



Heritage Impact Assessment

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Bushveld View Estate x 14, on
Portion 67 and 66 the farm
Hartebeesfontein 445 JQ, District
Madibeng, North West Province

Version 1.0

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- iii. The recommendations delivered to the Client.

EXECUTIVE SUMMARY

Professional Grave Solutions Heritage Unit was appointed by Marley Investments to undertake a Phase 1 Heritage Impact Assessment that forms part of the Environmental Management Programme for the Bushveld View Estate x14 on Portions 66 and 67 of the farm Hartebeesfontein 455 JQ, District Madibeng, North West Province.

During the survey one site of heritage significance was identified. Currently a grave relocation process is conducted for the cemetery

General

If during development any possible finds are made, the operations must be stopped and a qualified archaeologist be contacted for an assessment of the find.

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1. INTRODUCTION

Professional Grave Solutions Heritage Unit was appointed by Marley Investments to undertake a Phase 1 Heritage Impact Assessment that forms part of the Environmental Management Programme for the Bushveld View Estate x14 on Portions 66 and 67 of the farm Hartebeesfontein 455 JQ, District Madibeng, North West Province.

The aim of the study is to identify all heritage sites, document, and assess their importance within Local, Provincial and National context. From this we aim to assist the developer in managing the discovered heritage resources in a responsible manner, in order to protect, preserve, and develop them within the framework provided by the National Heritage Resources Act of 1999 (Act 25 of 1999) (NHRA).

The report outlines the approach and methodology utilised before and during the survey, which includes in Phase 1: Information collection from various sources and public consultations; Phase 2: Physical surveying of the area on foot and by vehicle; and Phase 3: Reporting the outcome of the study.

During the survey one site of heritage significance was identified.

General site conditions and features on site were recorded by means of photos, GPS location, and description. Possible impacts were identified and mitigation measures are proposed in the following report.

2. APPROACH AND METHODOLOGY

The aim of the study is to study data available to compile a background history of the study area; this was accomplished by means of the following phases.

2.1. PROJECT DESCRIPTION

The following is an extract from the town planning application:

The area surrounding the subject properties and the Brits Golf Course has been identified by the Madibeng Local Municipality as being an area wherein residential development (in the form of residential townships) could be supported. A Council Resolution has been issued whereby it is confirmed that the Madibeng Spatial Development Framework should be amended to incorporate the area surrounding the Brits Golf Course as part of a priority development area and that the services infrastructure of the Municipality should be extended to this area.

The Madibeng Local Municipality has approved several residential townships in the area surrounding the subject property in recent times. These townships include Bushveld View Estate and Bushveld View Estate Extension 1 up to and including Extension 10.

Bushveld View Estate Extension 10 is situated directly north of, and adjacent to, the proposed township. A part of said township is situated on a part of Portion 67 of the farm Hartebeestfontein 445 JQ (opposite the P106-1 road).

Positive Record of Decisions have been issued by the North West Department of Agriculture, Conservation and Environment with respect to the above-mentioned townships.

