash and burn), they also cultivate grains such as cow peas, ground beans, sorghum and millets (Mitchell 2002). Early Iron Age pottery is characterized by large and prominent inverted rims, large neck areas and fine elaborate decorations. Unlike the broad and flat surface grinding stones of Late Iron Age, the Early Iron Age grinding



stones is deeper and more lenticular grooves. Well known EIA sites in South Africa include Happy Rest in the Limpopo Province, Lydenburg Heads in Mpumalanga, Broederstroom in North West, and Mzonjani in KwaZulu-Natal Province.

### *Middle Iron Age (MIA)*

The Middle Iron Age stretches from AD900 to 1300 and marks the origins of the Zimbabwe culture. It is marked by a change in emphasis from grain cultivation to cattle herding, however, the importance of cattle cut across all the three ages of the Iron Age period (Huffman 2007). In South Africa a clear shift from the EIA to the MIA is apparent in the Shashe-Limpopo basin where it marks the origins of the Zimbabwe culture where it came with class distinction and sacred leadership (Huffman 2005, 2007). Middle Iron Age sites in the Shashe-Limpopo basin are Schroda, K2 and Mapungubwe.

### *Late Iron Age (LIA)*

The Late Iron Age dates from AD1300 to 1840. Greater focus on economic growth and the increased importance of trade marks the beginning of the LIA. Specialisation in terms of natural resources exploitation and utilisation is a character feature of this period. Iron slags which tend to occur only in certain localities compared to earlier times. Also, Later Iron Age settlement were no longer located in rivers valleys, but were built on higher ground where homestead which in most instances were made of stone for building purposes would benefit from cooling breezes and good views most probably for strategic purposes. Pottery styles also underwent significant changes; maize was also introduced during this period (Maggs 1980). Well known Late Iron Age sites in North West Province is also Madikwe in the North West (Huffman 2007).

### *Historical Period*

The Historical period dates from 1600. It deals with Europe's infiltration, settlement, spread and domineering of European influence in southern Africa. Its segments are; Dutch settlement in the Western Cape, the troubled times of Zululand (Mfeqane/Difaqane), Voortrekkers, early missions and the diamond rush. This period also witnessed or saw the compilation of early maps by missionaries, explorers and military personnel. Bartolomeo Dias was the first European to sail around the southern point of Africa in 1486, he named it "The Cape of Good Hope", nine years later it was Vasco da Gama, however, these Portuguese seafarers were not seriously interested in southern Africa. Nevertheless, the history of southeast part will change forever on the 6th of April 1652. This is when the Dutch seafarer Jan van Riebeeck arrived in Table Bay with his three ships.



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His mission was not to establish a full-fledged colony at the Cape but to establish supply station on behalf of the Dutch East India Company (DEIC); however, it committed itself when it granted nine company servants' freedom in 1657 to establish private farms in the Rondebosch area below the eastern slopes of Table Mountain. One of the reasons why the Dutch settled at the Cape was to access the herds of cattle kept by the Khoi-Khoi, this was first achieved by friendly trade, however it was not long before disputes over land erupted after Free Burghers began to encroach on traditional communal grazing lands. By the early 1700's the Dutch colonists have prevailed (Bergh 1999). These new white settlers will influence the context and content of South African's culture forever, starting with development of Cape Town into an urban centre, however it took many years for it to equal the size of Mapungubwe Kingdom which was attained five centuries earlier (it is also argued that Mapungubwe was during its peak more developed than other areas in Europe). These newcomers also introduced new style of houses consisting of flat roofs and ornate pediments, slaves were also imported from other parts of Africa, i.e., Madagascar, India and East Asia, these slaves who were used as labourers were skilled carpenters and bricklayers as such their skills played an invaluable role in speeding up the progress and development of the Cape. It is important to note that the intermingling between the slaves, Africans and the European population marked the beginning of the coloured community.

One of the most significant historical occurrences in the early history of South Africa was the Mfecane/ Difaqane. Shaka was a shrewd king and he established a kingdom that became the strongest throughout the region in the 19<sup>th</sup> Century. During the Mfecane/Difaqane at the end of the 19<sup>th</sup> Century, communities who had settled in the KwaZulu-Natal were displaced and forced to move out by wars between the Zulu chiefdoms (Shillington 2013). Many generals were such as Mzilikazi, Soshangane were displaced as Zululand became a desert storm. Shaka's majesty rule came to end in 1828 when he was assassinated by his half-brothers, Dingane and Mhlangana, with Dingane assuming the leadership (Laband 1995). The kingdom became weaker and Cape merchants moved into the region to colonise Natal, and also the Voortrekker who became dissatisfied with British rule, also moved into the area (McKenna 2011).

Over a span of three years starting in 1835, some 12,000 Voortrekkers (pioneers) left the Cape Colony and trekked into the interior by ox wagon. In time, these Voortrekkers who were escaping British policies started to build a unique identity and started calling themselves Afrikaners, they also developed a hybrid language, Afrikaans, which stemmed from high Dutch but incorporated strong French, Malay, German and Black influences. The Afrikaans - speaking descendants of



these people would later simply be called “Boere” (boers or farmers) (Bergh 1999). From the 1820s European missionaries worked tirelessly to Christianise indigenous communities and to in-culture them in a European way of life, whatever intention these missionaries have undermine African and contributed in displacing African tradition across South Africa. By the 1860s, African states began to weaken as Europeans were eager to exploit Africans as a source of labour and to acquire the fertile area, during this era most African leaders died, e.g.: Makapane (1854); Soshangane (1858); Sekwate (1861); Mswati (1865); Mzilikazi (1868); Moshoeshoe (1870); Mpande (1872); Sekhukhune (1882) and Makhado (1895). With the discovery of diamonds and gold in the 19th century, urbanisation started in South Africa. People came from all over the world to claim their stake in the diamond fields, these discoveries also made the British to realise that there was great wealth for the taking outside the Cape Colony, and with these discoveries South African black’s view of life were further changed. Nevertheless, the 1902 Peace treaty in Vereeniging marked the end of Anglo/Boers war, this gave South African black people peace treaty as they hope for better opportunity after all the suppression and domination by the minority, unfortunately it turned out differently as it made no provisions as far as human rights for black people were concerned, actually the process of segregation increased in South Africa.

## 8. Discussion of (Pre-) History of the Study Area

The province of the North West is famous for sites such as the Taung Heritage Site and the Cradle of Humankind World Heritage Site which have basically put the whole of South Africa in the World map in terms of archaeological discoveries. The pre-history of the area is evident through the presence of numerous farms with rock engravings, including Verdwaal Vlake, Bernauw, Schatkist, Wonderfontein and Kinderdam (Van Schalkwyk, 2012; Morris, 1998).

### Stone Age

Stone Age sites are well preserved in the province of the North West and include numerous sites with rock engravings. The rock art of the province, include the Bosworth Rock Engraving site near Klerksdorp and the Thaba Sione near Mafikeng. Thaba Sione consists of more than 559 rock engravings, with especially predominant depictions of rhinoceros ([http://www.tourismnorthwest.co.za/culture/heritage\\_resources.html](http://www.tourismnorthwest.co.za/culture/heritage_resources.html)). The known rock engraving sites in the area includes but no limited to Bernauw, Content, Gemsbok Laagte, Klipfontein, Kinderdam, Melalarig, Schatkist, Verdwaal Vlake and Wonderfontein (Van Schalkwyk 2013). Rock engravings are known from the wider vicinity of the study area (Bergh, 1998). The surrounding area of the proposed site yielded a total of 11 Early Stone Age sites with



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Acheulean lithic in the Harts River valley almost immediately east of the town of Taung and approximately 70 km east of the study area (Kuman, 2001).

### Iron Age

Iron Age sites are common in the North West Province, the stone-walled settlement at Kaditshwene in the Madikwe area is a very good example of the remains. Another example of the stone walled sites is the one built by Mzilikazi in the 1830 as an animal trap. The Kaditshwene site was a major city of the Bahurutshe between 1699 and 1823 and it's the largest Iron Age stone-built city in South Africa (Marais-Botes 2012). The Tswana speakers such as the Tlhaping, Hurutshe, Fokeng, Kgatla and the Rolong were the earliest Iron Age settlers in the North West Province (Breutz 1959). A stone walled site has been identified within the vicinity of the proposed study (van Schalkwyk 2013). In addition, Breutz (1959) noted stone walled sites dating to the Late Iron Age and which can be linked to the occupation of the Tswana in the area, these are found on a number of farms in the region, e.g., Waai Hoek and Brul Pan. Another most important site, Dithakong, is located several kilometers from the proposed area of development. This site was first visited by early travelers such as Lichtenstein and John Campbell in the early part of the 19th century.

### Historical era

The town of Vryburg was founded in 1883 as the capital of the Republic of Stellaland. The name Vryburg means “free fort” in Afrikaans and its citizens viewed themselves as free. In 1884 the town comprised of about 20 houses ([www.sa-venues.com](http://www.sa-venues.com)). It attained municipal status in 1896. During the Anglo Boer War (1899-1902) a large concentration camp was established on the outskirts of the town (van Schalkwyk 2013). Many early travelers, hunters and missionaries (Burchell 1824, Campbell 1822, Smith 1834, 1836 (Lye 1975), Moffat 1842 and Harris 1852) either passed through the area or close to it. They left behind fascinating description in the form of writings of what life was in these communities before large-scale interaction with white settlers took place. Some of the first whites to settle here were the missionaries Samuel Broadbent and Thomas Hodgson, who settled some distance to the east of what later became known as Wolmaransstad (van Schalkwyk 2013). Today a national monument built by the London Missionary Station (stone church built in 1904) still exist and most visited by tourist ([www.sa-venues.com](http://www.sa-venues.com)).



