

**Heritage impact assessment for the
PROPOSED ESTATE DEVELOPMENT ON THE FARM KALAHARI GOLF AND
JAG LANDGOED 775, KATHU, NORTHERN CAPE PROVINCE**

HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED ESTATE DEVELOPMENT ON THE FARM KALAHARI GOLF AND JAG LANDGOED 775, KATHU, NORTHERN CAPE PROVINCE

Report No: 2012/JvS/023
Status: Draft
Revision No: 0
Date: May 2012

Prepared for:

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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
May 2012

EXECUTIVE SUMMARY

HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED ESTATE DEVELOPMENT ON THE FARM KALAHARI GOLF AND JAG LANDGOED 775, KATHU, NORTHERN CAPE PROVINCE

It is proposed by Kalahari Golf en Jag Landgoed to develop a housing estate on Portions 775/1 and 775/2 of their property by the same name. This is located on a Portion of the farm Sims 452 on the north-western outskirts of Kathu town in Northern Province.

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.

The aim of this survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area of the proposed development, to assess the significance thereof and to consider alternatives and plans for the mitigation of any adverse impacts.

- For most of the development site there is no evidence for archaeological sites, palaeontological remains or graves.
- The northern section of the site raises some concerns. This is directly adjacent to the famous Kathu Pan archaeological sites which are viewed to be of archaeological high significance. In fact, some of the smaller sites identified by Beaumont (1990, 2006) occurs inside the boundaries of the development site. In addition, this section also has a high density of surface material.

Although details on the proposed development are not available, it is taken that any development in the northern part of the study area would have a negative impact on the Kathu Pan sites. Therefore the northern section, as indicated on the map in Figure 4, was subjected to an intensive foot survey. It was found that the occurrence of stone artefacts declined drastically outside the area delineated in red. It is therefore recommended that this area is excluded from the development and that it is treated as a no-go area.

Therefore, from a heritage point of view it is recommended that the proposed development be allowed to continue on acceptance of the above recommendations. It is also requested that should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.



J A van Schalkwyk
Heritage Consultant
May 2011

TECHNICAL SUMMARY

Property details						
Province	Northern Cape					
Magisterial district	Postmasburg					
Local municipality	Gamagara					
Topo-cadastral map	2723CA					
Closest town	Kathu					
Farm name	Kalahari Golf en Jag Landgoed					
Coordinates	Polygon (approximate)					
	No	Latitude	Longitude	No	Latitude	Longitude
	1	S 27.66465	E 23.01332	2	S 27.68082	E 23.04304
	3	S 27.69275	E 23.03405	4	S 27.67327	E 23.01210

Development criteria in terms of Section 38(1) of the NHR Act	Yes/No
Construction of road, wall, power line, pipeline, canal or other linear form of development or barrier exceeding 300m in length	No
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	No

Land use	
Current land use	Farming
Proposed land use	Housing estate

Developer	
Name	Kalahari Golf en Jag Landgoed
Address	-
Telephone no.	-
E-mail	-

Environmental Specialist	
Name	Ms Marquerite Geldenhuys
Address	Private Bag X5879, Postnet Suite 63, Upington, 8800
Telephone no.	(054) 491 3144
E-mail	megeldenhuys@vodamail.co.za

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GLOSSARY OF TERMS AND ABBREVIATIONS

TERMS

Study area: Refers to the entire study area as indicated by the client in the accompanying Fig. 1 - 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 (BP)
Middle Stone Age	150 000 - 30 000 BP
Later 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. 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 ESTATE DEVELOPMENT ON THE FARM KALAHARI GOLF AND JAG LANDGOED 775, KATHU, NORTHERN CAPE PROVINCE

1. INTRODUCTION

It is proposed by Kalahari Golf en Jag Landgoed to develop a housing estate on Portions 775/1 and 775/2 of their property by the same name. This is located on a Portion of the farm Sims 452 on the north-western outskirts of Kathu town in Northern Province.