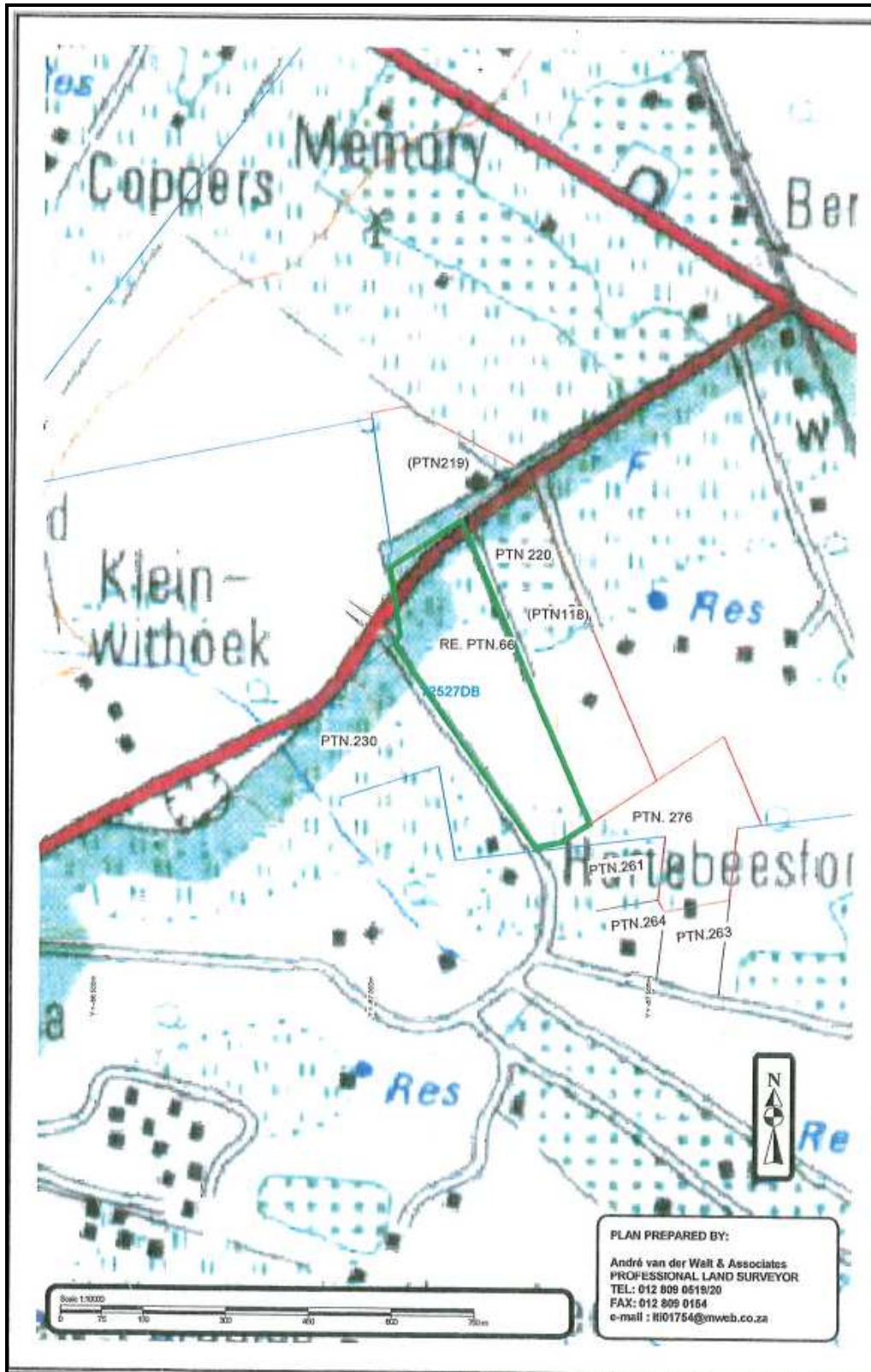


Figure 1 – Locality Map

2.2 PHYSICAL SURVEYING

The proposed development area comprises of approximately 9 ha. Due to the nature of cultural remains, the majority that occur below surface, a physical walk through of the study area was conducted. A controlled-exclusive surface survey was conducted over a period of one day, by means of vehicle and extensive surveys on foot by PGS.

Aerial photographs and 1:50 000 maps of the area were consulted and literature of the area were studied before undertaking the survey. The purpose of this was to identify topographical areas of possible historic and pre-historic activity. All sites discovered both inside and bordering the proposed development area was plotted on 1:50 000 maps and their GPS co-ordinates noted. 35mm photographs on digital film were taken at all the sites.

3. LEGISLATIVE REQUIREMENTS AND TERMINOLOGY

3.1 Legislation

The identification, evaluation and assessment of any cultural heritage site, artefact or find in the South African context is required and governed by the following legislation:

- i. National Environmental Management Act (NEMA) Act 107 of 1998
- ii. National Heritage Resources Act (NHRA) Act 25 of 1999
- iii. Minerals and Petroleum Resources Development Act (MPRDA) Act 28 of 2002
- iv. Development Facilitation Act (DFA) Act 67 of 1995

The following sections in each Act refer directly to the identification, evaluation and assessment of cultural heritage resources.

