

**Cultural heritage assessment for the
PROPOSED RHOMBUS 88KV DISTRIBUTION POWER LINE AND SUBSTATION,
WEST OF BRITS, NORTH WEST PROVINCE**

CULTURAL HERITAGE ASSESSMENT FOR THE PROPOSED RHOMBUS 88KV DISTRIBUTION POWER LINE AND SUBSTATION, WEST OF BRITS, NORTH WEST PROVINCE

Report No: 2014/JvS/018
Status: Draft
Revision No: 0
Date: March 2014

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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
March 2014

EXECUTIVE SUMMARY

CULTURAL HERITAGE ASSESSMENT FOR THE PROPOSED RHOMBUS 88KV DISTRIBUTION POWER LINE AND SUBSTATION, WEST OF BRITS, NORTH WEST PROVINCE

Eskom propose the construction of a 88kV electricity distribution power line from a new substation northwest of Brits to the new Rhombus substation west of Brits. For this purpose three Alternative routes have been identified, as well as two Alternatives for the proposed Rhombus substation.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Envirolution Consulting** to conduct a basic cultural heritage assessment to determine if the proposed development would have an impact on any sites, features or objects of cultural heritage significance.

The whole region was subjected to farming, urbanization and infrastructure development which would have destroyed any pre-colonial or early colonial heritage features that might have occurred here in the past. The only heritage sites known from the region are cemeteries, all of which are located well outside the area of the proposed development.

- As no sites, features or objects of cultural heritage significance have been identified in the study area, there would be no impact as a result of the proposed development.

Therefore, from a heritage point of view we recommend that the proposed development can continue. We also recommend that if archaeological sites or graves are exposed during development activities, 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
March 2014

TECHNICAL SUMMARY

Property details						
Province	North West					
Magisterial district	Bafokeng					
District municipality	Bojanala					
Topo-cadastral map	2527BC, 2527DA, 2527AD					
Closest town	Brits					
Farm name & no.	Hartbeestfontein 200JQ, Welgevonden 202JQ, Waaikraal 396JQ, Mamogalies					
Portions/Holdings	Various					
Coordinates	End points					
	No	Latitude	Longitude	No	Latitude	Longitude
	1	S 25.57397	E 27.58332	2	S 25.42018	E 27.51913

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	Yes
Construction of bridge or similar structure exceeding 50m in length	No
Development exceeding 5000 sq m	No
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	No
Any other development category, public open space, squares, parks, recreation grounds	No

Development	
Description	Development of an 88kV electricity power line
Project name	Rhombus line

Land use	
Previous land use	Agriculture
Current land use	Vacant/urban

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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
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

CULTURAL HERITAGE ASSESSMENT FOR THE PROPOSED RHOMBUS 88KV DISTRIBUTION POWER LINE AND SUBSTATION, WEST OF BRITS, NORTH WEST PROVINCE

1. INTRODUCTION

Eskom propose the construction of a 88kV electricity distribution power line from a new substation northwest of Brits to the new Rhombus substation west of Brits. For this purpose three Alternative routes have been identified, as well as two Alternatives for the proposed Rhombus substation.

South Africa's heritage resources, also described as the 'national estate', comprise a wide range of sites, features, objects and beliefs. However, according to Section 27(18) of the National Heritage Resources Act (NHRA), No. 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 **Envirolution Consulting** to conduct a basic cultural heritage assessment to determine if the proposed development would have an impact on any sites, features or objects of cultural heritage significance.

This 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

This report does not deal with development projects outside of or even adjacent to the study area as is presented in Section 5 of this report. The same holds true for heritage sites, except in a generalised sense where it is used to create an overview of the heritage potential in the larger region.

2.1 Scope of work

The aim of this study 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 reconstruct the sewer.

This include:

- Conducting a desk-top investigation of the area;
- A visit to the proposed development site,

The objectives were to

- Identify possible archaeological, cultural and historic sites within the proposed development areas;
- 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

The investigation has been influenced by the following factors:

- The unpredictability of archaeological remains occurring below the surface.
- This report does not consider the palaeontological potential of the site.
- A section of proposed Alternative 1, i.e. the northern most route, is located inside a game ranch and access to this section was not possible.

