

SABATA GROUP

**THE PROPOSED DEVELOPMENT OF A HOTEL,
CONFERENCE AND WEDDING FACILITIES, HEALTH SPA
AND RECREATIONAL FACILITIES ON PORTION 48 (A
PORTION OF PORTION 39) OF THE FARM RIETVLY 271
JQ, RUSTENBURG, NORTH WEST PROVINCE**

HERITAGE IMPACT ASSESSMENT

BY

MAKHOSAZANA MNGOMEZULU

BSc (Hons) Archaeology (Wits)

July 2012



ENVIRONMENTAL AND SOCIAL CONSULTANTS

P.O. BOX 1673
SUNNINGHILL
2157

147 Bram Fischer Drive
FERNDALE
Randburg

Phone: (011) 781 1730
Fax: (011) 781 1731
Email: info@nemai.co.za

TABLE OF CONTENTS

TERMINOLOGY USED3

EXECUTIVE SUMMARY4

1 INTRODUCTION5

2 TERMS OF REFERENCE (TOR)6

3 LOCATION OF STUDY AREA7

4 BACKGROUND OF THE AREA10

 4.1 ARCHAEOLOGICAL BACKGROUND10

 4.2 HISTORICAL BACKGROUND11

5 FINDINGS11

6 POTENTIAL FOR FURTHER FINDINGS13

7 LEVEL OF SIGNIFICANCE13

8 IMPACTS OF THE PROPOSED PROJECT13

9 RECOMMENDATION13

10 CONCLUSION14

11 REFERENCES15

12 LEGISLTATION17

 12.1 Section 3 of NHRA 25 of 199917

 12.2Section 38 of HNRA 25 of 199918

TERMINOLOGY USED

EIA = Early Iron Age

ESA = Early Stone Age

MSA = Middle Stone Age

MIA = Middle Iron Age

LIA = Late Iron Age

LSA = Late Stone Age

NHRA = National Heritage Research Act

YA = Years Ago

EXECUTIVE SUMMARY

Nemai Consulting was appointed by the Sabata Group as an Independent Environmental Assessment Practitioner to do a heritage impact assessment study on a farm Rietvly 271 JQ in Rustenburg. The proposed development includes a hotel, restaurant, conference and wedding facilities. In addition is a health spa and recreational facilities. The development will create job opportunities, tourism attraction and uplift the standards of living of the area.

The survey was done and completed on 05 July 2012. This report is performed according to the National Heritage Resources Act 25 of 1999 (NHRA). No heritage resources were identified on the proposed area. It is therefore recommended based on the survey that the proposed development precedes.

1 INTRODUCTION

Nemai Consulting was appointed by the Sabata Group as an Independent Environmental Assessment Practitioner to do a heritage impact assessment study on a farm Rietvly 271 JQ in Rustenburg. The purpose of the study is to identify endangered heritage resources due to the development. If found, mitigation measures and recommendations for the protection of the resources are to be given. The report will be submitted to the relevant heritage authority for comment as per the National Heritage Authority Act 25 of 1999.

The proposed development includes a hotel, restaurant, conference and wedding facilities. In addition is a health spa and recreational facilities

Currently the site is not occupied. No heritage resources were identified on the proposed area. It is therefore recommended based on the survey that the proposed development precedes.

2 TERMS OF REFERENCE (TOR)

Approach

- Undertake a Phase 1 Heritage Impact Assessment in accordance with the South African Heritage Resources Act (No. 25 of 1999).
- The identification and mapping of all heritage resources in the area affected, as defined in Section 2 of the National Heritage Resources Act, 1999, including archaeological and palaeontological sites on or close (within 100 m) of the proposed developments.
- The assessment of the significance of such resources in terms of the heritage assessment criteria as set out in the regulations.
- An assessment of the impact of development on such heritage resources.
- An evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development.
- The identification of heritage resources that will be adversely affected by the proposed development.
- Prepare a heritage sensitivity map (Google earth), based on the findings of the study.
- Identify heritage resources to be monitored.
- Advice to report further findings during the construction; SAPS for graves and heritage specialist for archaeological finds.
- Comply with specific requirements and guidelines.

3 LOCATION OF STUDY AREA

The study area is located approximately 4km west of the intersection of the old Swartruggens road with the Phokeng road, within Rustenburg Local Municipality. It is portion 48, which forms part of portion 39 of the farm Rietvly 271 JQ. The site coordinate are S 25° 37' 47.7" E 027° 09' 49.9", and is approximately 9ha. The site has an aesthetic view of the Magaliesburg Mountain towards the north. The site is an open land with short – medium grassland. It was therefore easier to identify archaeological materials.



Figure 1: Topographic view of the study area (Google Earth image)



Figure 2: South of the site is the gravel road leading to the site.



Figure 3: Eastern view of the site.



Figure 4: Northern view of the site.