- i. National Environmental Management Act (NEMA) Act 107 of 1998
 - a. Basic Environmental Assessment (BEA) – Section (23)(2)(d)
 - b. Environmental Scoping Report (ESR) – Section (29)(1)(d)
 - c. Environmental Impacts Assessment (EIA) – Section (32)(2)(d)
 - d. Environmental Management Plan (EMP) – Section (34)(b)
- ii. National Heritage Resources Act (NHRA) Act 25 of 1999
 - a. Protection of Heritage resources – Sections 34 to 36; and
 - b. Heritage Resources Management – Section 38
- iii. Minerals and Petroleum Resources Development Act (MPRDA) Act 28 of 2002
 - a. Section 39(3)

- iv. Development Facilitation Act (DFA) Act 67 of 1995
 - a. The GNR.1 of 7 January 2000: Regulations and rules in terms of the Development Facilitation Act, 1995. Section 31.

3.2 Abbreviations and Terminology

ASAPA: Association of South African Professional Archaeologists

CRM: Cultural Resource Management

DEAT: Department of Environmental Affairs and Tourism

DWAF: Department of Water Affairs and Forestry

EIA practitioner: Environmental Impact Assessment Practitioner

EIA: Environmental Impact Assessment

EIA: Early Iron Age

ESA: Early Stone Age

GPS: Global Positioning System

HIA: Heritage Impact Assessment

I&AP: Interested & Affected Party

LSA: Late Stone Age

LIA: Late Iron Age

MSA: Middle Stone Age

MIA: Middle Iron Age

NEMA: National Environmental Management Act

NHRA: National Heritage Resources Act

PHRA: Provincial Heritage Resources Agency

PSSA: Palaeontological Society of South Africa

ROD: Record of Decision

SAHRA: South African Heritage Resources Agency

Archaeological resources

This includes:

- i. material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years including artefacts, human and hominid remains and artificial features and structures;
- ii. rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10m of such representation;
- iii. wrecks, being any vessel or aircraft, or any part thereof which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in

the maritime culture zone of the republic as defined in the Maritimes Zones Act, and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation;

- iv. features, structures and artefacts associated with military history which are older than 75 years and the site on which they are found.

Cultural significance

This means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance

Development

This means any physical intervention, excavation, or action, other than those caused by natural forces, which may in the opinion of the heritage authority in any way result in the change to the nature, appearance or physical nature of a place or influence its stability and future well-being, including:

- i. construction, alteration, demolition, removal or change in use of a place or a structure at a place;
- ii. carrying out any works on or over or under a place;
- iii. subdivision or consolidation of land comprising a place, including the structures or airspace of a place;
- iv. constructing or putting up for display signs or boards;
any change to the natural or existing condition or topography of land;
- v. any removal or destruction of trees, or removal of vegetation or topsoil

Heritage resources

This means any place or object of cultural significance

4. ASSESSMENT CRITERIA

This chapter describes the evaluation criteria used for the sites listed below.

The significance of archaeological sites was based on four main criteria:

- **site integrity** (i.e. primary vs. secondary context),
- **amount of deposit, range of features** (e.g., stonewalling, stone tools and enclosures),
- **uniqueness** and
- **potential** to answer present research questions.

Management actions and recommended mitigation, which will result in a reduction in the impact on the sites, will be expressed as follows:

- A - No further action necessary;
- B - Mapping of the site and controlled sampling required;
- C - Preserve site, or extensive data collection and mapping of the site; and
- D - Preserve site

Impacts on these sites by the development will be evaluated as follows

4.1 IMPACT

The potential environmental impacts that may result from the proposed development activities.

4.1.1 Nature and existing mitigation

Natural conditions and conditions inherent in the project design that alleviate (control, moderate, curb) impacts. All management actions, which are presently implemented, are considered part of the project design and therefore mitigate against impacts.