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.

A matrix was developed whereby the above criteria were applied for the determination of the significance of each identified site (see Appendix 1). This allowed some form of control over the application of similar values for similar identified sites.

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 Figure 1 - 3.

4.2 Methodology

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 and historical sources were consulted.

- Information on events, sites and features in the larger region were 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 the larger region of the proposed development.

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 were obtained from these sources

4.2.2 Field survey

The site was visited on 21 March 2014. The field survey was done according to generally accepted archaeological practices, and was aimed at locating all possible sites, objects and structures. The area that had to be investigated was identified by **Envirolution Consulting** by means of maps. The area was investigated by following the different proposed routes of the proposed power line – see Fig. 1.

The *kml* file indicating the power line routes, as supplied by Eskom, was loaded onto a Nexus 7 tablet. This was used, in Google Earth, during the field survey to follow the routes as closely as possible.

A section of proposed Alternative 1, i.e. the northern most route, is located inside a game ranch and access to this section was not possible. A number of small hills occur in the region. Fortunately, the power line alternatives do not cross over any of these. A number of small streams cross the region. All points where the alternative routes cross these streams were inspected.

The track log and identified sites were recorded by means of a Garmin Oregon 550 handheld GPS device. Photographic recording was done by means of a Canon EOS 550D digital camera.

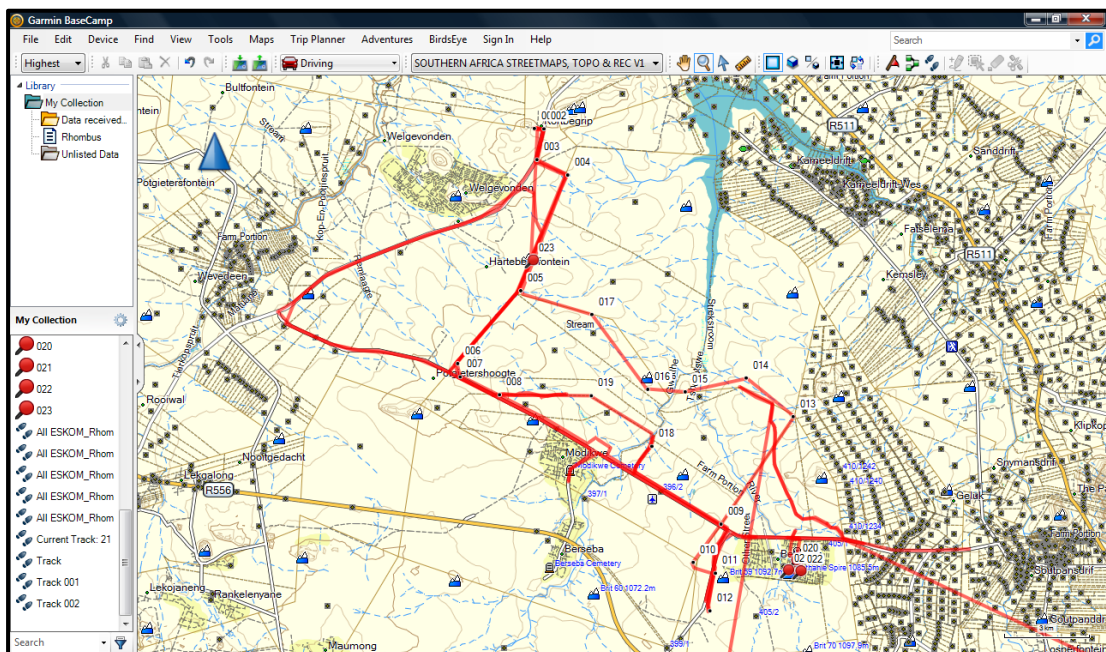


Fig. 1. Map indicating the track log of the field survey.

4.2.3 Documentation

All sites, objects and structures that are identified are documented according to the general minimum standards accepted by the archaeological profession. Coordinates of individual localities are determined by means of the *Global Positioning System* (GPS) and plotted on a map. This information is added to the description in order to facilitate the identification of each locality.