## 9. Findings and Discussions

The main aim of the survey was to evaluate potential heritage resources that may be found within the area of the proposed development, as well as to determine if there is any hamartia that may prevent the proposed Mall development. Phase 1 Archaeological and Cultural Heritage Impact Assessment for the proposed Vryburg Mall development on Portion of the Remainder Erf 506 identified no significant cultural or archaeological impacts envisaged on the footprint of the proposed area. Though there are no significant archaeological materials identified on the footprint of the proposed site, a structure located on the north-east side of the proposed area was noted (see Figure 14). This structure is however of low significance since it is less than 60 years old, and does not possess any social or aesthetic value. However, and more importantly, an area zoned for the Bio Museum (see Figure 15) has been documented directly opposite to the area proposed for the mall. This site is approximately 70m to the proposed area of development and is of significance, as such it must be protected in terms of Section 3 of the National Heritage Resource Act (Act 25 of 1999), and falls under those sites that are protected.

The findings aforementioned must be understood within the context of the proposed development. The Mall development proposal entails construction which involves digging and stamping, which subsequently will cause dust and commotion. The movement of machinery and contractors will be common in the area and it is possible that the Mall development may negatively affect the Bio Museum nearby, i.e., construction machinery may be parked, loaded/off-loaded in the Bio Museum area. This study noted that the proposed site and the Museum area are separated by the N14 national road, and that there is a buffer zone of approximately 70m between the proposed development, and the Museum. It must be further noted that there is no consensus regarding the meaning, purpose, nature and extent of the buffer zone of Natural/ Cultural Landscape. The buffer zone of the listed property is not clearly defined and various institutions, interested and affected parties and other stakeholders have different conceptualizations of what constitutes development and heritage landscape buffer zone. The recommendations in this report are thus given in consideration of the entire context of the proposed development and are not only limited to the footprint of the proposed development. The results of findings are presented below:

**Table 3:** Resources found in the area.

Site Name	Gps	Descriptions	Threats	Action
Vr1	26°57'46.3"S 24°43'06.1"E	A structure of a recent lavatory which has been abandoned. Significance: Low	None	None





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<b>Vr2</b>	26°57'47.26"S 24°42'56.38"E	A structure that offers an entrance to the Bio-Museum. Significance: High	Possibility of threat from construction machinery that may use the area for parking or related.	Conservation
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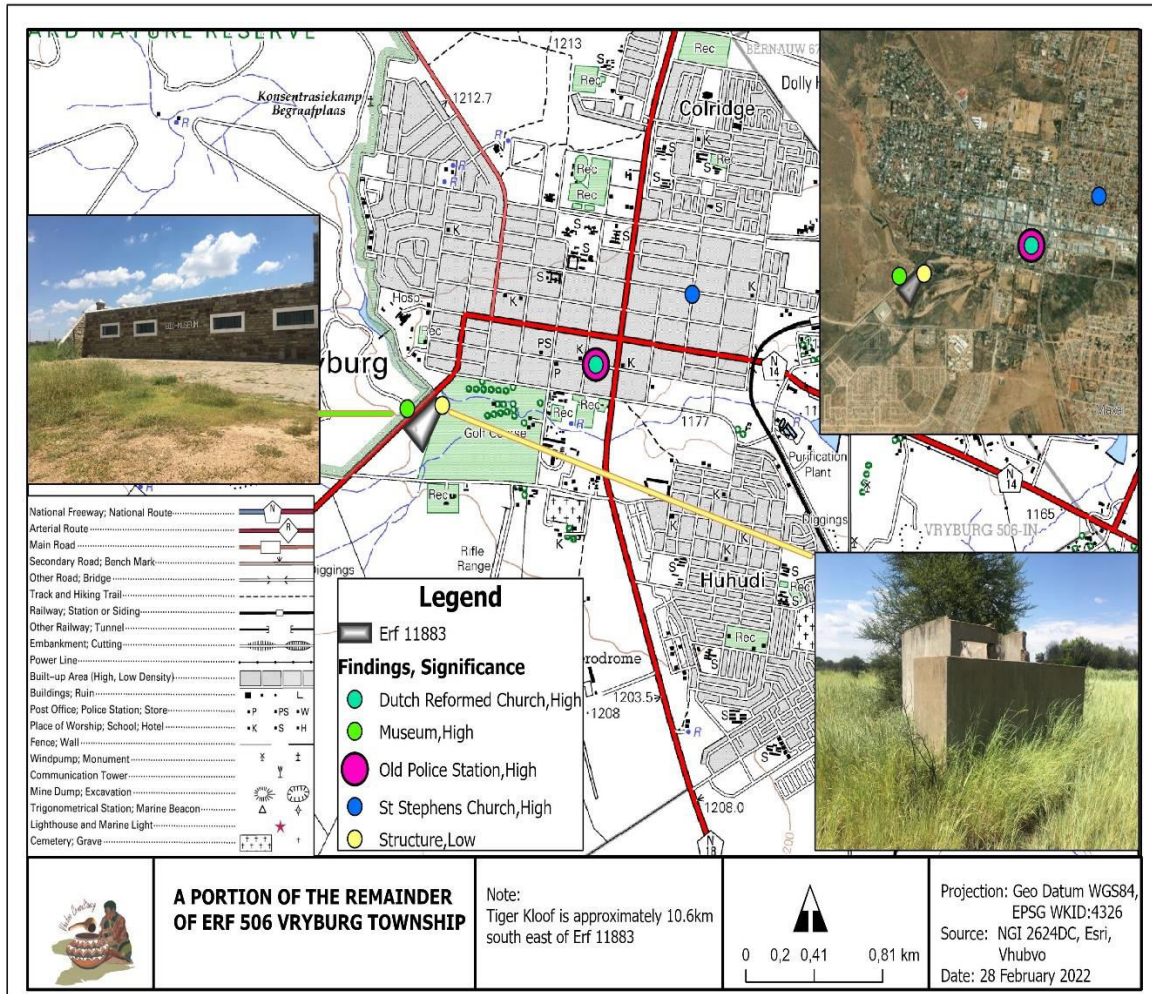


Figure 13: Sensitivity map of the area around the proposed.



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**Figure 14:** Structure noted on the proposed area.



**Figure 15:** View of the Bio-Museum.

### 9.1 Impact assessment

Below is a description of the proposed development impact ratings. These ratings are for archaeological and cultural heritage sites known to exist in the proposed area, and include Stone and Iron Age, as well as Historical era materials. Note that these impacts are assessed as per Table 2 above:

**Table 4:** Anticipated impact rating.

Description	Ratings
Nature	Negative
Topographical Extent	The impact will only affect site
Duration	Long term
Magnitude	Medium
Probability	Possible
Reversibility	Irreversible
Irreplaceable Loss	The impact will not result in the loss of any resources

## 10. Recommendations

Recommendations are given from a heritage point of view with the consideration of the nature of the proposed project and the significance of the heritage resources in the vicinity of the proposed area. The following are the recommendations based on the above findings:

- ❖ A Heritage Management Plan (HMP) must be developed to ensure the following:
  - ✓ Guide the developer and relevant stakeholders in addressing concerns related to the identified Bio-Museum; and
  - ✓ Develop a monitoring programme to facilitate effective implementation of the HMP.

It is recommended that a Heritage Management Plan and Monitoring Plan be compiled before construction resumes. This plan must be compiled by a professional archaeologist and be tailored to ensure protection of the area of the Museum which is nearby the proposed development. The management plan must aim to conserve the site from any form of malfunctionality that may happen during construction, either be by accident or ill-informed. Furthermore, it must be designed to retain the significance of the Museum, and ensure that the enhancement, presentation and maintenance of the surrounding area of the Museum is deliberately and thoughtfully designed



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to protect the heritage values of the place. Other sensitive issues that must be addressed in the HMP are the following:

- ✚ Aspects related to dumping of construction material within the area zoned for a museum must be highlighted;
- ✚ Parking of construction machinery/ and or vehicles of construction workforces during the period of construction; and
- ✚ Labor-intensive workers should be notified about this museum, and its significance.

It must be noted that if any chance archaeological or previously unknown grave (s), be exhumed or discovered during the course of construction work, activities on the proposed development area should be deactivated, and a heritage specialist monitoring the project be notified immediately. In the meantime, construction activities must be stopped within a radius of at least 10m of such an indicator. The area should then be demarcated by a danger tape. In the meantime, it is the responsibility of the environmental officer and the contractor to protect the site from publicity (i.e., media) until a mutual agreement is reached. It is mandatory to report any incident of human remains encountered to the South African Police Services, SAHRA staff member and professional archaeologist. Any measure to cover up the suspected archaeological material or to collect any resources is illegal and punishable by law under Section 35(4) and 36(3) of the National Heritage Resources Act, Act 25 of 1999. The developer should induct field workers about archaeology, and steps that should be taken in the case of exposing archaeological materials.

## 11. Conclusions

A thorough background study and survey of the proposed development was conducted and findings were recorded in line with SAHRA guidelines. As per the recommendations above, there are no major heritage reasons why the proposed development could not be allowed to proceed. It is thus recommended that SAHRA approves the proposed development to proceed subject to the recommendations given above.