Figure 5: Western view of the site.

4 BACKGROUND OF THE AREA

The larger Rustenburg area contains the richest cultural prehistory and history ever found in the world that dates back to millions of years until recent. Archaeologically it dates back to the period of Stone Age where first technology was discovered; this means utilising stones as tools. Furthermore, in this time period was the appearance of hominid species that are believed to form part of the human evolution.

4.1 ARCHAEOLOGICAL BACKGROUND

Stone Age

The Stone Age is a time period that dates between 2 million years ago (ya) to 2000 ya. Due to the vast character found within stone tools of this period, it was then divided into three phases; Early Stone Age (ESA), Middle Stone Age (MSA) and the Late Stone Age (LSA). ESA dates between 2 million ya and 2 00 000 Before Present (BP). Industries associated with this time period includes Oldowan, Acheulean and Fauresmith. ESA stone tools include hammer stones, flakes, cores, handaxes and cleavers (Pelser 2009). The more refined stone tools appeared during the MSA. MSA dates between 2 00 000 and 25 000 to 20 000 BP, this varies with location. Industries associated with this time period includes the Howieson's Poort. The stone tools which characterise this period include scrapers, blades, points and flake. Lastly is the LSA which dates between 25 000 and 20 000 to 2 000 BP. Stone tools of this period are characterised by their small size; this includes backed knives and borers (Pelser 2009).

At the south of the Magaliesberg 25 km away, is the Sterkfontein Caves with nearby sites of Swartkrans and Kromdraai (Carruthers 1990). These are considered the richest fossilised sites known in the world. A number of artefacts dating to the Stone Age period have been found in the sites like Kruger Cave which is near the Olifantsnek Dam. This Cave is also known for its rock engravings dating to this time period (Mason 1988; Carruthers 1990).

Iron Age

According to Huffman (2007) Iron Age marks the early evidence of farming community in southern Africa. Animal husbandry, crop farming, pottery and metal working were introduced which in due time liberated hunter gatherers to change their way of life which is less mobile (Carruthers 1990). Due to vast technological discrepancies and settlement pattern within this period, it was divided into three. The Early Iron Age (EIA)

dates to AD 200 – 900, Middle Iron Age (MIA) dates to AD 900 – 1300, and the Late Iron Age (LIA) dates to AD 1300 – 1840 (Huffman 2007). Evidence of LSA pottery was found in the Magaliesberg. Again, circular stone structures of the MIA have been found at the southern slopes of the Magaliesberg (Carruthers 1990).

4.2 HISTORICAL BACKGROUND

There are a number of historical events which occurred in this area. According to Carruthers (1990: 231) “The early 19th Century was a period of massive upheaval in the Magaliesberg. People who had developed an economy based on cattle, iron and trade over many centuries were suddenly confronted by a series of devastating invasions”. These historical events include the Difaqane period from 1820 – 1830; the Pedi invasion in 1823; the Ndebele invasion in 1827; the Ndebele kingdom from 1827 – 1837; the war with the Griqua and the Korana from 1828 – 1831; the war with Zulu in 1832; the Early European visitors, Robert Moffat in 1829; the Andrew Smith Expedition in 1835; the Voortrekker Invasion between 1836 and 1837 (Carruthers 1990). It was during the time of the missionaries that the Rustenburg town was found. According to Carruthers (1990: 268) “The Rustenburg town was laid out of church land during 1850 and was officially proclaimed by the Reverend Andrew Murray on the 26 April 1851”.

5 FINDINGS

Archaeological

No archaeological material found in the study area.

Historical

No historically related material found in the study area. However, an abandoned structure was found on site (figure 7).



Figure 6: Location of the abandoned structure within the proposed area.



Figure 7: The abandoned structure.

6 POTENTIAL FOR FURTHER FINDINGS

As a surface survey was done for the study area and not an excavation, it is possible that unearthed graves or archaeological materials such as stone tools and pottery may be discovered during the development. Provided such may occur, the development should cease immediately and reported to the SAPS. In case of the archaeological materials like stone tools and pottery, an archaeologist or heritage practitioner must be contacted.

7 LEVEL OF SIGNIFICANCE

- **Social value**
The study area has no social value such as community hall or park.
- **Spiritual value**
No spiritual value identified on the site. This may include the site being utilised as a church or ancestral area.
- **Scientific value**
The site has no scientific value.
- **Aesthetic value**
No aesthetic value identified on the site.

8 IMPACTS OF THE PROPOSED PROJECT

- The impact of the proposed project is rather positive than negative. It contributes to the socio-economy of the area, namely:
 - Creating job opportunities
 - Tourism attraction site
 - Improve standards of well being
 - Infrastructure development
 - Small, Medium, Micro Enterprises (SMMEs) opportunities
 - Higher land value
 - Increase Gross Geographical Product of the area (GGP)

9 RECOMMENDATION

- The development can proceed.

