

**Heritage impact assessment for the  
PROPOSED FORT WEST PHASE 1 DEVELOPMENT, PRETORIA MAGISTERIAL  
DISTRICT, GAUTENG PROVINCE**

**HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED FORT WEST PHASE  
1 DEVELOPMENT, PRETORIA MAGISTERIAL DISTRICT, GAUTENG PROVINCE**

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**Prepared for:**  
SEEDCRACKER ENVIRONMENTAL CONSULTING  
**Representative:** Ms S Webber

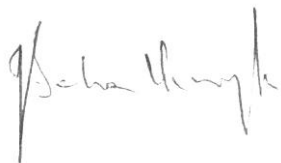
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**Declaration:**

I, J.A. van Schalkwyk, declare that I do not have any financial or personal interest in the proposed development, nor its developers or any of their subsidiaries, apart from the provision of heritage assessment and management services.



J A van Schalkwyk (D Litt et Phil)  
Heritage Consultant  
November 2011

**EXECUTIVE SUMMARY**

**HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED FORT WEST PHASE 1 DEVELOPMENT, PRETORIA MAGISTERIAL DISTRICT, GAUTENG PROVINCE**

Arengo Six (Pty) Ltd as applicant proposes the establishment of a mixed use township on a vacant property within the jurisdiction of Tshwane Municipality.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Seedcracker Environmental Consulting** to conduct a Heritage Impact Assessment (HIA) to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the mixed use township facility.

- Seven areas containing stone walled settlements dating to the Late Iron Age were identified in the study area. There is a very high likelihood that there would be an impact on the various sites, either direct during construction, or afterwards, with residents removing material or the stone walls for other use. It is therefore recommended that these sites are archaeologically investigated (mapped, photographed and excavated) prior to development taking place. This can only be done by a qualified archaeologist with a permit from SAHRA.

Therefore, from a heritage point of view we recommend that the proposed development can continue, on condition of acceptance of the above mitigation measures. We request that if archaeological sites or graves are exposed during construction work, it should immediately be reported to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made.



J A van Schalkwyk  
Heritage Consultant  
January 2012

**TECHNICAL SUMMARY**

<b>Property details</b>						
Province	Gauteng					
Magisterial district	Pretoria					
Municipality	Tshwane					
Topo-cadastral map	2528CA					
Closest town	Pretoria					
Farm name	Fort 646JR					
Coordinates	Centre Point					
	No	Latitude	Longitude	No	Latitude	Longitude
	1	S 25.73790	E 28.07167			

<b>Development criteria in terms of Section 38(1) of the NHR Act</b>	<b>Yes/No</b>
Construction of road, wall, power line, pipeline, canal or other linear form of development or barrier exceeding 300m in length	Yes
Construction of bridge or similar structure exceeding 50m in length	No
Development exceeding 5000 sq m	Yes
Development involving three or more existing erven or subdivisions	No
Development involving three or more erven or divisions that have been consolidated within past five years	No
Rezoning of site exceeding 10 000 sq m	Yes
Any other development category, public open space, squares, parks, recreation grounds	Yes

<b>Development</b>	
Description	Development of a mixed-use township
Project name	

<b>Land use</b>	
Previous land use	Agriculture
Current land use	Vacant

**TABLE OF CONTENTS**

	Page
EXECUTIVE SUMMARY .....	III
TECHNICAL SUMMARY .....	IV
TABLE OF CONTENTS .....	V
LIST OF FIGURES.....	V
GLOSSARY OF TERMS AND ABBREVIATIONS .....	VI
1. INTRODUCTION.....	1
2. TERMS OF REFERENCE .....	1
3. HERITAGE RESOURCES .....	2
4. STUDY APPROACH AND METHODOLOGY .....	3
5. DESCRIPTION OF THE AFFECTED ENVIRONMENT .....	4
6. SITE SIGNIFICANCE AND ASSESSMENT .....	10
7. CONCLUSIONS.....	11
8. REFERENCES.....	12
APPENDIX 1: CONVENTIONS USED TO ASSESS THE SIGNIFICANCE OF HERITAGE RESOURCES .....	13
APPENDIX 2. RELEVANT LEGISLATION .....	14