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## APPENDIX 1: SITE SIGNIFICANCE

The following guidelines for determining site *significance* were developed by SAHRA in 2003. It must be kept in mind that the various aspects are not mutually exclusive, and that the evaluation of any site is done with reference to any number of these.

**(a) Historic value**

- Is it important in the community, or pattern of history?
- Does it have strong or special association with the life or work of a person, group or organization of importance in history?
- Does it have significance relating to the history of slavery?

**(b) Aesthetic value**

- Is it important in exhibiting particular aesthetic characteristics valued by a community or cultural group?

**(c) Scientific value**

- Does it have potential to yield information that will contribute to an understanding of natural or cultural heritage?
- Is it important in demonstrating a high degree of creative or technical achievement at a particular period?

**(d) Social value**

- Does it have strong or special association with a particular community or cultural group for social, cultural or spiritual reasons?

**(e) Rarity**

- Does it possess uncommon, rare or endangered aspects of natural or cultural heritage?

**(f) Representivity**

- Is it important in demonstrating the principal characteristics of a particular class of natural or cultural places or objects?
- What is the importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class?
- Is it important in demonstrating the principal characteristics of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province, region or locality?







## HILLAND ENVIRONMENTAL

A CONSERVATION MANAGEMENT PLAN FOR HERITAGE  
SITE(S) IDENTIFIED ON THE BUFFER OF THE AREA  
PROPOSED FOR A MALL ON PORTION OF REMAINDER  
ERF 506 VRYBURG TOWNSHIP WITHIN NALEDI LOCAL  
MUNICIPALITY OF DR RUTH SEGOMOTSE MOMPATI  
DISTRICT IN NORTH WEST PROVINCE

March, 2022

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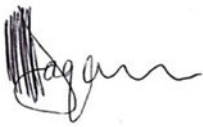
## **DECLARATION**

### **ABILITY TO CONDUCT THE PROJECT**

Munyadziwa Magoma is a professional archaeologist, having obtained his BA degree in Archaeology and Anthropology at University of South Africa (UNISA), an Honours degree at the University of Venda (UNIVEN), and a Master's degree at the University of Pretoria (UP). He is an accredited Cultural Resource Management (CRM) member of the Association for Southern African Professional Archaeologists (ASAPA) and Amafa aKwaZulu-Natali. Munyadziwa is further affiliated to the South African Archaeological Society (SAAS), the Society of Africanist Archaeologists (SAfA), Historical Association of South Africa (HESA); Anthropology Southern Africa (ASnA); International Association for Impact Assessment (IAIAsa); International Council on Monuments and Sites (ICOMOS) and the International Council of Archaeozoology (ICAZ). He has more than fifteen years' experience in heritage management, having worked for different CRM organisations and government heritage authorities. As a CRM specialist, Munyadziwa has completed well over 1000 hundred Archaeological Impact Assessments (AIA) for developmental projects situated in several provinces of the Republic of South Africa. The AIAs projects he has been involved with are diverse, and include the establishment of major substation, upgrade and establishment of roads, establishment and extension of mines. In addition, he has also conducted Heritage Impact Assessments (HIAs) for the alteration to heritage buildings and the relocation of graves. His detailed CV is available on request.

I declare that this report has been prepared independently of any influence as may be specified by all relevant departments, institutions and organisations. I act as the independent specialists in this application, and 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. I declare that there are no circumstances that may compromise our objectivity in performing such work. I vow to comply with all relevant Acts, Regulations and applicable legislation.

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## Executive Summary

This report articulates a Construction Conservation Management and Monitoring Plan for heritage sites that are located on the buffer of the area proposed for the mall on a portion of the remainder Erf 506 Vryburg township. The methodology and terminology used in regards to management plans are explained and the legal frameworks clarified. International conventions regarding the protection of material culture are also discussed. These include the Burra Charter, the Venice Charter and the Conservation Plan of Kerr. Guidelines and principles for the management of sites are given throughout the document. In preparation of the Heritage Management Plan, a desktop study which highlighted the significance of the surrounding landscape was undertaken and more importantly, the special position that these sites occupy in the history of the region are indicated. The main purpose of this document is the protection and general management of the identified resources. This management plan also serves as the prevention and management of any primary and secondary impacts that may be exposed during construction. The development of a heritage management plan is a legal requirement in terms of section 47 of the National Heritage Resources Act (Act No. 25 of 1999), and the Cultural Heritage Survey Guidelines and Assessment Tool for Protected Areas, 2017. It is also important to note that the heritage management plan is an open document, meaning it should be adopted and re-assessed from time to time. The recommendations presented herein are done within the parameters of the National Heritage Resources Act (Act 25 of 1999), and are in line with the recommendations of the Phase I report.



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## Acronyms and Abbreviations

AIA	Archaeological Impact Assessment
EMP	Environmental Management Plan
ECO	Environmental Control Officer
EO	Environmental Officer
HIA	Heritage Impact Assessment
HMP	Heritage Management Plan
NHRA	National Heritage Resources Act
SAHRA	South African Heritage Resources Agency





## Glossary of Terms

The following terms used in this Archaeology are defined in the National Heritage Resources Act [NHRA], Act Nr. 25 of 1999, South African Heritage Resources Agency [SAHRA] Policies as well as the Australia ICOMOS Charter (*Burra Charter*):

**Archaeological Material:** remains resulting from human activities, which are in a state of disuse and are in, or on, land and which are older than 100 years, including artifacts, human and hominid remains, and artificial features and structures.

**Artefact:** Any movable object that has been used modified or manufactured by humans.

**Conservation:** All the processes of looking after a site/heritage place or landscape including maintenance, preservation, restoration, reconstruction and adaptation.

**Cultural Heritage Resources:** refers to physical cultural properties such as archaeological sites, palaeontological sites, historic and prehistorical places, buildings, structures and material remains, cultural sites such as places of rituals, burial sites or graves and their associated materials, geological or natural features of cultural importance or scientific significance. This includes intangible resources such religion practices, ritual ceremonies, oral histories, memories indigenous knowledge.

**Cultural landscape:** “the combined works of nature and man” and demonstrate “the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both internal and external”.

**Cultural Resources Management (CRM):** the conservation of cultural heritage resources, management, and sustainable utilization and present for present and for the future generations

**Cultural Significance:** is the aesthetic, historical, scientific and social value for past, present and future generations.



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**Chance Finds:** means Archaeological artefacts, features, structures or historical cultural remains such as human burials that are found accidentally in context previously not identified during cultural heritage scoping, screening and assessment studies. Such finds are usually found during earth moving activities such as water pipeline trench excavations.

**Compatible use:** means a use, which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.

**Conservation** means all the processes of looking after a place so as to retain its cultural significance.

**Expansion:** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

**Grave:** A place of interment (variably referred to as burial), including the contents, headstone or other marker of such a place, and any other structure on or associated with such place.

**Heritage impact assessment (HIA):** Refers to the process of identifying, predicting and assessing the potential positive and negative cultural, social, economic and biophysical impacts of any proposed project, plan, programme or policy which requires authorisation of permission by law and which may significantly affect the cultural and natural heritage resources. The HIA includes recommendations for appropriate mitigation measures for minimising or avoiding negative impacts, measures enhancing the positive aspects of the proposal and heritage management and monitoring measures.

**Historic Material:** remains resulting from human activities, which are younger than 100 years, but no longer in use, including artifacts, human remains and artificial features and structures.

**Impact:** the positive or negative effects on human well-being and / or on the environment.

**In situ material:** means material culture and surrounding deposits in their original location and context, for instance archaeological remains that have not been disturbed.



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**Interested and affected parties Individuals:** communities or groups, other than the proponent or the authorities, whose interests may be positively or negatively affected by the proposal or activity and/ or who are concerned with a proposal or activity and its consequences.

**Interpretation:** means all the ways of presenting the cultural significance of a place.

**Late Iron Age:** this period is associated with the development of complex societies and state systems in southern Africa.

**Material culture** means buildings, structure, features, tools and other artefacts that constitute the remains from past societies.

**Mitigate:** The implementation of practical measures to reduce adverse impacts or enhance beneficial impacts of an action.

**Place:** means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

**Protected area:** means those protected areas contemplated in section 9 of the NEMPAA and the core area of a biosphere reserve and shall include their buffers.

**Public participation process:** A process of involving the public in order to identify issues and concerns, and obtain feedback on options and impacts associated with a proposed project, programme or development. Public Participation Process in terms of NEMA refers to: a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to specific matters.

**Setting:** means the area around a place, which may include the visual catchment.

**Significance:** can be differentiated into impact magnitude and impact significance. Impact magnitude is the measurable change (i.e., intensity, duration and likelihood). Impact significance is the value placed on the change by different affected parties (i.e., level of significance and acceptability). It is an anthropocentric concept, which makes use of value judgments and science-based criteria (i.e., biophysical, physical cultural, social and economic).



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**Site:** a spatial cluster of artefacts, structures, and organic and environmental remains, as residues of past human activity.



### 1. Introduction

Vhubvo Consultancy Cc has been requested by Hilland Environmental to compile a Construction Conservation Management Plan for the landscape that constitute heritage resources, and is located nearby the area proposed for Vryburg mall which according to the demarcation board is within Naledi Local Municipality, North West Province. During a survey conducted on a portion of remainder Erf 506 Vryburg township by Magoma (2022), a heritage landscape was identified. This landscape constitutes an area of the Bio-Museum and a historic Brahman Monument (See Figure 3 and 4 respectively). The need to conserve these sites and to ensure that the project goes ahead is what has prompted the compilation of this Conservation Management Plan. According to Site Management Plan Guideline: SAHRA, site management is the control of the elements that make up the physical and social environment of a site, as well as its physical condition, land use, human visitors, and interpretation. Management of the site is aimed at preservation or minimizing damage or destruction of the site. It is designed to retain the site's significance, and ensures that the preservation, enhancement, presentation and maintenance of the place/site is deliberately and thoughtfully designed to protect the heritage values of the landscape.