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 2006 P. Beaumont of the McGregor Museum, Kimberley, was appointed by MEG Environmental Impact Studies to conduct a survey of the relevant properties. He concluded that "... no evidence on them for archaeological sites, palaeontological remains or graves older than 60 years" were found and that the proposed development would have "no impact on the cultural heritage resources of the Northern Cape" (Beaumont 2006).

As Kalahari Golf en Jag Landgoed now wishes to proceed with the development, the author of this report was contracted by MEG Environmental Impact Studies to again survey the various properties involved.

2. TERMS OF REFERENCE

2.1 Scope of work

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;
- 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;
- Recommend mitigation measures to ameliorate any negative impacts on areas of archaeological, cultural or historical importance.

2.2 Limitations

- It must be remembered that archaeological material, by its very nature, occurs below ground level and in many cases such buried cultural remains are difficult to detect.

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 - 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 (Beaumont 2006; Beaumont & Morris 1990; Dreyer 2009; Morris 2010; Van Schalkwyk 2011).

- Information on the prehistory as well as the history of the area was obtained from these sources. It also produced information on the location of known heritage sites in the larger region.

4.2.1.2 Data bases

The *Heritage Atlas Database*, the *Environmental Potential Atlas* (ENPAT), the *Chief Surveyor General* (CS-G) and the *National Archives of South Africa* (NASA) were consulted.

- Database surveys produced information on a number of heritage sites located in the larger region.

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 field survey consisted of two parts:

- The information contained in existing reports (Beaumont 2006; Beaumont & Morris 1990) was verified. This produced a problem as it was found that the coordinates (generated in pre-GPS days) were not dependable. In fact, in some cases different sites have the same coordinates, which is understandable as some of them are located in close proximity of each other. However, this resulted in some uncertainty as to where exactly the sites are.
- The rest of the development site was accessed by means of existing roads. Based on aerial photographs, these roads were used to divide study area into blocks. Each block was then inspected on foot.

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location and description

The area under investigation consists of Portion 775/1 and Portion 775/2 of the Kalahari Golf en Jag Landgoed, located on a section of the farm Sims 462, to the northwest of the town of Kathu (Fig. 1 & 2).

The geology of the area is made up of sand. The original vegetation is classified as Kalahari Plains Thorn Bushveld. The topography of the area is described as plains and no hills or outcrops that usually drew people to settle in its vicinity are found in the study area. The closest water, the Vlermuisleegte, a non-perennial stream, passes through the area. A number of pans occur in the region, ranging from 50 to 200 metres in diameter. None of them hold water permanently.

The old national road linking Kuruman and Sishen passed through the area. However, this road was later re-aligned due to the development of Kathu.