**LIST OF FIGURES**

	Page
Fig. 1. Location of the study area.....	5
Fig. 2. Views over the study area.....	5
Fig. 3. Layout of the proposed development (Phase 1 = yellow area). .....	6
Fig. 4. Remains of the fort and the admin building at the hospital.....	7
Fig. 5. The 1939 version of the 1:50 000 topocadastral map. ....	8
Fig. 6. Map showing the location of the identified heritage sites. ....	8
Fig. 7. Layout of some of the Iron Age stone walled sites. ....	9

## **GLOSSARY OF TERMS AND ABBREVIATIONS**

### **TERMS**

**Study area:** Refers to the entire study area as indicated by the client in the accompanying Fig. 1 and 2.

**Stone Age:** The first and longest part of human history is the Stone Age, which began with the appearance of early humans between 3-2 million years ago. Stone Age people were hunters, gatherers and scavengers who did not live in permanently settled communities. Their stone tools preserve well and are found in most places in South Africa and elsewhere.

Early Stone Age	2 000 000 - 150 000 Before Present
Middle Stone Age	150 000 - 30 000 BP
Late Stone Age	30 000 - until c. AD 200

**Iron Age:** Period covering the last 1800 years, when new people brought a new way of life to southern Africa. They established settled villages, cultivated domestic crops such as sorghum, millet and beans, and they herded cattle as well as sheep and goats. These people, according to archaeological evidence, spoke early variations of the Bantu Language. As they produced their own iron tools, archaeologists call this the Iron Age.

Early Iron Age	AD 200 - AD 900
Middle Iron Age	AD 900 - AD 1300
Late Iron Age	AD 1300 - AD 1830

**Historical Period:** Since the arrival of the white settlers - c. AD 1840 - in this part of the country

### **ABBREVIATIONS**

ADRC	Archaeological Data Recording Centre
ASAPA	Association of Southern African Professional Archaeologists
CS-G	Chief Surveyor-General
EIA	Early Iron Age
ESA	Early Stone Age
LIA	Late Iron Age
LSA	Later Stone Age
HIA	Heritage Impact Assessment
MSA	Middle Stone Age
NASA	National Archives of South Africa
NHRA	National Heritage Resources Act
PHRA	Provincial Heritage Resources Agency
SAHRA	South African Heritage Resources Agency

## HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED FORT WEST PHASE 1 DEVELOPMENT, PRETORIA MAGISTERIAL DISTRICT, GAUTENG PROVINCE

### 1. INTRODUCTION

Arengo Six (Pty) Ltd as applicant proposes the establishment of a mixed use township on a vacant property within the jurisdiction of Tshwane Municipality.

South Africa's heritage resources, also described as the 'national estate', comprise a wide range of sites, features, objects and beliefs. According to Section 27(18) of the National Heritage Resources Act (NHRA), Act 25 of 1999, no person may destroy, damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of any heritage site without a permit issued by the heritage resources authority responsible for the protection of such site.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Seedcracker Environmental Consulting** to conduct a Heritage Impact Assessment (HIA) to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the mixed use township facility.

This HIA report forms part of the Environmental Impact Assessment (EIA) as required by the EIA Regulations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and is intended for submission to the South African Heritage Resources Agency (SAHRA).

### 2. TERMS OF REFERENCE

#### 2.1 Scope of work

The aim of this HIA, broadly speaking, is to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the mixed use township.

The scope of work for this study consisted of:

- Conducting of a desk-top investigation of the area, in which all available literature, reports, databases and maps were studied; and
- A visit to the proposed development area.

The objectives were to

- Identify possible archaeological, cultural and historic sites within the proposed development area;
- Evaluate the potential impacts of construction, operation and maintenance of the proposed development on archaeological, cultural and historical resources; and
- Recommend mitigation measures to ameliorate any negative impacts on areas of archaeological, cultural or historical importance.

#### 2.2 Limitations

- None at present.

Table 1: Applicable category of heritage impact assessment study and report.