Pajouh et al (2013) stated that cultural landscape is a physical illustration of how people have related to, and transformed their environment. According to David and Thomas (2016), when archaeologists employ the word landscape, they are referring to places that are meaningful to people. Landscape in heritage therefore entails ways in which people manipulated and influenced change in the historical past, as well as the impact people have had on the environment, and how past people contemplate with their environment over time (Boehler et al, 2002; David and Thomas, 2016). The environment here is not only viewed as a physical entity, but is looked at holistically and refers to everything that gives meaning to life including water, trees, burials, animals, mountains and atmosphere. As Binford (1989) puts it, landscape archaeology is a landscape of place and entails experiential, social, ontological, epistemological and emotional.

### 2. Sites Location and Description

The proposed development is located on a private land whose topography is characterised by even plain and can be identified as Erf 11883 (See Figure 1). The topography of the area is basically fairly steep and open, there are fairly sparse rocky ridges and outcrops present. The landscape of the nearby area proposed for development is semi-urban and is characterised by recreational and industrial landscape, and possesses amongst others infrastructure elements such as major roads and residential complexes. The heritage resources and the proposed development are separated by



## Construction-Heritage Management Plan

the N14 national road. The heritage landscape is located on the north and north-eastern section of the proposed area, and is approximately 22m from the proposed area (See Figure 1). This area, which is an open field, constitutes the stone structure that offers an entrance to the area demarcated for a Bio-Museum (See Figure 3), and a historical Brahman Monument (See Figure 4). The locality map provided in Figure 1 indicates the study area.



# Construction-Heritage Management Plan

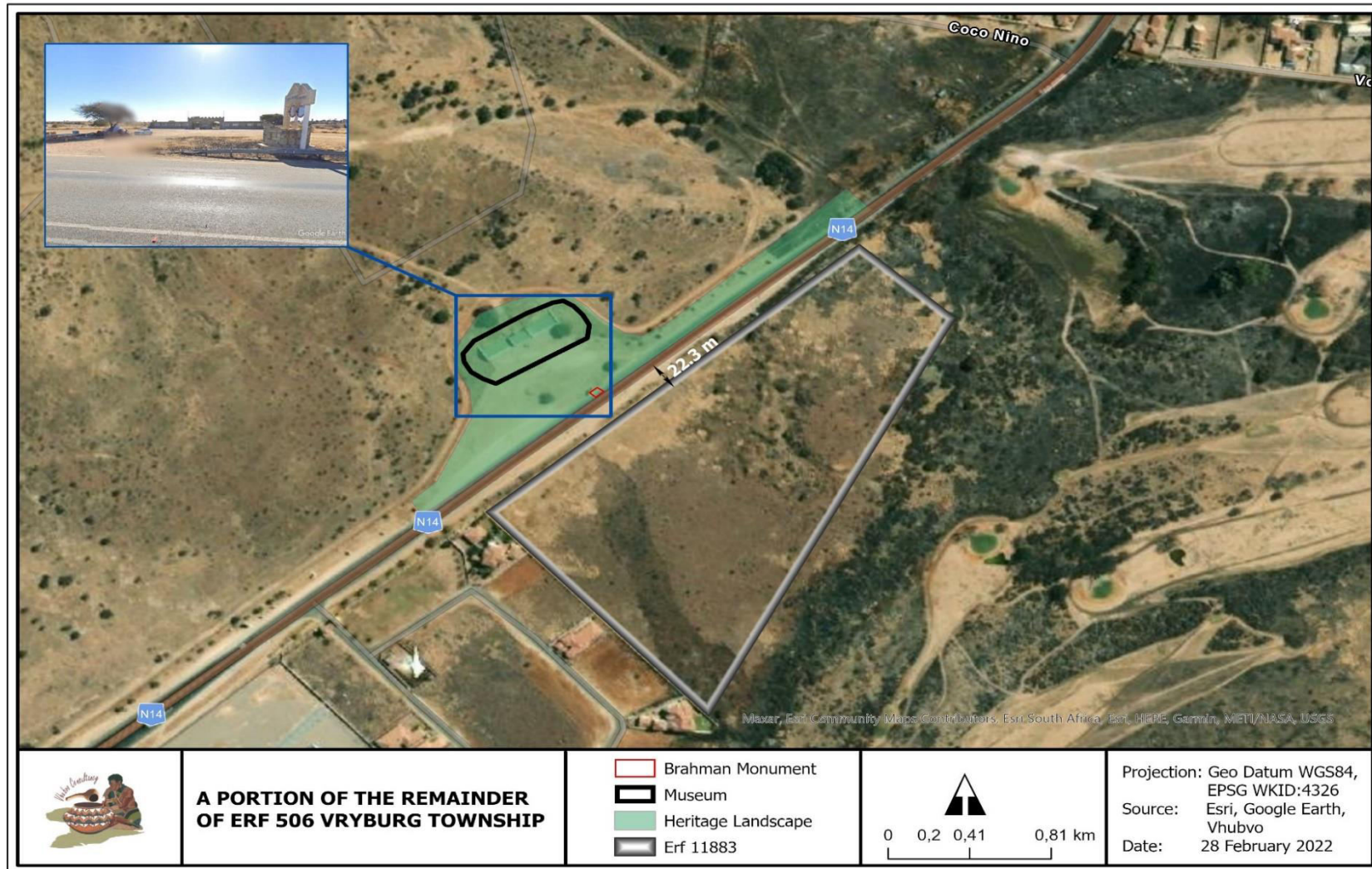


Figure 1: Aerial map depicting the area of study.



## Construction-Heritage Management Plan



**Figure 2:** An over view of the heritage sites (Brahman Monument and Museum Structure).



**Figure 3:** View of the Museum structure.



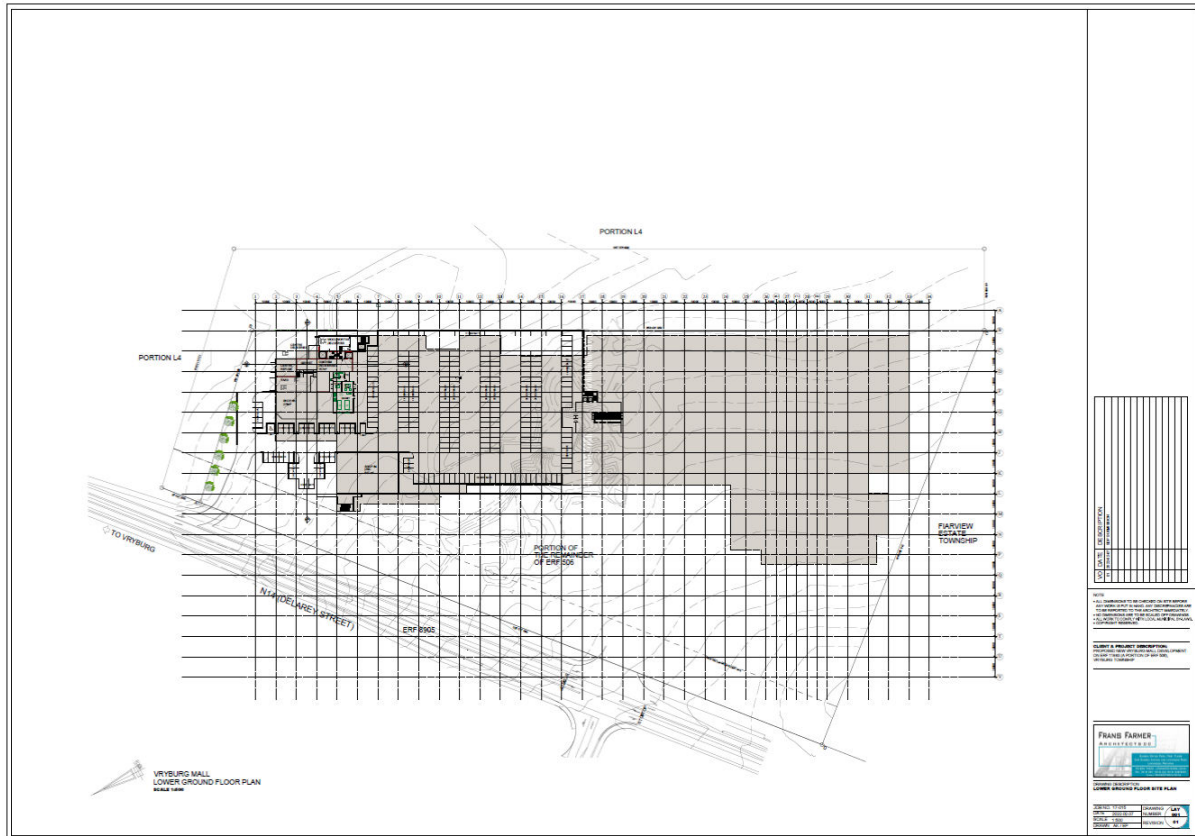


**Figure 4:** An overview of the Brahman Monument.

### 3. Nature and Need of the Proposed Project

The proposed development intends to build a new Mall in Vryburg (See Figure 5). Malls are needed as they offer convenience, choice and safety for individuals. Furthermore, the construction of the mall will lead to job creation, micro-economic investments and developments. The residents within the municipality will have access to standard of retails that were previously unavailable locally. Building a mall near residential areas is cost effective as to most residents it will cost nothing to cheaper transport fee to access the mall. The malls also serve as social hubs that provide community gathering places.