Map datum used: Hartebeeshoek 94 (WGS84).

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location

The 88kV electricity distribution power line is to run from a new substation northwest of Brits, at Hartbeesfontein settlement, to the new Rhombus substation west of Brits at Bethanie settlement - see the map in Fig. 2 below. For more information please see the Technical Summary presented above (p. iii).

The geology of the area is made up of granite. The topography is described as strongly undulating plains. The original vegetation is classified as Mixed Bushveld. The largest section of the study area can be described as “green fields” and show little to no human impact apart from farming (cattle ranching) activities.

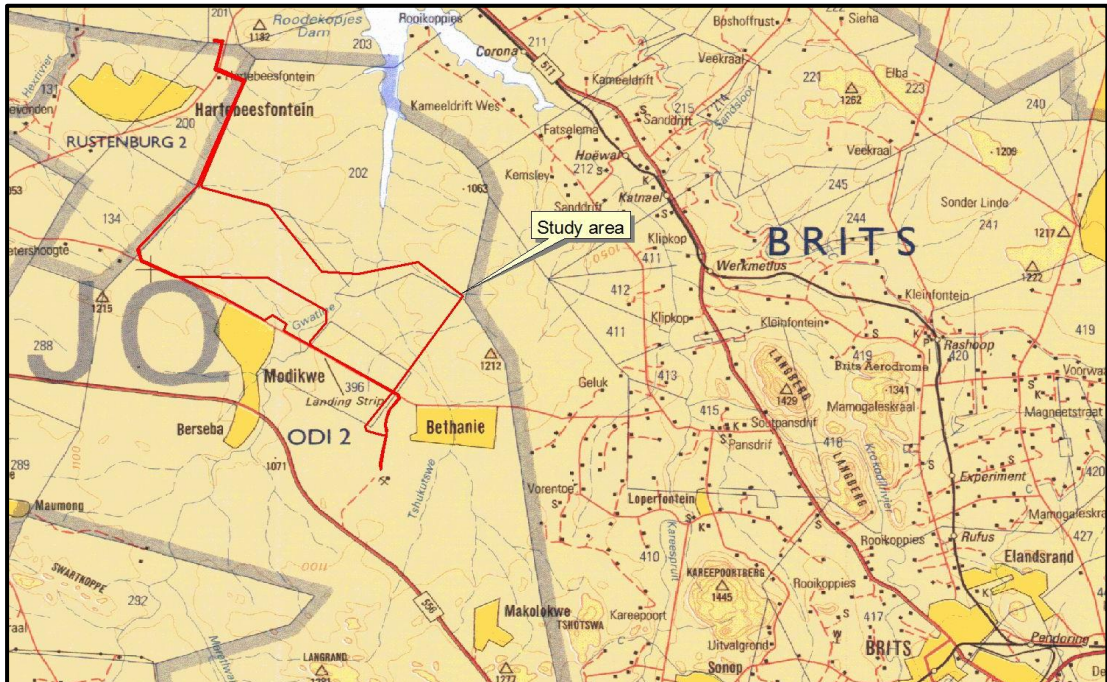


Fig. 2. Location of the study area in regional context.
(Map 2526: Chief Surveyor-General)



Fig. 3. Views over the study area.
(From north to south along the line)

5.2 Development proposal

The scope of works entails the construction of a 88kV electricity distribution power line from a new substation northwest of Brits to the new Rhombus substation west of Brits. For this purpose three Alternative routes have been identified, as well as two alternatives for the proposed Rhombus substation – see the map in Fig. 4 below.

For a long distance in the north-western section, Alternative 2 and the preferred route follow the alignment of a water pipe line. In other sections it follows dirt roads. The implication is that there are already impacts due to developments in these areas, which might have impacted on and site, feature or object that might have occurred here.