10 CONCLUSION

In conclusion, the development may proceed. No heritage resources were identified on the site which may be endangered due to the proposed development on the farm Rietvly 271JQ.

11 REFERENCES

Carruthers, V 1990. The Magaliesberg. Southern Book Publishers. Johannesburg.

Huffman, T. N 2007. Handbook to the Iron Age. The archaeology of Pre-Colonial farming societies in southern Africa. University of KwaZulu Natal Press. South Africa.

Mason, R. J 1988. Kruger Cave Late Stone Age Magaliesberg. Occasional Paper No 17 of the Archaeological Research unit of the University of the Witwatersrand. Johannesburg.

Mr Pretorius, 27 February 2012. Personal communication.

National Heritage Resources Act 25 of 1999.

Pelser, A. 2009. Travelling through Time: Archaeology and the Vredefort Dome. In: Reimold, U. & Gibson, R. (eds) Meteorite Impact! The Danger from Space and South Africa's Mega-Impact, the Vredefort Structure (Third Edition): 164-178. Johannesburg: Springer.

APPENDIX A – LIST OF LEGISLATION APPLICABLE TO THE SITE

12.1 Section 3 of NHRA 25 of 1999

According to **Section 3** under **National Estate** of the National Heritage Act 25 of 1999 the heritage resources in South Africa includes the following:

“(1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.

(2) Without limiting the generality of subsection (1), the national estate may include:

- (a) places, buildings, structures and equipment of cultural significance;
- (b) places to which oral traditions are attached or which are associated with living heritage;
- (c) historical settlements and townscapes;
- (d) landscapes and natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and paleontological sites;
- (g) graves and burial grounds, including—
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the *Gazette*;
 - (v) historical graves and cemeteries; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including:
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;
 - (v) objects of decorative or fine art;
 - (vi) objects of scientific or technological interest; and

(vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

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

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

12.2 Section 38 of HNRA 25 of 1999

According to **Section 38** under **Heritage resources management** of the National Heritage Act 25 of 1999 the heritage resources in South Africa should be managed in the following:

"(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

- (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50 m in length;
- (c) any development or other activity which will change the character of a site—
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or

(iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or

(iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;

(d) the re-zoning of a site exceeding 10 000 m² in extent; or

(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

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

(a) if there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact assessment report. Such report must be compiled at the cost of the person proposing the development, by a person or persons approved by the responsible heritage resources authority with relevant qualifications and experience and professional standing in heritage resources management; or

(b) notify the person concerned that this section does not apply.

(3) The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2)(a): Provided that the following must be included:

(a) The identification and mapping of all heritage resources in the area affected;

(b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;

(c) an assessment of the impact of the development on such heritage resources;

(d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;

(e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;

(f) if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and

(g) plans for mitigation of any adverse effects during and after the completion of the proposed development.

(4) The report must be considered timeously by the responsible heritage resources authority which must, after consultation with the person proposing the development, decide—

(a) whether or not the development may proceed;

(b) any limitations or conditions to be applied to the development;

(c) what general protections in terms of this Act apply, and what formal protections may be applied, to such heritage resources;

(d) whether compensatory action is required in respect of any heritage resources damaged or destroyed as a result of the development; and

(e) whether the appointment of specialists is required as a condition of approval of the proposal.

(5) A provincial heritage resources authority shall not make any decision under subsection (4) with respect to any development which impacts on a heritage resource protected at national level unless it has consulted SAHRA.

(6) The applicant may appeal against the decision of the provincial heritage resources authority to the MEC, who—

(a) must consider the views of both parties; and

(b) may at his or her discretion—

(i) appoint a committee to undertake an independent review of the impact assessment report and the decision of the responsible heritage authority; and

(ii) consult SAHRA; and

(c) must uphold, amend or overturn such decision.

(7) The provisions of this section do not apply to a development described in subsection (1) affecting any heritage resource formally protected by SAHRA unless the authority concerned decides otherwise.

(8) The provisions of this section do not apply to a development as described in subsection (1) if an evaluation of the impact of such development on heritage resources is required in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989), or the integrated environmental management guidelines issued by the Department of Environment Affairs and Tourism, or the Minerals Act, 1991 (Act No. 50 of 1991), or any other legislation: Provided that the consenting authority must ensure that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of subsection (3), and any comments and recommendations of the relevant heritage resources authority with regard to such development have been taken into account prior to the granting of the consent.

(9) The provincial heritage resources authority, with the approval of the MEC, may, by notice in the *Provincial Gazette*, exempt from the requirements of this section any place specified in the notice.

(10) Any person who has complied with the decision of a provincial heritage resources authority in subsection (4) or of the MEC in terms of subsection (6) or other requirements referred to in subsection (8), must be exempted from compliance with all other protections in terms of this Part, but any existing heritage agreements made in terms of section 42 must continue to apply.