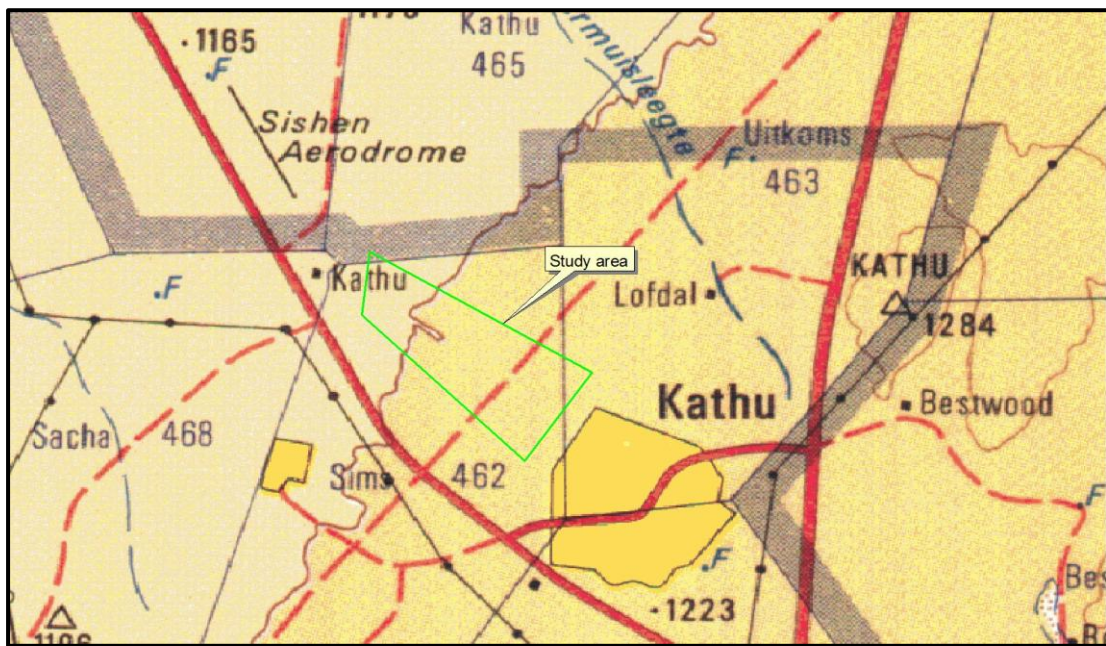


Fig. 1. Location of the study area in regional context (outlined in green).
(Map 2820: Chief Surveyor-General)



Fig. 2. Views over the site.

5.2 Overview of the region

Most sources indicate an area of low human occupation. This is largely as a result of the lack of open water. It was only with the arrival of drilling rigs and wind mills that population density increased.

Stone Age

Occupation of the region took place during the Stone Age. Most of this, however, seems to date to the Early Stone Age and centres in the areas where there are hills, e.g. to the east

and south. For example, in the vicinity of Kathu, Beaumont (1990) and Dreyer (2007) identified to occurrence of extensive Early Stone Age occupation.

Less obvious in its presence are the Later Stone Age sites, some of which are indicated by Beaumont & Vogel (1984). They equate these sites, some which occur in the larger region, with Cape Coastal pottery associated with amorphous LSA (herders) or Wilton (hunter-gatherers) in the period 100 BC to AD 1900.

Iron Age

Early Iron Age occupation did not take place in the region and seems as if the earliest people to live settled lives here were those of Tswana-speaking origin (Tlhaping and Tlharo) that settled mostly to the north and a bit to the west of Kuruman. However, they continued spreading westward and by the late 18th century some groups occupied the Langeberg region. With the annexation of the Tswana areas by the British in 1885, the area became known as British Betchuana Land. A number of reserves were set up for these people to stay in. In 1895 the Tswana-speakers rose up in resistance to the British authority as represented by the government of the Cape Colony. They were quickly subjected and their land was taken away, divided up into farms and given out to white farmers to settle on (Snyman 1986).

Historic period

Many early explorers, hunters, traders and missionaries travelled through the area on their way to Kuruman on what was to become known as the "missionary road". Anderson, Burchell, Harris, Holub, Lichtenstein and Moffat are but a few of the better-known names to pass through here.

In 1902 Olifantshoek got its first permanent inhabitant, Edward Finnis and in 1903 Michael Colley opened a shop. The slow growth of Olifantshoek can be attributed to the fact that for many years Deben (Dibeng) was the main seat of the church in the region and local people preferred to go there.

Although prospecting for minerals, especially diamonds occurred in the area and some knowledge was available on the iron deposits, it was only during the 1940s that the extent of the iron and manganese deposits were established. This was followed by the establishment of towns such as Sishen (1952) and Kathu in 1972.

5.3 Identified sites

After the survey was completed, we reached the following conclusions:

5.3.1 We concur with Beaumont (2006) that there is no evidence for the largest part of the study area for archaeological sites, palaeontological remains or graves that would be impacted on by the proposed development.