Type of study	Aim	SAHRA involved	SAHRA response
Heritage Impact Assessment	<p>The aim of a full HIA investigation is to provide an informed heritage-related opinion about the proposed development by an appropriate heritage specialist. The objectives are to identify heritage resources (involving site inspections, existing heritage data and additional heritage specialists if necessary); assess their significances; assess alternatives in order to promote heritage conservation issues; and to assess the acceptability of the proposed development from a heritage perspective.</p> <p>The result of this investigation is a heritage impact assessment report indicating the presence/ absence of heritage resources and how to manage them in the context of the proposed development.</p> <p>Depending on SAHRA's acceptance of this report, the developer will receive permission to proceed with the proposed development, on condition of successful implementation of proposed mitigation measures.</p>	Provincial Heritage Resources Authority	Comments on built environment and decision to approve or not
		SAHRA Archaeology, Palaeontology and Meteorites Unit	Comments and decision to approve or not

### 3. HERITAGE RESOURCES

#### 3.1 The National Estate

The NHRA (No. 25 of 1999) defines the heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations that must be considered part of the national estate to include:

- places, buildings, structures and equipment of cultural significance;
- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- graves and burial grounds, including-
  - ancestral graves;
  - royal graves and graves of traditional leaders;
  - graves of victims of conflict;
  - graves of individuals designated by the Minister by notice in the Gazette;
  - historical graves and cemeteries; and
  - other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including-



- objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
- objects to which oral traditions are attached or which are associated with living heritage;
- ethnographic art and objects;
- military objects;
- objects of decorative or fine art;
- objects of scientific or technological interest; and
- books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

### 3.2 Cultural significance

In the NHRA, Section 2 (vi), it is stated that “cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. This is determined in relation to a site or feature’s uniqueness, condition of preservation and research potential.

According to Section 3(3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of

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

## 4. STUDY APPROACH AND METHODOLOGY

### 4.1 Extent of the Study

This survey and impact assessment covers the area as presented in Section 5 and as illustrated in Figures 1 and 2.

### 4.2 Methodology

#### 4.2.1 Preliminary investigation

#### 4.2.1.1 Survey of the literature

A survey of the relevant literature was conducted with the aim of reviewing the previous research done and determining the potential of the area. In this regard, various anthropological, archaeological, historical sources and heritage impact assessment reports were consulted (Huffman 1993; Mason 1986; van Schalkwyk, Pelser & van Vuuren 1996; van Schalkwyk, Pelser, & Teichert 2000; van Vollenhoven 1999).

- Information of a very general nature was obtained from these sources.

#### 4.2.1.2 Data bases

The *Heritage Atlas Database*, the *Environmental Potential Atlas*, the *Chief Surveyor General* and the *National Archives of South Africa* were consulted.

- Database surveys produced a number of sites located in adjacent areas.

#### 4.2.1.3 Other sources

Aerial photographs and topocadastral and other maps were also studied - see the list of references below.

- Information of a very general nature was obtained from these sources.

#### 4.2.2 Field survey

The area that had to be investigated was identified by **Seedcracker Environmental Consulting** by means of maps. As this area is very disturbed and impacted on by rubbish that is dumped on it, it was surveyed by travelling the existing tracks that criss-cross it. In 2005 the site was surveyed as part of a proposed development project for the Westfort Hospital.

## 5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

### 5.1 Site location and description

The site consists of Portion 1 of the Farm Fort 646JR in the City of Tshwane Metro Municipality. It is an irregular shaped section of land located south of the Daspoortrand and north of the suburb of Lotus Gardens in the western part of Pretoria (Fig. 1). For more information, please see the Technical Summary presented above.

The geology is made up of andesite, with quartzite to the north and shale to the south. The original vegetation is classified as Rocky Highveld Grassland. Past land use activities in the area was largely agricultural. The area is currently vacant and is extensively used by surrounding communities to dump refuse on.