4.2 EVALUATION

4.2.1 Site Significance

Site significance classification standards prescribed by the South African Heritage Resources Agency (2006) and approved by the Association for Southern African Professional Archaeologists (ASAPA) for the Southern African Development Community (SADC) region, were used for the purpose of this report.

FIELD RATING	GRADE	SIGNIFICANCE	RECOMMENDED MITIGATION
National Significance (NS)	Grade 1	-	Conservation; National Site nomination
Provincial Significance (PS)	Grade 2	-	Conservation; Provincial Site nomination
Local Significance (LS)	Grade 3A	High Significance	Conservation; Mitigation not advised
Local Significance (LS)	Grade 3B	High Significance	Mitigation (Part of site should be retained)
Generally Protected A (GP.A)	-	High / Medium Significance	Mitigation before destruction
Generally Protected	-	Medium	Recording before destruction

B (GP.B)		Significance	
Generally Protected	-	Low	Destruction
C (GP.C)		Significance	

4.2.2 Impact Rating

Each impact identified will be assessed in terms of probability (likelihood of occurring), extent (spatial scale), intensity (severity) and duration (temporal scale). To enable a scientific approach to the determination of the impact significance (importance), a numerical value will be linked to each rating scale. The sum of the numerical values will define the significance. The following criteria will be applied to the impact assessment for the Camden Power Station Rail expansion project.

Table 1: Probability

Category	Rating	Description
Definite	3	More than 90 percent sure of a particular fact or of the likelihood of that impact occurring
Probable	2	70 to 90 percent sure of a particular fact or of the likelihood of that impact occurring
Possible	1	40 to 70 percent sure of a particular fact or of the likelihood of that impact occurring
Improbable	0	Less than 40 percent sure of a particular fact or of the likelihood of that impact occurring

Table 2: Extent

Category	Rating	Description
Site	1	Immediate project site
Local	2	Up to 5 km from the project site
Regional	3	20 km radius from the project site
Provincial	4	Mpumalanga Province
National	5	South African
International	6	Neighbouring countries/overseas

Table 3: Duration

Category	Rating	Description
Very short-term	1	Less than 1 year

Short-term	2	1 to 4 years
Medium-term	3	5 to 10 years
Long-term	4	11 to 15 years
Very long-term	5	Greater than 15 years
Permanent	6	Permanent

Table 4: Intensity

Category	Rating	Description
Very low	0	Where the impact affects the environment in such a way that natural, cultural and social functions are not affected
Low	1	Where the impact affects the environment in such a way that natural, cultural and social functions are only marginally affected
Medium	2	Where the affected environment is altered but natural, cultural and social function and processes continue albeit in a modified way
High	3	Where natural, cultural or social functions or processes are altered to the extent that they will temporarily cease
Very high	4	Where natural, cultural or social functions or processes are altered to the extent that they will permanently cease

Table 5: Significance Rating

Score	Significance Rating
2 – 4	Low
5 – 7	Low to Moderate
8 – 10	Moderate
11 - 13	Moderate to High
14 – 16	High
17 – 19	Very High

5. BACKGROUND OF AREA

5.1 Archaeological Background

The Stone Age is divided in Earlier; Middle and Later Stone Age and refers to the earliest people of South Africa who mainly relied on stone for their tools.

Earlier Stone Age: The period from \pm 2.5 million yrs - \pm 250 000 yrs ago. Acheulean stone tools are dominant.

Middle Stone Age: Various lithic industries in SA dating from \pm 250 000 yrs – 22 000 yrs before present.

Later Stone Age: The period from \pm 22 000-yrs before present to the period of contact with either Iron Age farmers or European colonists.

The Iron Age as a whole represents the spread of Bantu speaking people and includes both the Pre-Historic and Historic periods. Similar to the Stone Age it to can be divided into three periods:

The Early Iron Age: Most of the first millennium AD.

The Middle Iron Age: 10th to 13th centuries AD

The Late Iron Age: 14th century to colonial period.