# Construction-Heritage Management Plan



**Figure 5:** View of the layout plan of the proposed area.

## 4. Purpose of the Cultural Heritage Study

The main aim of this report is to provide a management plan for a site identified in the study area. As part of the report, a detailed documentation of the sites is presented and these will inform decisions on the conservation worthiness of the site. The development of an HMP is a legal requirement in terms of section 47 of the National Heritage Act (No. 25 of 1999). The document provides guidance to the responsible organisation in terms of possible conservation methods that can be utilised for the sensitive heritage resources. Conservation guidelines take cue from the Burra (ICOMOS Australia) Charter on Places of Cultural Significance. One of its principal tenets is to “change as much as necessary and as little as possible”. The following are the objectives of this management plan:

- Direct what needs to be done, how the resources must be protected and managed;
- Define who is responsible for what in the process;
- Define the goals to be achieved and the type of activities;
- Determine the monitoring method;
- Assist with stakeholder identification and engagement of the affected parties;



- Explain permit procedures; and
- Minimise loss or adverse effects of the heritage resources.

### 5. Methodology and Approach

The methodological approach is informed by the Burra Charter, the Venice Charter, the conservation plan of Kerr and the Getty Conservation Institute in conjunction with 2012 SAHRA Policy Guidelines for impact assessment. The following methods are utilised in this study:

- Field survey

The information obtained during the field survey in February, 2022 was utilized, and it was deemed sufficient for the task.

- Literature survey

A survey of literature was undertaken in order to obtain background information regarding the area. Sources consulted in this regard are indicated in the reference list.

- Oral histories

People from local communities are interviewed in order to obtain information relating to the heritage resources. It needs to be stated that this is not applicable under all circumstances, and it was not initiated for this assignment. However, communication is underway with Museum officials in regard as to the impact that construction activities may have on the Museum nearby.

- Management principles

The management principles used in this management plan is in accordance with the National Heritage Resources Act.

- Evaluation of Heritage sites

The evaluation of heritage sites is done by giving a field rating of each using the following criteria:

- ✚ The unique nature of a site;
- ✚ The integrity of the archaeological deposit;
- ✚ The wider historic, archaeological and geographic context of the site;
- ✚ The location of the site in relation to other similar sites or features;
- ✚ The preservation condition of the site;
- ✚ Uniqueness of the site; and
- ✚ Potential to answer present research questions.



## 6. Principles of Heritage Resources Management

Extracts relevant to this report from the National Heritage Resources Act No. 25 of 1999, (Sections 5, 36 and 47):

General principles for heritage resources management

(1) All authorities, bodies and persons performing functions and exercising powers in terms of this Act for the management of heritage resources must recognise the following principles:

(a) Heritage resources have lasting value in their own right and provide evidence of the origins of South African society and as they are valuable, finite, non-renewable and irreplaceable they must be carefully managed to ensure their survival;

(b) every generation has a moral responsibility to act as trustee of the national heritage for succeeding generations and the State has an obligation to manage heritage resources in the interests of all South Africans;

(c) heritage resources have the capacity to promote reconciliation, understanding and respect, and contribute to the development of a unifying South African identity; and

(d) heritage resources management must guard against the use of heritage for sectarian purposes or political gain.

(2) To ensure that heritage resources are effectively managed—

(a) the skills and capacities of persons and communities involved in heritage resources management must be developed; and

(b) provision must be made for the ongoing education and training of existing and new heritage resources management workers.

(3) Laws, procedures and administrative practices must—

(a) be clear and generally available to those affected thereby;

(b) in addition to serving as regulatory measures, also provide guidance and information to those affected thereby; and

(c) give further content to the fundamental rights set out in the Constitution.

(4) Heritage resources form an important part of the history and beliefs of communities and must be managed in a way that acknowledges the right of affected communities to be consulted and to participate in their management.

(5) Heritage resources contribute significantly to research, education and tourism and they must be developed and presented for these purposes in a way that ensures dignity and respect for cultural values.



## Construction-Heritage Management Plan

(6) Policy, administrative practice and legislation must promote the integration of heritage resources conservation in urban and rural planning and social and economic development.

(7) The identification, assessment and management of the heritage resources of South Africa must—

- (a) take account of all relevant cultural values and indigenous knowledge systems;
- (b) take account of material or cultural heritage value and involve the least possible alteration or loss of it;
- (c) promote the use and enjoyment of and access to heritage resources, in a way consistent with their cultural significance and conservation needs;
- (d) contribute to social and economic development;
- (e) safeguard the options of present and future generations; and
- (f) be fully researched, documented and recorded.

## 7. Applicable Heritage Legislation

Several legislations provide the legal basis for the protection and preservation of both cultural and natural resources. These include the National Environment Management Act (No. 107 of 1998); Mineral Amendment Act (No 103 of 1993); Tourism Act (No. 72 of 1993); Cultural Institution Act (No. 119 of 1998), and the National Heritage Resources Act (Act 25 of 1999). Matters concerning the conservation of cultural resources are dealt with mainly in two Acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998):

### o **The National Heritage Resources Act**

According to the above-mentioned law, the following is protected as cultural heritage resources:

- Archaeological artifacts;
- Ethnographic art objects (e.g., prehistoric rock art) and ethnography;
- Objects of decorative and visual arts;
- Military objects;
- Structures and sites older than 60 years;
- Historical objects;
- Proclaimed heritage sites;
- Graveyards and graves older than 60 years;
- Meteorites and fossils; and
- Objects, structures and sites of scientific or technological value.



### ○ Other International Guidelines

#### The Venice charters

The Venice charter sees historical sites as the most important living witness of the past. The heritage is accordingly seen as the responsibility of today's generation and that it should be conserved in an authentic state (ICOMOS 1964: 1). The articles of the Venice charter are more or less in agreement with those of the Burra charter. It means that the application of last mentioned supports the first and will contribute to the upkeep of international standards in the conservation, preservation and the restoration of historical places.

#### The Conservation plan of Kerr

The conservation plan of Kerr is closely associated with the Burra charter. It gives an explanation of the use of the charter and the steps to be followed in the implementation of the conservation of heritage sites. The process consists of two phases. The first phase deals with establishing cultural significance. It includes the collection of information (documents and physical), the analysis of the importance thereof, the assessment of this importance and the stating of the said importance (Kerr 1985: 2). Assessment consists of the establishing of criteria for the determination of cultural significance, whilst the stating of the cultural importance is only an explanation thereof (Kerr 1985: 8, 12).

The second phase consists of the conservation plan. Firstly, information should be collected. This includes four sectors namely:

- the needs of the client;
- external needs; and
- requirements for the maintenance of the cultural significance and the physical condition of the place.

Hereafter a conservation management plan is developed, a conservation policy is stated and a strategy for the implementation of the conservation plan is rolled out (Kerr 1985: 2).



## 8. Determination of Significance

The following guidelines for determining site significance were developed by SAHRA in 2003. It must be kept in mind that the various aspects are not mutually exclusive, and that the evaluation of any site is done with reference to any number of these. The significance or value of a site is what it holds for the community, or for sections of the community.

### **Social Value**

Social value embraces the qualities for which a place has become a focus of spiritual, political, national, or other cultural sentiments to a majority or minority group. Many traditional sites have such a value and these may be on a local, provincial or national level. This may be because the site is accessible and well known, particularly well preserved or scientifically important. These values are very important and are probably the 'strongest' in terms of the conservation of a site.

### **Historic Value**

This value recognizes the contribution a place makes to the achievements of, and to our knowledge of the past. A place can be a typical or a well-preserved example of a cultural group, period of time, or type of human activity, or it can be associated with a particular individual. Often, a place has a long sequence of historic overlays and this long period of human history gives such places high historic value.

### **Scientific Value**

These are features of a place that provide, or have a realistic potential to yield knowledge that is not obtainable elsewhere. The scientific or research value of a place will depend upon the importance of the data involved or its rarity, quality or representativeness and on the degree to which the place may contribute to further substantial information.

### **Aesthetics Value**

Aesthetic value may be described as the beauty of design, association or mood that the place possesses or it may be the demonstration in a place, of a particular design, style, and artistic development of high level or craftsmanship. This is recognition that a place represents a high point of the creative achievement in its design, its style, artistic development and craftsmanship. Aesthetic value may sometimes be difficult to measure or quantify. Aesthetic value is therefore subjective, especially when it arises from cultural backgrounds and individual taste.

### **Rarity**

Does it possess uncommon, rare or endangered aspects of natural or cultural heritage?



### Representative

Is it important in demonstrating the principal characteristics of a particular class of natural or cultural places or objects? What is the importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class? Is it important in demonstrating the principal characteristics of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province, region or locality?