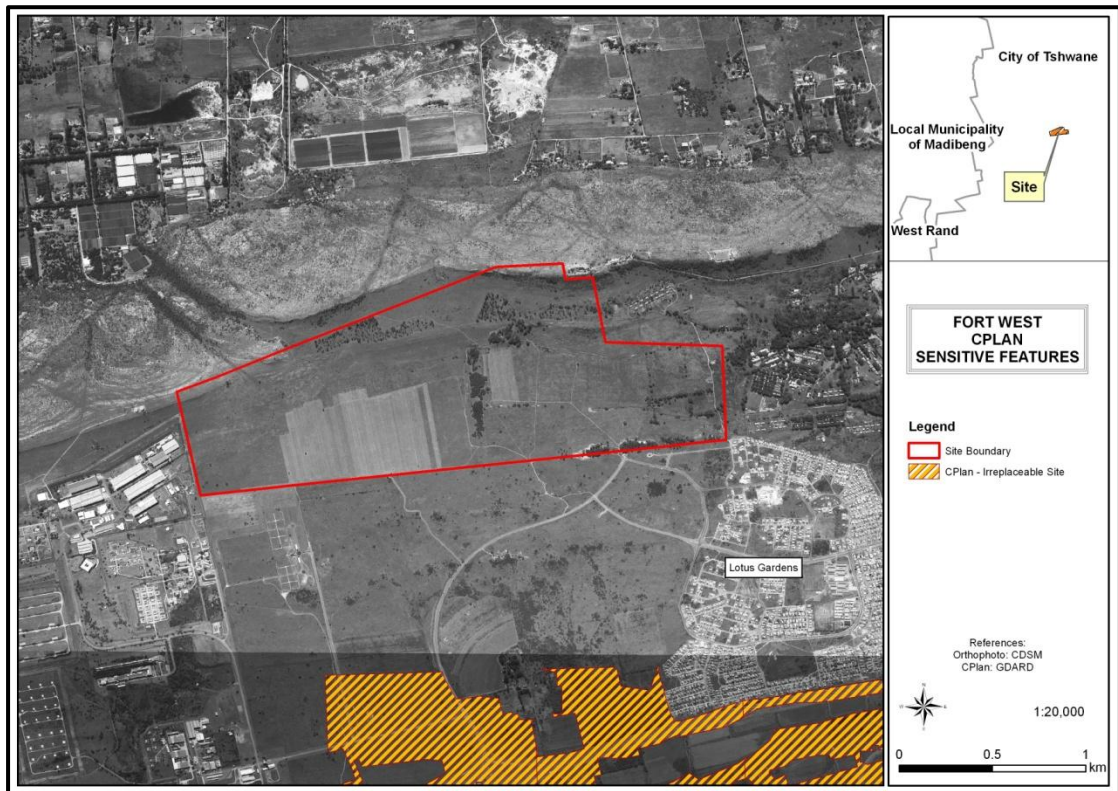


Fig. 1. Location of the study area.



Fig. 2. Views over the study area.

## 5.2 Project description

The proposed development will include the following land uses: retail, housing, schools and urban open space. It forms Phase 1 of a proposed three phased project (see Fig. 3 below).