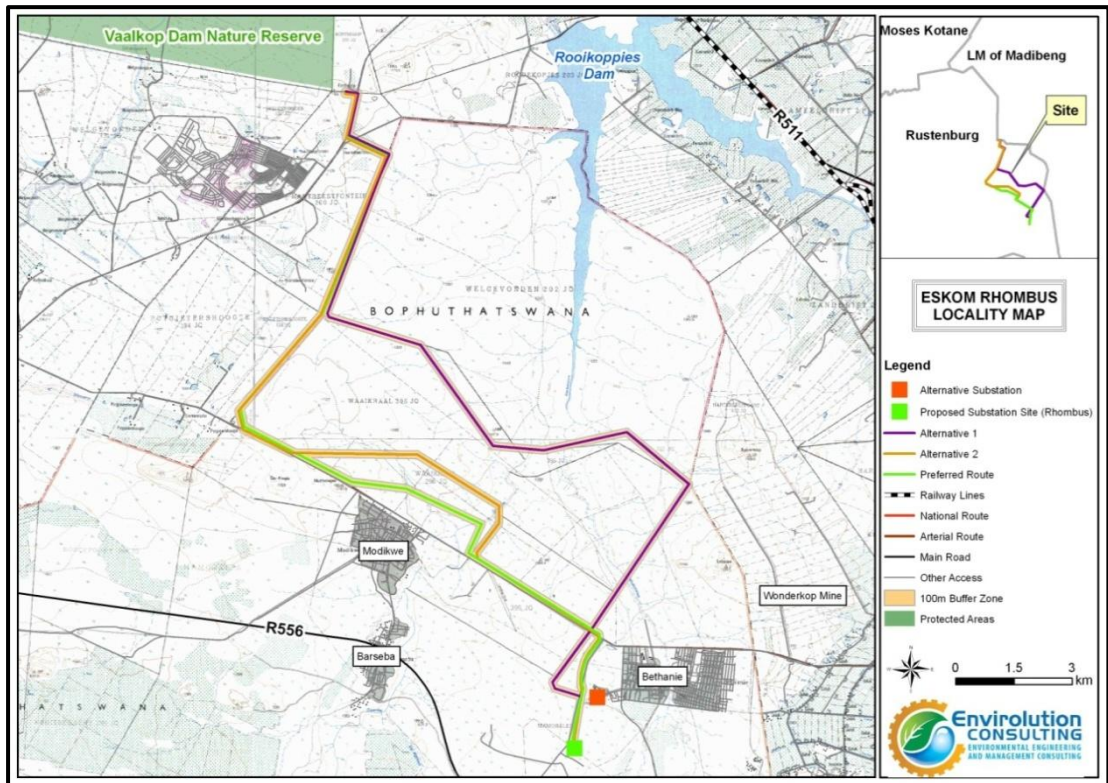


Fig. 4. Layout of the proposed development. (Map supplied by Envirovolution Consulting)

5.3 Overview of the region

The aim of this section is to present an overview of the history of the larger region in order to eventually determine the significance of heritage sites identified in the study area, within the context of their historic, aesthetic, scientific and social value, rarity and representivity – see Section 3.2 and Appendix 1 for more information.

The cultural landscape qualities of the region is made up of a pre-colonial element consisting of limited Stone Age and Iron Age occupation, as well as a much later colonial (farmer) component, which eventually gave rise to an urban component, followed by an industrial (mining) component.

5.3.1 Stone Age

Human occupation of the larger region took place since Early Stone Age time. However, this was a low density occupation, predominantly in the Magalies Mountains, where shelter could be found. During the Middle Stone Age population numbers increased and people started to venture further afield, exploring the streams and outcrops to the north of the mountain range.

For some still unknown reason, occupation declined during the Later Stone Age and people again concentrated in the mountain range.

5.3.2 Iron Age

Iron Age people started to settle in southern Africa c. AD 300, with one of the oldest known sites at Broederstroom south of Hartebeespoort Dam dating to AD 470. However, the occupation of the larger geographical area (including the study area) did not start much before the 1500s. This does not detract from the scale of the settlements found and the number of potential inhabitants. Because of their specific technology and economy, Iron Age people preferred to settle on the alluvial soils near rivers for agricultural purposes, but also for firewood and water. In this particular area, because of the turf soil, which is not suitable for settling on, they preferred to settle close to the gabbro outcrops, using the abundance of stone to create their complex village layouts.