## 9. Statement of Significance

### The Landscape

Over the past twenty years a territorial approach to heritage has shifted emphasis from sites to the recognition of broad territorial attributes of heritage. Within the international discourse which has ensued, a genre, a heritage landscapes have emerged. Article 47 of the Operational Guidelines for the Implementation of the World Heritage Convention (2005) defines Landscapes as properties that represent the combined works of nature and of man designated in Article 1 of the World Heritage Convention. They are illustrative of the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal. The landscape of the area of study has received a *medium significance* and a field rating of *Local Grade III B*. It needs to be stated however, that the most important element, being the Museum structure, was the reason for this high rating. Below is the discussion of guidelines related to site significance as developed by SAHRA, 2003:

- **Social value**

The most important principle in the conservation management plan for a site is that they have strong or special association with a specific community or cultural group for social, cultural or religious reasons, in this case the community members.

- **Historic value**

The Museum building has historical significance due its function which is an indication of a certain way of farm life during the early to mid-20th century. As far as it goes, the site has historic value.

- **Scientific value**

None.





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### ○ **Aesthetic value**

Nothing in particular. Although it does include architectural features such as the stone walling, this is very common for this area and period in time.

### ○ **Rarity**

None.

### ○ **Representative**

It therefore is clear that the site indeed has a high representative significance and a field rating of Local Grade III B. This means that it is of high importance, but on a regional level.

## 10. Management and Maintenance Guidelines

According to Walton (2003) monitoring is the act of observing/ measuring something and keeping record of it. It includes the repetition of information over time and examining the outcomes to detect changes that may occur. The recording of the information facilitates identification of the recurrent problems. Then, the problem areas, once they are identified, can be monitored closely and appropriate management action can be taken. It must be noted that this plan serves as a policy that focuses at conserving the site from any form of damage that may happen during construction, either by accident or ill-informed activities. The plan is undertaken as per the relevant legislation and best highest standards. This plan should be consulted periodically to advise on the conservation of the heritage landscape. In line with the recommendations of Phase 1 report, it is recommended here that the preservation and or conservation of the sites be carried out *in situ*. The following must be taken into account:

- Any activities that will be initiated on the area zoned as heritage landscape must be reported to the museum officials. These include, parking of cars, as well as loading and off-loading of construction machinery.

Considering the nature of the site(s), an ECO/ EO monitoring construction activities must be responsible for ensuring compliance with the NHRA, this includes reporting to the Museum official if any activities such as loading and off-loading of construction machinery is to happen. The CEO/ and or EO must ensure that there is a regular visual check of the state of the area (Landscape) before a construction machinery is off-loaded/ and or loaded. A standard recording technique such as taking photographs and notes of the ground must be applied. The ECO/EO will carry monitoring forms to identify, define and measure the extent of the impact on the ground, if any. Thereafter, providing evidence of whether such activity has a negative impact towards the area. The following principles should be observed throughout the construction stage. In trying to establish the correct



## Construction-Heritage Management Plan

procedure, the principle of working from the known to the unknown should be followed. Note must be taken that the Heritage Management Plan report is not a rigid document. The appropriate sections of it should be re-written if there are any changes in the project. The recommendations must be strictly adhered to and this document should be consulted continuously in order to preserve these sites.

### 11. Grievance Redress Mechanism

Effective environmental and social grievance redress mechanism gives an opportunity to the organization to implement a set of specific measures. This is to ensure good governance, accountability and transparency in managing and mitigation of heritage, environmental and social issues of a particular project (SECI, 2018). This consists of defining the process for recording/receiving complaints and redressing heritage, environmental and social matters (SECI, 2018). The Grievance Management System entails the following:

- Process of registering and addressing grievances regarding the heritage sites identified;
- Addressing the concerns raised by stakeholders in a transparent, constructive, timely, confidential (if desired), culturally appropriate and accessible manner;
- Process in which local people can appeal property and resource use valuations they consider unfair or inadequate in relation to the heritage sites; and
- Mechanism for legal recourse.

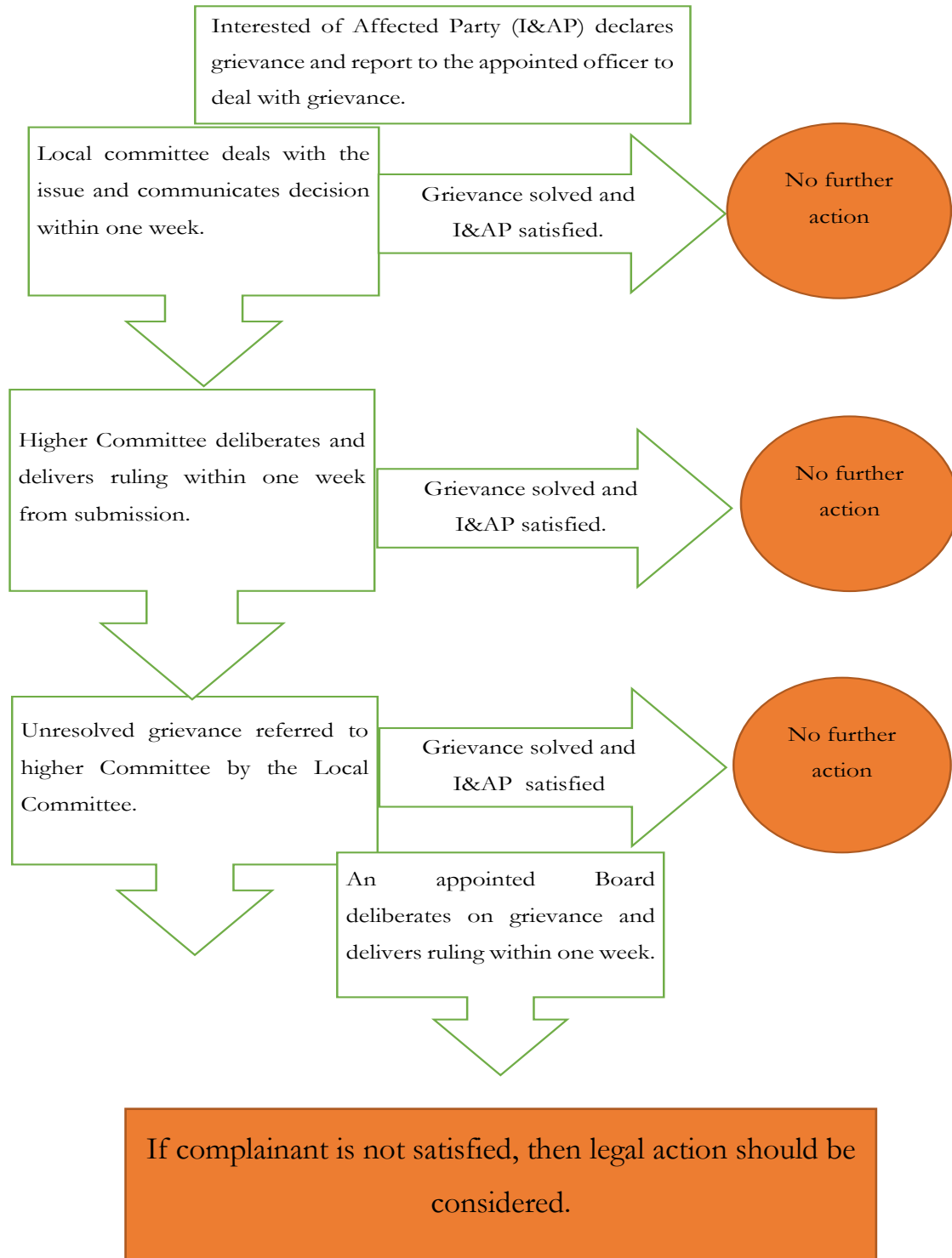
Potential grievances that can arise and will need to be dealt with include the following:

- Disputes where community members feel a developer/ constructor is not having their best interest in regard to the heritage sites, i.e., they believe that the action of the developer can erode the significance of the heritage site.



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**Figure 6:** Flow chart indicating the process for addressing grievance.



## 12. Recommendations and Conclusion

Recommendations were made throughout this document. Additional recommendations are as follows:

- The management plan (or the appropriate sections thereof) should be rewritten if there are changes in the mall development plan, that may affect these sites (Heritage sites);
- It is the responsibility of the developer to notify the labor-intensive workers about the landscape and its significance. During construction, a cautious approach should be applied. Conservation is based on a respect for the existing site, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible. Construction employees should thus be inducted in this regard so that they can serve as custodians for the protection of these sites;
- Educating constructors about this landscape could create an atmosphere of pride if labour-intensive workers are informed about the existence and value of the heritage resources. This can form part of the induction process.

The landscape itself should always be seen as providing the most accurate and authentic answer as to its history.

- The area as highlighted in Figure 1, and described as ‘heritage landscape’ should be kept clean from any construction materials;
- Aspects related to dumping of construction material within this buffer zone and stone robbing or removal of any material should be addressed; and
- The ECO/ EO must also initiate visual monthly inspections in order to determine that the condition of the site does not deteriorate.



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**PROPOSED MALL ON PORTION OF REMAINDER  
ERF 506 VRYBURG TOWNSHIP WITHIN NALEDI  
LOCAL MUNICIPALITY OF DR RUTH SEGOMOTSE  
MOMPATI DISTRICT IN NORTH WEST PROVINCE**

**CHANCE FIND PROCEDURE  
HERITAGE**



### 1. Introduction

The purpose of this document is to provide Hilland Environmental and their contractors with the appropriate response guidelines (extracted and adapted from the National Heritage Resources Act (Act No. 25 of 1999) Regulations Reg No. 6820, GN: 548, taking into consideration international best practice based on World Bank, Equator Principles and the International Finance Corporation Performance Standards, 1972 UNESCO Convention on the Protection of World Cultural and Natural Heritage (World Heritage Convention), that should be implemented in the event of chance discovery of heritage resources. These guidelines or chance find procedures (CFPs) can be incorporated into Hilland Environmental's policies that may have relevance during construction and operational phases. The CFPs aim to avoid and/or reduce project risks that may result due to chance finds, whilst considering international best practice.