5.3.2 However, with regard to the north-western section of the site, we do have to raise some concerns. This is based on the following:

- The fact that some of Beaumont's archaeological sites plot within the boundaries of proposed development site (see Fig. 3 below). It is agreed that pre-GPS coordinate determination could be a factor in accuracy, but according to his written descriptions some of these sites do fall on the farm Sims.
- It is agreed that, as stated by Beaumont, all of these sites have already been test excavated, implying that some form of mitigation has already been applied. However, the Kathu Pan is viewed as of archaeological high significance.

- Stone tools dating to the Early and Middle Stone Age, as well as some possibly dating to the Later Stone Age, also occur as surface material in the north-western section of the study area. This is especially the case in the southern section, where the density of tools, flakes and cores reach a number of at least 2 objects per square metre. This decline the further one move to the north. This area was extensively surveyed on foot to determine a possible limit to the occurrence of surface and other material.

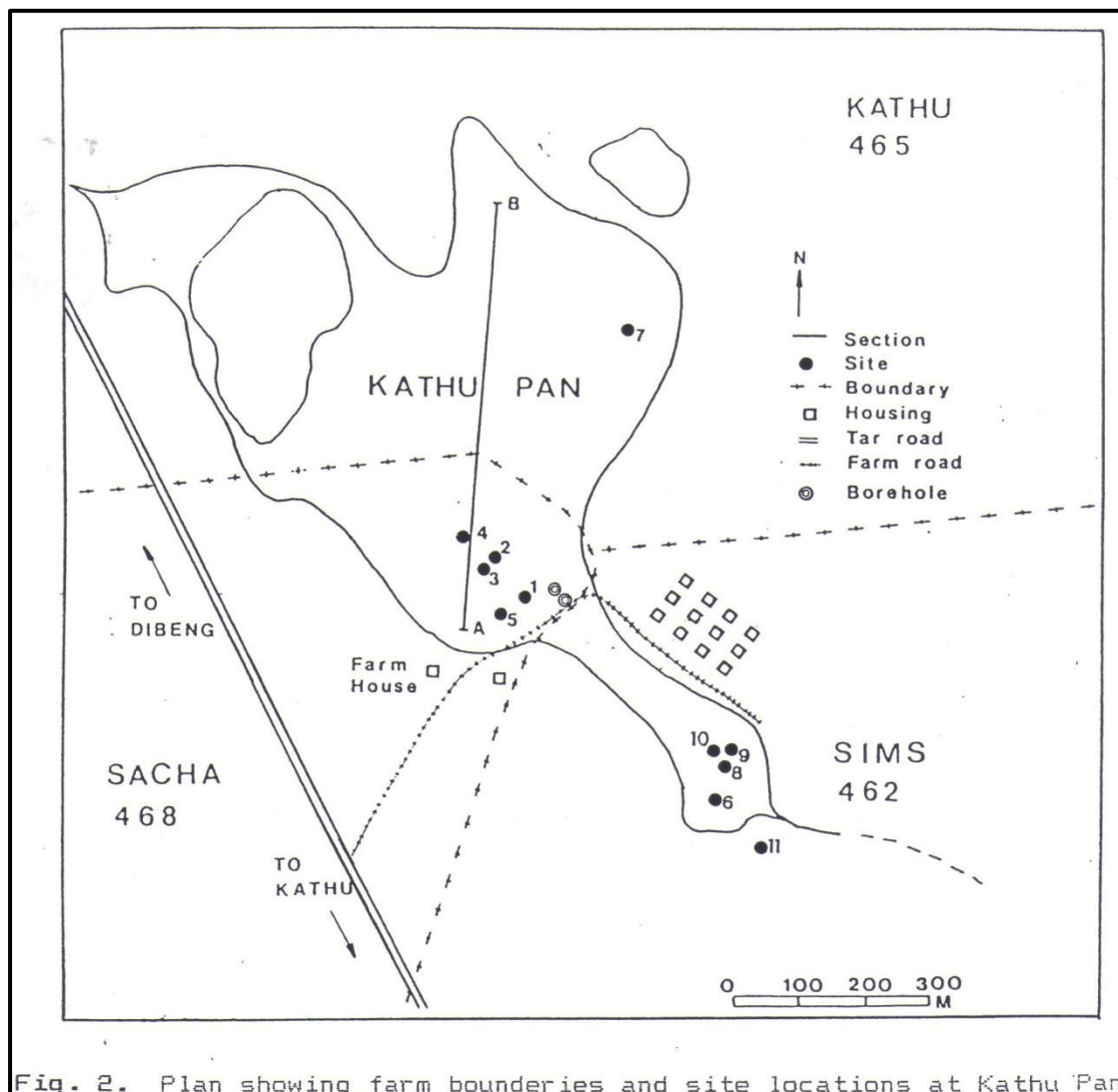


Fig. 3. The location of the sites as indicated by Beaumont (1990, 2006).

From Figure 4 it can clearly be seen where the sites are located. The sites with plain numbers are the ones identified by Beaumont (in order not to clutter up the image, only one each of the sites with similar coordinates was plotted). The sites with the CA numbers have been plotted by the current author during other projects on the adjacent farm. The area indicated in red is viewed to be sensitive as some of Beaumont's site occur here, as well as that a significant number of stone artefacts are found on the surface.



Fig. 4. The study area showing the location of the identified sites.
(Photo: Google Earth)

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.

Identified heritage resources	
<i>Category, according to NHRA</i>	<i>Identification/Description</i>
Formal protections (NHRA)	
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
General protections (NHRA)	
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
Other	
Any other heritage resources (describe)	None

- It has been shown that some sites occur in the area adjacent to the study area, and that some are even occurring in the study area as well.
- The Kathu Pan sites have been taken up in the archaeological literature as important points of reference in understanding early human occupation, not only locally but in the larger region as well.
- The Kathu Pan sites are some of the only known sites in the larger region that have been extensively studied.