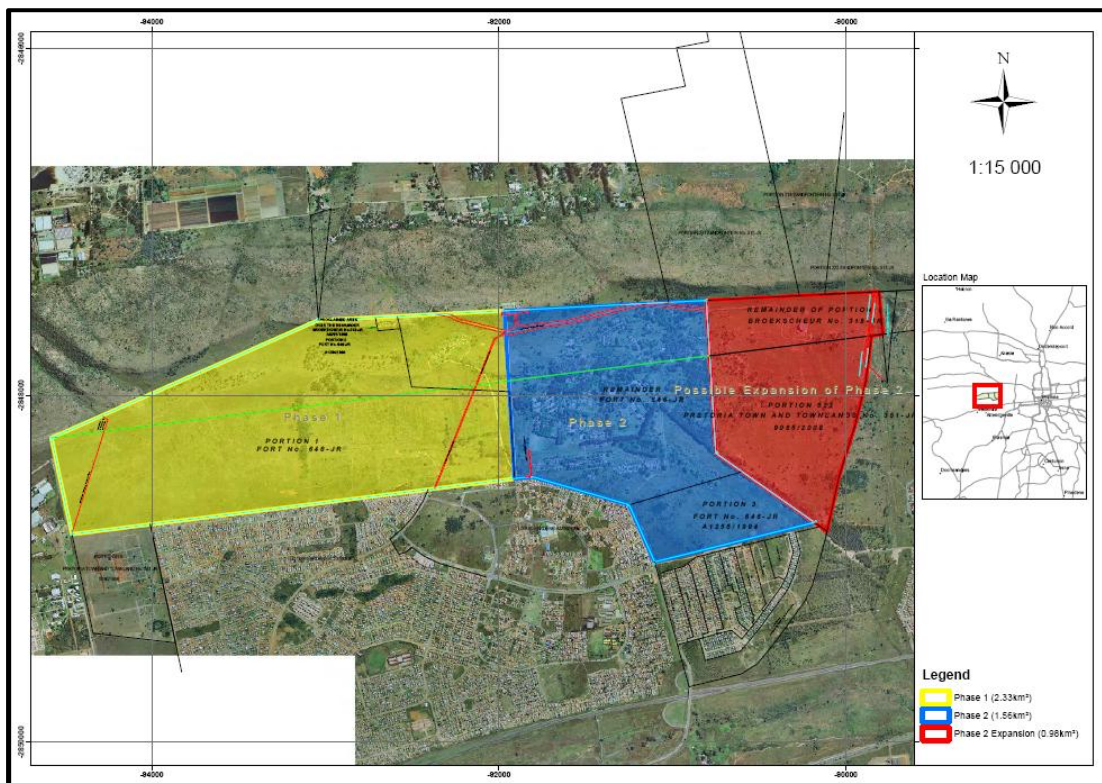


Fig. 3. Layout of the proposed development (Phase 1 = yellow area).

## 5.2 Regional overview

### *Stone Age*

The larger region has been inhabited by different hominids since early Pliocene times, but it was only from about 2.5 million years ago that they started to produce stone tools, effectively beginning the Early Stone Age (ESA). During Middle Stone Age (MSA) times (c. 150 000 - 30 000 BP), people became more mobile, occupying areas formerly avoided.

Late Stone Age (LSA) people had even more advanced technology than the MSA people and therefore succeeded in occupying even more diverse habitats. Also, for the first time we now get evidence of people's activities derived from material other than stone tools. Ostrich eggshell beads, ground bone arrowheads, small bored stones and wood fragments with incised markings are traditionally linked with the LSA. A number of sites dating to this period have been studied by Wadley (1987) in the Magaliesberg area. In the case of the LSA people, they have also left us with a rich legacy of rock art, which is an expression of their complex social and spiritual beliefs.

### *Iron Age*

Iron Age people started to settle in southern Africa c. AD 300, with one of the oldest known sites at Broederstroom, dating to AD 470, located south of Hartebeespoort Dam just outside of the WHS area. Having only had cereals (sorghum, millet) that need summer rainfall, Early Iron Age (EIA) people did not move outside this rainfall zone, and neither did they occupy the central interior highveld area (Huffman 1993).

The occupation of the region by Iron Age communities did not start much before the 1500s. Due to climatic fluctuations, bringing about colder and drier conditions, people were forced to avoid this area. Following a dry spell that ended just before the turn of the millennium the climate became better again until about AD 1300. This coincided with the arrival of the ancestors of the present day Sotho-, Tswana- and Nguni-speakers in southern Africa, forcing them to avoid large sections of the interior.

During the early decades of the 19th century, the Tswana- and Ndebele-speakers were dislodged by the Matabele of Mzilikazi. Internal strife caused Mzilikazi, a general of King Shaka, and his followers to move away from the area between the Thukela and Mfolozi river (KwaZulu-Natal). Eventually, after a sojourn in the Sekhukhuneland area, followed by a short stay in the middle reaches of the Vaal River, they settled north of the Magaliesberg. One of three main settlements established by them, eKungwini, was on the banks of the Apies River, just north of Wonderboompoort (Carruthers 1990). However, no remains of this settlement have ever been identified.

It was during the Matabele's stay along the Apies River that the first white people entered the area: travelers and hunters such as Cornwallis Harris and Andrew Smith, traders Robert Schoon and Andrew McLuckie, and missionaries James Archbell and Robert Moffat. It is known from oral history the Robert Schoon sent Mzilikazi huge quantities of glass trade beads, rather than the guns that the latter coveted so much (Becker 1972).

#### *Historic period*

White settlers started to occupy huge tracts of land, claiming it as farms since the late 1840s. Of these, some of the earliest were Lucas Bronkhorst (Groenkloof), David Botha (Hartebeestpoort – Silverton) and Doors Erasmus (Wonderboom). With the establishment of Pretoria (1850) services such as roads, started to develop. An increase in population also demanded more food, which stimulated development of farming on the alluvial soils on the banks of the Apies River, close to the water.