### 2. Purpose of Archaeological Chance Finds Procedure

The aims of this Archaeological Chance Finds Procedure (ACFP) are to protect previously unexposed heritage resources that are yet unknown although might be encountered during the project operation or construction phase. This document serves to provide best practices to manage accidental exposed heritage resource during the development. The procedures are given to the client/applicant/contracts in order to prevent and minimize negative impact on heritage resources encountered by accident. Thus, the heritage specialist(s) compiled this chance find document with a purpose to give instructions based on relevant and appropriate actions in line with the NHRA and best guidelines to protect the chance finds on the proposed site. In significant, the ACFP stand in place to promote the preservation of heritage resources and present mitigation measure to avoid disturbance on heritage resources.

### 3. ACFP for Heritage Resources

The following procedures must be followed when heritage resources are encountered during the operational or construction phase:

All construction/clearance activities in the vicinity of the heritage resources found by accident on site must cease immediately to avoid further damage to the chance finds

Immediately report the chance finds to the supervisor/site manager or if they are unavailable, report to the project Environmental Control Officer (ECO) who will provide further instructions.



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Record (note taking, photograph with a scale, GPS coordinates) of all the chance find exposed during the activity.

All remains are to be stabilised in situ.

Secure (e.g., barricade) the area to prevent further disturbance on heritage resources.

The ECO must contact the qualified archaeologist registered with the association for Association for Southern African Professional Archaeologist (ASAPA) or South African Heritage Resources Agency (SAHRA).

The project archaeologist will conduct the inspection and assess the significance of the chance finds under SAHRA guidelines, give recommendation and mitigation measures.

## 4. Managing Site in Development Contexts

### 1. DISCOVERY AND NOTIFICATION

If human burial remains are accidentally discovered during development at the construction site the following guidelines apply:

The finder will immediately cease any further activity at the site and report the site to the Project ECO. The ECO will notify the heritage expert (Archaeologist), heritage authorities and the police.

### 2. SITE PROTECTION AND IDENTIFICATION

The ECO and the Archaeologist and the permitting authority shall take reasonable measures to protect the site from environmental factors and any form of unauthorized interference or disturbance.

Based on the evidence reported at the scene, the Archaeologist will investigate the site and make a preliminary determination as to the nature of the remains.

Existing site inventories, land use records, and community, and authorities, should be consulted as soon as possible about possible identification of the remains. Some examination of the site/remains may be required to determine its cultural affiliation and age, and whether or not the site is modern or historic.

The Archaeologist shall apply and acquire the relevant exhumation and rescue Permit from SAHRA Graves and Burial Unit.

### 3. INVESTIGATION AND REPORTING





## Construction-Heritage Management Plan

- a) The ECO will direct the Archaeologist to carry out an investigation under any required permits, in consultation with the affected custodians (if available) and other affected parties, to make an initial report citing, if possible, the cultural affiliation of the human remains.
- b) Within a reasonable time to be specified by the EO, and the affected parties, the Archaeologist shall deliver a written report and any notification not yet made, to:  
the ECO, and the affected custodians if appropriate;  
the SAHRA;  
the permitting authority of SAHRA Graves and Burials Unit  
any other representative of the interred, if known.
- c) The written report shall attempt to identify:  
the representative group of the interred;  
the geographic boundaries of the site;  
the grave offerings or other heritage resources that may be associated with the remains or the site.
- d) The Archaeologist may, with the agreement of the proper authority and the representative of the interred, if known, remove all or part of the human remains for temporary custody where the remains may otherwise be at risk prior to their re-burial at a safe site.

### 3.1 REPORTING

- a) If the site is determined to be a contemporary burial site, the appropriate representative will be contacted in writing to provide further direction on the disposition of the remains.
- b) Project contractors carrying out authorized activity where a historic or archaeological burial site is discovered can continue that activity with the consent of the EO, where appropriate. The activity must stay 150 meters away from the grave while further arrangements are made by the Archaeologist to rescue and relocate the remains to a safe cemetery.
- d) The Archaeologist may publish notice of the discovery in a newspaper or other public notice seeking information on the remains and alerting members of the public about the impending relocation of the remains to a predetermined formal cemetery or burial ground.

## 4. SITE DISPOSITION AGREEMENT (MANAGEMENT PLAN)

### 4.1 When the site or remains are identified

- a) The site shall not be disturbed and the EO, if on direct path of Project development work, shall initiate discussions towards entering into a site disposition agreement with the representative of the interred where applicable.
- b) If the site is a historic or archaeological burial site, there must be joint approval of the site management plan on reburial as stated in the scope of services in terms of the contract.



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c) Decisions regarding reburial, relocation or other disposition should be determined on a case-by-case basis in consultation with those concerned and in a timely manner.

Site disposition agreements shall determine such things as:

1. the interim care of the human remains;
2. the scope and extent of analysis to be performed on the human remains, if any;
3. the exact location of the place where the human remains are to remain or to be interred;
4. the style and manner of disinterment, if applicable;
5. the style and manner of reinterment, if applicable;
6. the time period in which disinterment and reinterment is to take place;
7. the procedures relating to, and the final disposition of any grave offerings discovered with the human remains and any additional analysis of them;
8. the provision for future maintenance of the cemetery or site where the human remains are to be located;
9. access to the site and ways to prevent disturbance;
10. any other issue agreed upon.

4.2 When no representative is identified or no disposition is specified:

If disposition is not specified by a representative, or the remains are not claimed or no affiliation is established within a reasonable time, the Archaeologist shall with the necessary SAHRA permits and approvals provide for the following disposition:

- a) cover and leave the remains where they were found and have the site recorded as a burial site/heritage site, if on land suitable for a burial site; or
- b) have the remains disinterred and reinterred in the nearest appropriate cemetery; or
- c) remove the remains from the site for analysis and may have them reinterred in a recognized cemetery or;

may act as the temporary repository of the remains until they are re-located for reburial at designated cemetery.

### 5. ARBITRATION

- a) If no disposition or reburial agreement or management plan is reached within a reasonable time the matter may be referred to arbitration for settlement.

### 6. RECORDS

- a) A record of the site and a report of the discovery and disposition plan shall be kept by the Archaeologist, for future reference to protect the site or identify the re-burial site.



## Construction-Heritage Management Plan

Access to information about discovered sites will be addressed in any site management plan developed under these guidelines, and will be protected under the Access to Information and Protection of Privacy legislations, and the NHRA.

### 7. BURIAL RELOCATION & REBURIAL

Burial Relocation involves the identification of each grave and the manual excavation of the interred remains. Human remains, coffin features, and grave goods are exposed, their positions in the grave are carefully recorded, and maps and photographs of each grave are made following standard archaeological recovery techniques.

Once excavation and examination are completed, the interred along with their grave goods are inventoried and carefully wrapped in acid-free tissue. Human remains are arranged anatomically and all materials are placed in specially designed containers, specified by the laws and regulations governed by the state where the re-interment location has been determined. The goal of re-interment is to restore as much of the original mortuary meaning as possible.

Burial relocation is extremely culturally sensitive and Project and contractors/service provider staff understands that the utmost respect must be shown to the interred, as well as the descendant communities. We advocate respectful involvement of descendent communities in the relocation process, whenever possible, and have an excellent reputation for communicating with descendant groups.

Vhubvo has extensive experience conducting cemetery relocations for government agencies, other cultural resource firms, developers and private citizens in South Africa. We assure our clients as well as the descendent communities that the greatest amount of respect and care is taken when excavating and relocating these cemeteries.

### 8. RISKS

#### 1. Legal Risks

Project is exposed to a myriad of legal requirements on the local and national level when having to relocate burials. Burial relocation can infringe a number of human rights enshrined in the Constitution and legislations such the NHRA. If not carried out properly, grave relocation can impact the right to burial and dignity. Community opposition may result in protests and delays on development.

#### Mitigation

When human remains are identified during the development, all measures must be taken to ensure the law and applicable regulations are enforced including mandatory public notifications.



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### 2. Reputational risk

Relocation of human burials in particular also brings with it high risks for the Project's reputation which is exacerbated by the instantaneous spread of news across the world via the internet. Lack of proper planning and management may lead to negative consequences, which in turn may affect the Project's reputation.

#### Mitigation

Human remains identified in development contexts should be handled with utter most care to ensure the exhumation and relocation takes place in accordance with the law.

### 3. Operational risks

Legal action arising from the inadequate planning and implementation of burial relocation may result in Project's permission to construct being revoked via preliminary injunctions.

Operational risks may also arise from community protests directly. Cases of community opposition and protests, has previously disrupted work for days and weeks, involving, for example, the blockage of construction sites and vital roads and infrastructure. Construction may be delayed or disrupted. Protests may be violent and impact on the health and safety of Project staff perpetuating work delays in construction and operations. Project facilities, machinery, housing and other assets may be damaged and rendered unusable.

#### Mitigation

The developer should ensure adequate security. All burial related matters should be held by the professional heritage team and reburial specialists. Human remains discovered during development should be reported to the ECO urgently and the Archaeologist notified in time to avoid any delays with the remains exposed on site. All exhumations and reburial exercises should be handled or schedule in a manner that does not require the remains to be held elsewhere temporarily.