On the basis of this, these sites are viewed to have a high significance on a regional level.

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.

- Although details on the proposed development are not available, it is taken that any development in the northern part of the study area would have a negative impact on the Kathu Pan sites. Therefore the northern section, as indicated on the map in Figure 4, was subjected to an intensive foot survey. It was found that the occurrence of stone artefacts

declined drastically outside the area delineated in red. It is therefore recommended that this area is excluded from the development and that it is treated as a no-go area.

7. CONCLUSIONS

The aim of this survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area of the proposed development, to assess the significance thereof and to consider alternatives and plans for the mitigation of any adverse impacts.

- For most of the development site there is no evidence for archaeological sites, palaeontological remains or graves.
- The northern section of the site raises some concerns. This is directly adjacent to the famous Kathu Pan archaeological sites which are viewed to be of archaeological high significance. In fact, some of the smaller sites identified by Beaumont (1990, 2006) occurs in the development site. In addition, this section also has a high density of surface material.

Although details on the proposed development are not available, it is taken that any development in the northern part of the study area would have a negative impact on the Kathu Pan sites. Therefore the northern section, as indicated on the map in Figure 4, was subjected to an intensive foot survey. It was found that the occurrence of stone artefacts declined drastically outside the area delineated in red. It is therefore recommended that this area is excluded from the development and that it is treated as a no-go area.

Therefore, from a heritage point of view it is recommended that the proposed development be allowed to continue on acceptance of the above recommendations. It is also requested that should archaeological sites or graves be exposed during construction work, it must immediately be reported to a heritage practitioner 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
SAHRA Archaeology and Palaeontology Report Mapping Project (2009)

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 Schalkwyk, J.A. 2010. *Archaeological impact survey report for the proposed Kalahari Solar Park development on the farm Kathu 465, Northern Cape Province*. Unpublished report 2010/vS/071.

8.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2723CA
Google Earth

8.4 Interviews

Mr N Cronje, manager of the farm.

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

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