Iron Age sites dating to the Late Iron Age abound in the study area. These are linked to Tswana occupation of the area and date in all probability to the period from 1600 and later. They are all stonewalled and each site probably made up one individual settlement unit.

The layout of these settlements usually consists of a group of large primary stone walled enclosures, with associated bilobial dwellings linked to it. The latter usually occur in groups of four to five units, facing the associated livestock pens to the centre of the settlement.

The plains to the west of the hills were mostly used for agriculture and herding of cattle, as well as for hunting, collecting of firewood, etc.



Fig. 5. Typical Late Iron Age stone walled site located to the northeast and northwest of the proposed development.

5.3.3 Historic period

The area was, since the arrival of the first white farmers, a largely a farming community. During the Anglo Boer War a number of skirmishes took place in the larger region. The town of Brits was laid out on the farm Roode Kopjes in May 1924 (Raper 2004).

It was only much later and largely because of the pioneering work done by Hans Merensky that the rich platinum, chrome and other ore bodies of the region were discovered and exploited on a large scale.

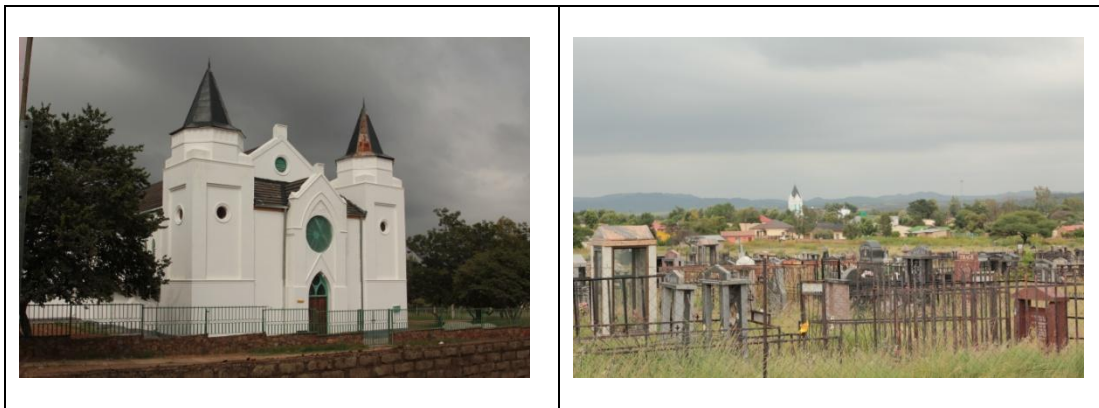


Fig. 6. Lutheran church in Bethanie and a formal cemetery.

5.4 Identified sites

The following sites, features and objects of cultural significance were identified in the study area:

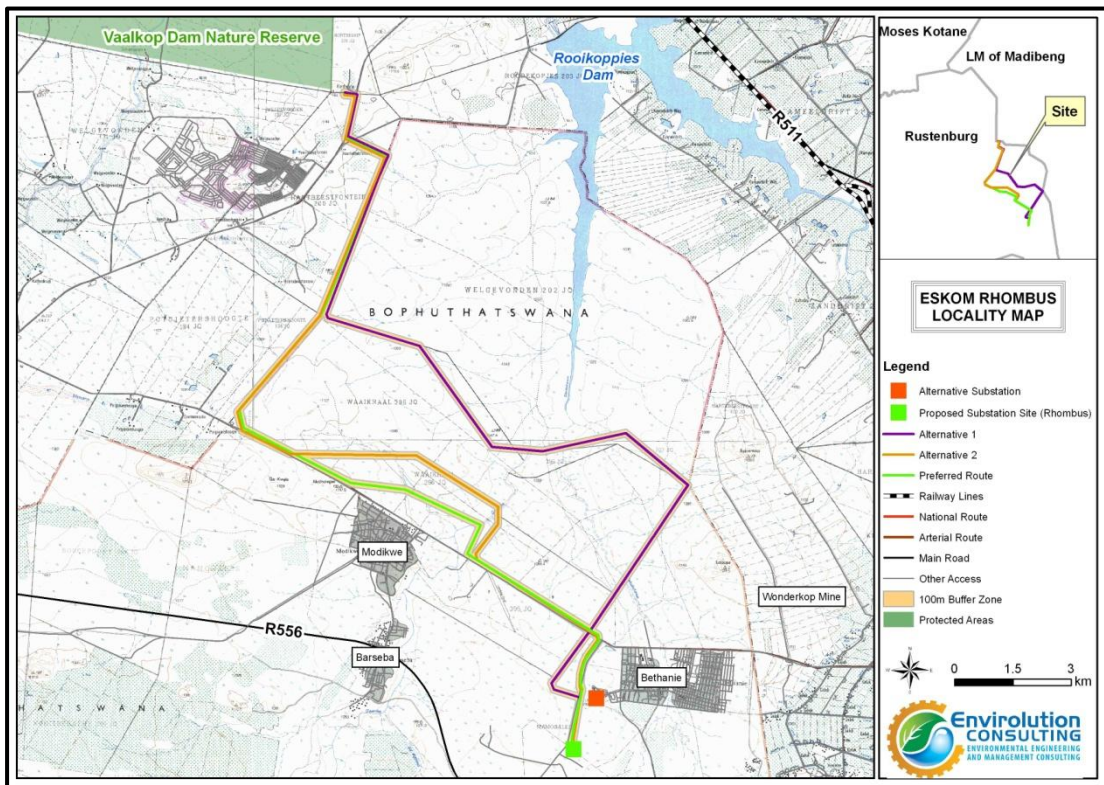


Fig. 7. Layout of the development site.
(Map 2527BC, 2527DA: Chief Surveyor-General)

5.4.1 Stone Age

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

5.4 2 Iron Age

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

5.4 2 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

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 Grade III significance.

Table 1. 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)	None
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

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:

- As no sites, features or objects of cultural heritage significance have been identified in the study area, there would be no impact as a result of the proposed development.

7. RECOMMENDATIONS

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 electricity distribution power line.

The whole region was subjected to farming and urbanization which would have destroyed any pre-colonial or early colonial heritage features that might have occurred here in the past. The only heritage sites known from the region are cemeteries, all of which are located well outside the area of the proposed development.

- As no sites, features or objects of cultural heritage significance have been identified in the study area, there would be no impact as a result of the proposed development.

Therefore, from a heritage point of view we recommend that the proposed development can continue. We also recommend that if archaeological sites or graves are exposed during development activities, 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.

Breutz, P-L. 1953. *The Tribes of Rustenburg and Pilanesberg Districts*. Ethnological Publications. Pretoria: Government Printer.

Coetzee, C.B. (ed.) 1976. Mineral resources of the Republic of South Africa. Handbook 7, Geological Survey. Pretoria: Government Printer.

Holm, S.E. 1966. *Bibliography of South African Pre- and Protohistoric archaeology*. Pretoria: J.L. van Schaik.

Pistorius, J.C.C. 1995. *'n Argeologiese verkenningsopname van 'n gedeelte van die Adis-Ikaros-Phoebus 400kV transmissielynrondor tussen Garankuwa en Brits*. Pretoria: Ongepubliseerde verslag.

Pistorius, J.C.C. 2000. *A phase 1 archaeological survey of Portion 1059 of the farm Hartebeespoort 410JQ in the Brits district of North-West: addendum to the environmental management programme done for DLA Investments*. Pretoria: Unpublished report.

Pistorius, J.C.C. 2003. *A heritage impact assessment study for DLA Investments of Portions 609, 1059, 1151, 1152, 1153 and 1193 of the farm Hartebeespoort 410JQ in the North-West Province of South Africa*. Pretoria: Unpublished report.

Pistorius, J.C.C. & Steyn, M. 1995. Iron working and burial practises amongst the Kgatla-Kwena of the Mabyanamatswaana complex. *Southern African Field Archaeology* 4(2):68-77.

Van Schalkwyk, J.A. 2004. *Heritage impact assessment for the new Wonderkop Platinum Mine development, Bafokeng district, North West Province*. Unpublished report 2004KH049. Pretoria: National Cultural History Museum.