### 4. Financial risks

Legal, reputational and operational risks may also lead other financial costs to the project. Moreover, costs may arise from legal action or disruptions in operations and work delays. Additional costs may be incurred when public protests require work to stop on site as a result of human remains discovery on site.

### 5. Human Remains Handling Risks

Exhumation, handling, transportation and reburial of human remains also pose a threat to public health if not handled to strict protocols. This risk is particularly highest in contemporary burials.



### General Precautions

The following precautionary measures can help employers and employees remain safe and healthy whilst handling human remains. The transportation, handling and storage of human remains must also be carried out in a manner that preserves public safety and maintains the dignity of the deceased person.

#### PERSONAL PROTECTIVE EQUIPMENT

##### Hand Protection:

When handling potentially infectious materials, use appropriate barrier protection including latex and nitrile gloves (powder-free latex gloves with reduced latex protein content can help avoid reaction to latex allergies). These gloves can be worn under heavy-duty gloves which will, in turn, protect the wearer from cuts, puncture wounds, or other injuries that break the skin (caused by sharp environmental debris or bone fragments). A combination of a cut-proof inner layer glove and a latex or similar outer layer is preferable.

##### Foot Protection:

Footwear should similarly protect against sharp debris.

##### Hygiene:

Wash your hands with soap and water or with an alcohol-based hand cleaner immediately after you remove your gloves.

Give prompt care to any wounds sustained during work with human remains, including immediate cleansing with soap and clean water. Workers should also be vaccinated against hepatitis B, and get a tetanus booster if indicated.

Ensure disinfection of vehicles and equipment.

#### SUMMARY

In general, personnel involved in the recovery and handling of human remains from a burial site can limit risk from potential exposure by following the guidelines below.

Vinyl or Latex gloves should be worn.

Masks and protective eyewear or face shields should be worn during procedures that are likely to generate fluids to prevent exposure of mucous membranes of the mouth, nose, and eyes.

Gowns or aprons should be worn during procedures that are likely to generate splashes of blood or other body fluids.

Hands and other skin surfaces should be washed immediately and thoroughly if contaminated with blood or other body fluids. Hands should be washed immediately after gloves are removed.



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Ensure universal precautions for blood and body fluids.

Ensure use of body bags.

Ensure disinfection of vehicles and equipment.

Bodies do not need to be disinfected before disposal (except in case of cholera).

Vaccinate workers against hepatitis B



## 7. Applicable Regulations

- 1). A “Cemetery” is defined as any land, whether public or private, containing one or more graves.
- 2). A “grave” includes “(a) any place, whether wholly or partly above or below the level of ground and whether public or private, in which a body is permanently interred or intended to be permanently interred, whether in a coffin or other receptacle or not, and (b) any monument, tombstone, cross, inscription, rail, fence, chain, erection or other structure of whatsoever nature forming part of or appurtenant to a grave.
- 3). No person shall desecrate, destroy or damage any grave in a cemetery, or any coffin or urn without written approval of the Administrator.
- 4). No person shall exhume, disturb, remove or re-inter anybody in a cemetery, or any coffin or urn without written approval of the Administrator.
- 5). Application must be made for such approval in writing, together with:
  - a). A statement of where the body is to be re-interred.
  - b). Why it is to be exhumed.
  - c). The methods proposed for exhumation.
  - d). Written permission from local authorities, nearest available relatives and their religious body owning or managing the cemetery, and where all such permission cannot be obtained, the application must give reasons why not.
- 6). The Administrator has the power to vary any conditions and to impose additional conditions.

7). Anyone found guilty and convicted is liable for a maximum fine of R200 and maximum prison sentence of six months.

5. Human remains from the graves of victims of conflict, or any burial ground or part thereof which contains such graves and any other graves that are deemed to be of cultural significance may not be destroyed, damaged, altered, exhumed or removed from their original positions without a permit from the National Heritage Resources Agency. They are administered by the Graves of Conflict Division at the SAHRA offices in Johannesburg.

“Victims of Conflict” are:

a). Those who died in this country as a result of any war or conflict but excluding those covered by the Commonwealth War Graves Act, 1992 (Act No. 8 of 1992).

b). Members of the forces of Great Britain and the former British Empire who died in active service before 4 August 1914.

c). Those who, during the Anglo Boer War (1899-1902) were removed from South Africa as prisoners and died outside South Africa, and,

d). Those people, as defined in the regulations, who died in the “liberation struggle” both within and outside South Africa.

6. Any burial that is older than 60 years, which is outside a formal cemetery administered by a local authority, is protected in terms of Section 36(3b) of the National Heritage Resources Act. No person shall destroy damage, alter, exhume or remove from its original position, remove from its original site or export from the Republic any such grave without a permit from the SAHRA.



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There are some important new considerations applicable to B & C (above).

SAHRA may, for various reasons, issue a permit to disturb a burial that is known to be a grave of conflict or older than 65 years, or to use, at a burial ground, equipment for excavation or the detection or the recovery of metals.

(Permit applications must be made on the official form Application for Permit: Burial Grounds and Graves available from SAHRA or provincial heritage resources authorities.) Before doing so, however, SAHRA must be satisfied that the applicant:

- a). Has made satisfactory arrangements for the exhumation and re- interment of the contents of such a grave at the cost of the applicant.
- b). Has made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such a grave and,
- c). Has reached an agreement with these communities and individuals regarding the future of such a grave or burial ground.

### PROCEDURE FOR CONSULTATION

The regulations in the schedule describe the procedure of consultation regarding the burial grounds and graves. These apply to anyone who intends to apply for a permit to destroy damage, alter, remove from its original position or otherwise disturb any grave or burial ground older than 60 years that is situated outside a formal cemetery administered by a local authority. The applicant must make a concerted effort to identify the descendants and family members of the persons buried in and/or any other person or

community by tradition concerned with such grave or burial ground by:

- 1). Archival and documentary research regarding the origin of the grave or burial ground;
- 2). Direct consultation with local community organizations and/or members;
- 3). The erection for at least 60 days of a notice at the grave or burial ground, displaying in all the official languages of the province concerned, information about the proposals affecting the site, the telephone number and address at which the applicant can be contacted by any interested person and the date by which contact must be made, which must be at least 7 days after the end of the period of erection of the notice; and
- 4). Advertising in the local press.

The applicant must keep records of the actions undertaken, including the names and contact details of all persons and organizations contacted and their response, and a copy of such records must be submitted to the provincial heritage resources authority with the application.

Unless otherwise agreed by the interested parties, the applicant is responsible for the cost of any remedial action required.

If the consultation fails to reach an agreement, the applicant must submit records of the consultation and the comments of all interested parties as part of the application to the provincial heritage resources authority.

In the case of a burial discovered by accident, the regulations state that when a grave is discovered accidentally in the course of development or other activity:





## Construction-Heritage Management Plan

- a). SAHRA or the provincial heritage resources authority (or delegated representative) must, in co-operation with the Police, inspect the grave and decide whether it is likely to be older than 60 years or otherwise protected in terms of the Act; and whether any further graves exist in the vicinity.
- b). If the grave is likely to be so protected, no activity may be resumed in the immediate vicinity of the grave, without due investigation approved by SAHRA or the provincial heritage resources authority; and
- c). SAHRA or the provincial heritage resources authority may at its discretion modify these provisions in order to expedite the satisfactory resolution of the matter.
- d). Archaeological material, which includes human and hominid remains that are older than 100 years (see definition in section 2 of the Act), is protected by the National Heritage Resources Act (Section 35(4)), which states that no person may, without a permit issued by the responsible heritage resources authority - destroy, damage, excavate, alter or remove from its original site any archaeological or palaeontological material.

The implications are that anyone who has removed human remains of this description from the original site must have a permit to do so. If they do not have a permit, and if they are convicted of an offence in terms of the National Heritage Resources Act as a result, they must be liable to a maximum fine of R100 000- or five-years imprisonment, or both.

## TREAT HUMAN REMAINS WITH RESPECT

- a). Every attempt should be made to conserve graves in situ. Graves should not be moved unless this is the only means of ensuring their conservation.
- b). The removal of any grave or graveyard or the exhumation of any remains should be preceded by an historical and archaeological report and a complete recording of original location, layout, appearance and inscriptions by means of measured drawings and photographs. The report and recording should be placed in a permanent archive.
- c). Where the site is to be re-used, it is essential that all human and other remains be properly exhumed and the site left completely clear.
- d). Exhumations should be done under the supervision of an archaeologist, who would assist with the identification, classification, recording and preservation of the remains.
- e). No buried artifacts should be removed from any protected grave or graveyard without the prior approval of SAHRA. All artifacts should be re-buried with the remains with which they are associated. If this is not possible, proper arrangements should be made for the storage of such relics with the approval of SAHRA.
- f). The remains from each grave should be placed in individual caskets or other suitable containers, permanently marked for identification.
- g). The site, layout and design of the area for re-interment should take into account the history and culture associated with, and the design of, the original grave or graveyard.
- h). Re-burials in mass graves and the use of common vaults are not recommended.



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- i). Remains from each grave should be re-buried individually and marked with the original grave markers and surrounds.
- j). Grouping of graves, e.g., in families, should be retained in the new layout.
- k). Material from the original grave or graveyard such as chains, kerbstones, railing and should be re-used at the new site wherever possible.
- l). A plaque recording the origin of the graves should be erected at the site of re-burial.
- m). Individuals or groups related to the deceased who claim the return of human remains in museums and other institutions should be assisted to obtain documentary proof of their ancestry.