With the increased fear of British domination, the government of the ZAR had four forts built in the vicinity of Pretoria to protect the capital city in case of war. One of them, known as Fort Daspoortrand or Wes Fort, occurs to the north of the study area (Van Vollenhoven 1999).

In 1898, a hospital, that later was to be called Westfort Hospital, was erected on the eastern border of the current study area. This hospital was used for the treatment of people suffering from leprosy and was active until the 1960s.

The 1939 version of the 1:50 000 topocadastral map (Fig. 5) shows a lack of development in the region of the study area.



Fig. 4. Remains of the fort and the admin building at the hospital.

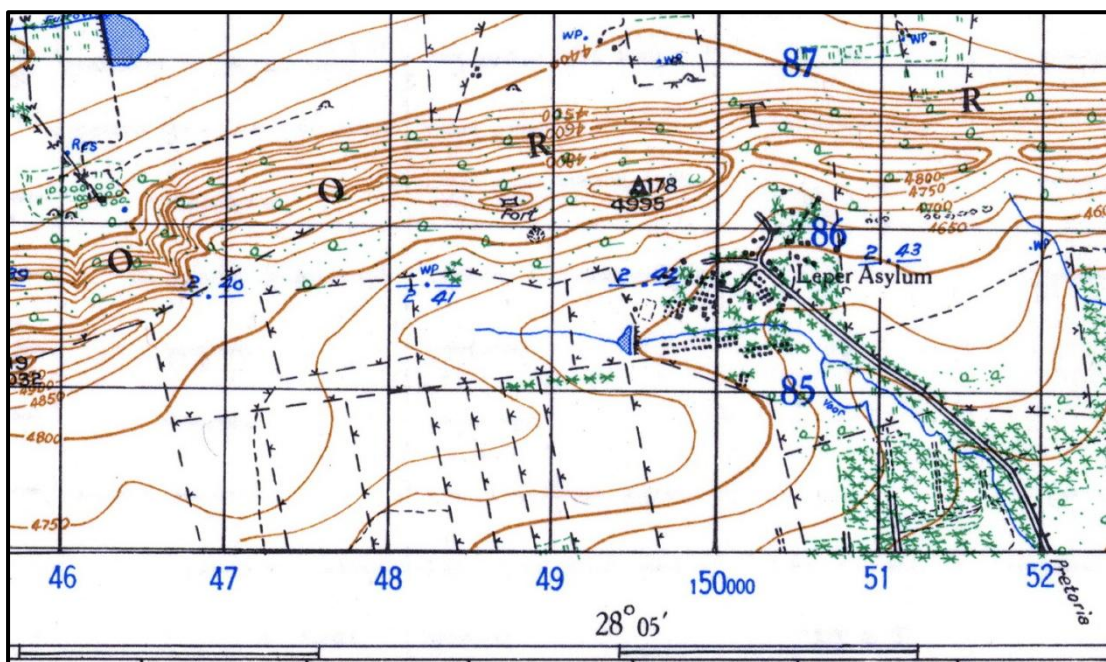


Fig. 5. The 1939 version of the 1:50 000 topocadastral map.  
(Map 2528CA: Chief Surveyor-General)

### 5.3 Identified sites

The following cultural heritage resources were identified in the study area:

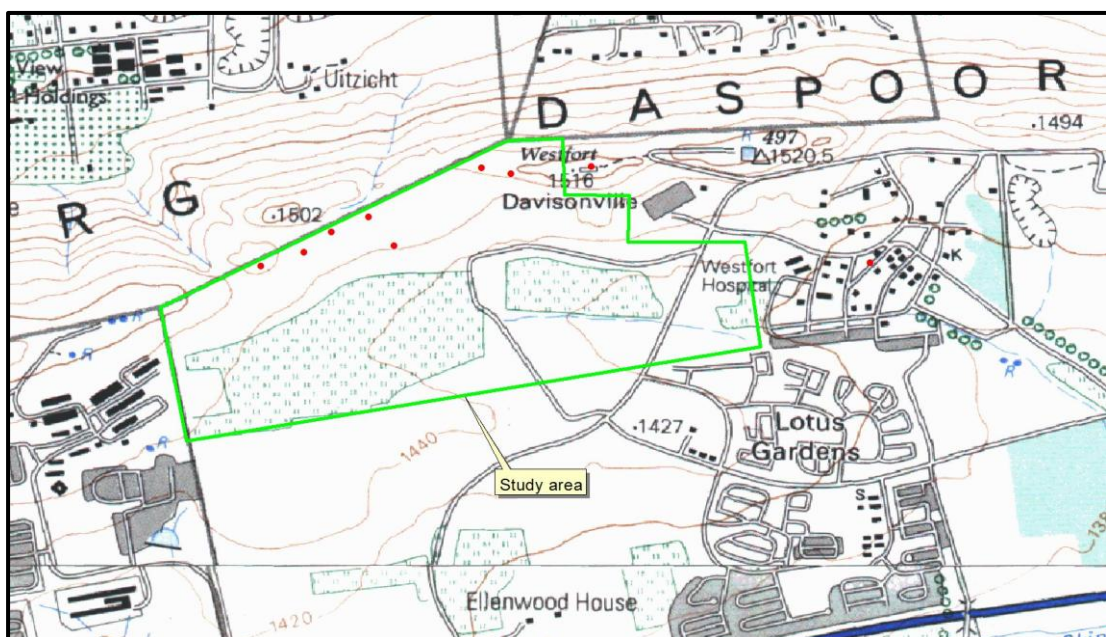


Fig. 6. Map showing the location of the identified heritage sites.  
(Map 2528CA: Chief Surveyor-General)

## 5.3.1 Stone Age

- No sites, features or objects dating to the Stone Age were identified in the study area.

## 5.3.2 Iron Age

<b>NHRA Category</b>	Archaeological and palaeontological sites		
<b>Protection status</b>	General Protection - Section 35: Archaeology, palaeontology and meteorites		
<b>Location</b>	1	-25.73295	28.07294
	2	-25.73294	28.07176
	3	-25.73656	28.06326
	4	-25.73567	28.06482
	5	-25.73439	28.06650
	6	-25.73534	28.07047
	7	-25.73663	28.06176
<b>Description</b>	Seven areas containing stone walled settlements dating to the Late Iron Age were identified in the study area. Based on their layout it seems as if it all forms part of a larger whole, i.e. a large settlement structure with a cattle enclosure close by as well as some others structures, probably for keeping small stock. These sites can probably be linked to Tswana- or Ndebele-speakers who settled here within the last 300 years, i.e. prior to the arrival of the white settlers.		
<b>Significance</b>	Medium on a regional level – Grade III		
<b>Mitigation</b>	There is a very high likelihood that there would be an impact on the various sites, either direct during construction, or afterwards, with residents removing material or the stone walls for other use. It is therefore recommended that these sites are archaeologically investigated (mapped, photographed and excavated) prior to development taking place. This can only be done by a qualified archaeologist with a permit from SAHRA.		



Fig. 7. Layout of some of the Iron Age stone walled sites.

### 5.3.3 Historic period

- No sites, features or objects dating to the historic period were identified in the study area.

## 6. SITE SIGNIFICANCE AND ASSESSMENT

### 6.1 Heritage assessment criteria and grading

The NHRA stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act:

- **Grade I:** Heritage resources with qualities so exceptional that they are of special national significance;
- **Grade II:** Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and
- **Grade III:** Other heritage resources worthy of conservation, on a local authority level.

The occurrence of sites with a Grade I significance will demand that the development activities be drastically altered in order to retain these sites in their original state. For Grade II and Grade III sites, the applicable of mitigation measures would allow the development activities to continue.

### 6.2 Statement of significance

A matrix was developed whereby the above criteria, as set out in Sections 3(3) and 7 of the NHRA, No. 25 of 1999, were applied for each identified site (see Appendix 1). This allowed some form of control over the application of similar values for similar sites. Three categories of significance are recognized: low, medium and high. In terms of Section 7 of the NHRA, all the sites currently known or which are expected to occur in the study area are evaluated to have a grading as identified in the table below.

Table 2. Summary of identified heritage resources in the study area.

<b>Identified heritage resources</b>	
<i>Category, according to NHRA</i>	<i>Identification/Description</i>
<b>Formal protections (NHRA)</b>	
National heritage site (Section 27)	None
Provincial heritage site (Section 27)	None
Provisional protection (Section 29)	None
Place listed in heritage register (Section 30)	None
<b>General protections (NHRA)</b>	
structures older than 60 years (Section 34)	None
archaeological site or material (Section 35)	Yes
palaeontological site or material (Section 35)	None



graves or burial grounds (Section 36)	None
public monuments or memorials (Section 37)	None
<b>Other</b>	
Any other heritage resources (describe)	None

### 6.3 Impact assessment

Impact analysis of cultural heritage resources under threat of the proposed development, are based on the present understanding of the development.