Van Schalkwyk, J.A. 2006. *A survey of archaeological sites for the Turffontein Platinum Mine seismic exploration program, Bafokeng District, North West Province*. Pretoria: Unpublished report.

Van Schalkwyk, J.A. 2009a. *Heritage impact survey report for the proposed Mziki Nature Estate, Brits magisterial district, North West Province*. Unpublished report 2009JvS017.

Van Schalkwyk, J.A. 2009b. *Heritage impact assessment for the proposed expansion of the Wonderkop Granite Quarry, North West Province*. Unpublished report 2009JvS057.

Van Schalkwyk, J.A. 2012a. *Addendum to the heritage impact assessment for DLA Investments quarry, Hartebeespoort 410JQ, Rustenburg magisterial district, North West Province*. Unpublished report 2012JvS031.

Van Schalkwyk, J.A. 2012b. Heritage impact assessment for the installation of four bulk water pipe lines in the Madibeng local municipality, North West Province. Unpublished report 2012JvS032.

8.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2527AD, 2527BC, 2527DA
Google Earth

APPENDIX 1: CONVENTIONS USED TO ASSESS THE IMPACT OF PROJECTS ON HERITAGE RESOURCES

Significance

According to the NHRA, Section 2(vi) the **significance** of a heritage sites and artefacts is determined by it 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			

Significance of impact:

- low where the impact will not have an influence on or require to be significantly accommodated in the project design
- medium where the impact could have an influence which will require modification of the project design or alternative mitigation
- high where it would have a “no-go” implication on the project regardless of any mitigation

Certainty of prediction:

- Definite: More than 90% sure of a particular fact. Substantial supportive data to verify assessment
- Probable: More than 70% sure of a particular fact, or of the likelihood of that impact occurring
- Possible: Only more than 40% sure of a particular fact, or of the likelihood of an impact occurring
- Unsure: Less than 40% sure of a particular fact, or the likelihood of an impact occurring

Recommended management action:

For each impact, the recommended practically attainable mitigation actions which would result in a measurable reduction of the impact, must be identified. This is expressed according to the following:

- 1 = no further investigation/action necessary
- 2 = controlled sampling and/or mapping of the site necessary
- 3 = preserve site if possible, otherwise extensive salvage excavation and/or mapping necessary
- 4 = preserve site at all costs

Legal requirements:

Identify and list the specific legislation and permit requirements which potentially could be infringed upon by the proposed project, if mitigation is necessary.

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.

The National Heritage Resources Act (Act no 25 of 1999) 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, and which prescribes heritage resources assessment criteria, consistent with the criteria set out in section 3(3), which must be used by a heritage resources authority or a local authority to assess the intrinsic, comparative and contextual significance of a heritage resource and the relative benefits and costs of its protection, so that the appropriate level of grading of the resource and the consequent responsibility for its management may be allocated in terms of section 8.

Presenting archaeological sites as part of tourism attraction requires, in terms 44 of the Act, a Conservation Management Plan as well as a permit from SAHRA.

(1) Heritage resources authorities and local authorities must, wherever appropriate, co-ordinate and promote the presentation and use of places of cultural significance and heritage resources which form part of the national estate and for which they are responsible in terms of section 5 for public enjoyment, education, research and tourism, including-

- (a) the erection of explanatory plaques and interpretive facilities, including interpretive centres and visitor facilities;
- (b) the training and provision of guides;
- (c) the mounting of exhibitions;
- (d) the erection of memorials; and
- (e) any other means necessary for the effective presentation of the national estate.

(2) Where a heritage resource which is formally protected in terms of Part I of this Chapter is to be presented, the person wishing to undertake such presentation must, at least 60 days prior to the institution of interpretive measures or manufacture of associated material, consult with the heritage resources authority which is responsible for the protection of such heritage resource regarding the contents of interpretive material or programmes.

(3) A person may only erect a plaque or other permanent display or structure associated with such presentation in the vicinity of a place protected in terms of this Act in consultation with the heritage resources authority responsible for the protection of the place.