- Seven areas containing stone walled settlements dating to the Late Iron Age were identified in the study area. There is a very high likelihood that there would be an impact on the various sites, either direct during construction, or afterwards, with residents removing material or the stone walls for other use.

## 7. CONCLUSIONS

The aim of the survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area in which it is proposed to develop a mixed used township facility.

- Seven areas containing stone walled settlements dating to the Late Iron Age were identified in the study area. There is a very high likelihood that there would be an impact on the various sites, either direct during construction, or afterwards, with residents removing material or the stone walls for other use. It is therefore recommended that these sites are archaeologically investigated (mapped, photographed and excavated) prior to development taking place. This can only be done by a qualified archaeologist with a permit from SAHRA.

Therefore, from a heritage point of view we recommend that the proposed development can continue, on condition of acceptance of the above mitigation measures. We request that if archaeological sites or graves are exposed during construction work, it should immediately be reported to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made.

## 8. REFERENCES

### 8.1 Data bases

Chief Surveyor General  
Environmental Potential Atlas, Department of Environmental Affairs and Tourism.  
Heritage Atlas Database, Pretoria.  
National Archives of South Africa

### 8.2 Literature

Acocks, J.P.H. 1975. *Veld Types of South Africa*. Memoirs of the Botanical Survey of South Africa, No. 40. Pretoria: Botanical Research Institute.

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Van Vollenhoven, A.C. 1999. *The Military Fortifications of Pretoria (1880-1902)*. Pretoria: A.C. van Vollenhoven.

Wadley, L. 1988. Stone Age sites in the Magaliesberg. In Evers, T.M., Huffman, T.N. & Wadley, L. (eds.) *Guide to Archaeological sites in the Transvaal*. Johannesburg: Dept. of Archaeology, University of the Witwatersrand. Pp. 9-39.

### 8.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2528CA  
Google Earth

## APPENDIX 1: CONVENTIONS USED TO ASSESS THE SIGNIFICANCE OF HERITAGE RESOURCES

### Significance

According to the NHRA, Section 2(vi) the **significance** of heritage sites and artefacts is determined by its aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technical value in relation to the uniqueness, condition of preservation and research potential. 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.

Matrix used for assessing the significance of each identified site/feature

<b>1. Historic value</b>				
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 organisation of importance in history				
Does it have significance relating to the history of slavery				
<b>2. Aesthetic value</b>				
It is important in exhibiting particular aesthetic characteristics valued by a community or cultural group				
<b>3. Scientific value</b>				
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				
<b>4. Social value</b>				
Does it have strong or special association with a particular community or cultural group for social, cultural or spiritual reasons				
<b>5. Rarity</b>				
Does it possess uncommon, rare or endangered aspects of natural or cultural heritage				
<b>6. Representivity</b>				
Is it important in demonstrating the principal characteristics of a particular class of natural or cultural places or objects				
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				
Importance 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.				
<b>7. Sphere of Significance</b>		High	Medium	Low
International				
National				
Provincial				
Regional				
Local				
Specific community				
<b>8. Significance rating of feature</b>				
1.	Low			
2.	Medium			
3.	High			

## APPENDIX 2. RELEVANT LEGISLATION

All archaeological and palaeontological sites and meteorites are protected by the National Heritage Resources Act (Act no 25 of 1999) as stated in Section 35:

(1) Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority: Provided that the protection of any wreck in the territorial waters and the maritime cultural zone shall be the responsibility of SAHRA.

(2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collection policy acceptable to the heritage resources authority and may in so doing establish such terms and conditions as it sees fit for the conservation of such objects.

(3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

(4) No person may, without a permit issued by the responsible heritage resources authority-

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

In terms of cemeteries and graves the following (Section 36):

(1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.

(2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated with the grave referred to in subsection (1), and must maintain such memorials.

(3) No person may, without a permit issued by SAHRA or a provincial heritage resources authority-

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

(4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.