Stone Age communities' economic lifestyles are referred to as hunter/gatherer societies. Open-air Stone Age settlements are characterized by thin surface scatters and are often all that remains of these settlements, indicating that these sites were usually transitory. They are usually associated with briefly occupied camps put up for tasks like butchering a kill. It is believed that caves or rock shelters showing signs of being inhabited for longer periods were in fact repeatedly inhabited for brief occasions.

Such settlements were much smaller than later agropastrolist settlements and had site populations of between 8 and 25 people. The material culture of the different stone using societies consists of an array of useful and handy tools like arrow and spear points used for hunting. Other stone tools were designed for cutting, scraping, skinning, and butchering to name but a few. Gathering of edible roots and plants require little

specialist equipment and relied almost solely on a digging stick. Other artefacts found on Stone Age sites are items that have been used for personal adornment like bone and shell beads.

Several Stone Age sites have been noted on the proposed route of the Randwater pipeline. The most significant of these are the Stone Age site in Silkaatsnek (Fig. 2). This site is highly significant and has considerable scientific interest as it is linked to the very few habitational rock shelters in the area like Jubilee shelter. Investigations conducted on the postulated territorial range of a group can help us to understand the prehistoric patterns of exploitation through the study of individual sites like these. We also have little reliable data on the functional purpose of many of these Stone Age artefacts mainly because the primary information gained from artefact studies are technological.

5.1.1 Iron Age

The Iron Age as a whole represents the spread of Bantu speaking people and includes both the Pre-Historic and Historic periods. Similar to the Stone Age it can be divided into three periods:

The Early Iron Age: Most of the first millennium AD.

The Middle Iron Age: 10th to 13th centuries AD

The Late Iron Age: 14th century to colonial period.

5.1.2 Early Iron Age

Some of the most informative artefacts have been found at Broederstroom on the banks of the Hartebeespoortdam. It appears that subsistence was mostly from the herding of goats, hunting and the gathering of wild edible plants.

Settlements consisted of huts, built from saplings, and plastered with mud, assembled in small villages. Most of the huts were conical or domed and between two and four meters in diameter.

Metal was smelted in charcoal furnaces in the village from ore found in surface deposits.

Copper, cowrie shells and other ornaments which had evidently been brought to the Broederstroom site from afar also indicate some possible form of trade or exchange.

Indications from Olifantsnek to the west close to Rustenburg shows that the Late Stone Age cultures lived in close proximity with the Early Iron Age people for some time, (Carruthers,1990).

5.1.3 Late Iron Age

The Magaliesberg slopes and surroundings are marked with numerous interlinked circular stone structures that are the ruins of a vigorous Late Iron Age sequence in the Gauteng and North West Provinces.

During the 13th century, the ancestors of the stonewall builders arrived in the study area and brought with them cattle and the subsequent settlement pattern known as the Central Cattle Pattern (CCP).

The first stonewalls in the Magaliesberg was build in the 17th Century. These settlements consisted of numerous circular walls interlinking to form

5.1.4 Mzilikazi

Mzilikazi was born in 1795 to Mashobane, chief of the Northern Khumalo clan in Zululand. On the death of Chief Mashobane, who had been murdered by Zwide, Mzilikazi was duly installed as chief of the Northern Khumalo clan. But, after Dingiswayo's death, instead of siding with Zwide, in exchange for the protection of his people, Mzilikazi swore allegiance to Shaka, who had risen to power as a commander of Dingiswayo's army and had usurped the Zulu chieftainship and taken over the Mthethwa confederacy after Dingiswayo's death, (Howcroft,undated).

Proving himself a fearless warrior, Mzilikazi soon became one of Shaka's advisers. Shaka's trust, however, was misplaced. Mzilikazi dreamed of being a potentate himself. Dissatisfied with a life of subservience, he plotted to free himself and his people from Shaka's influence. In June 1822, Shaka sent Mzilikazi's regiments to attack the Sotho chief Ranisi (Somnisi). They pounced on the Sotho chief's defenceless rabble and drove away their herds. Defying Shaka, Mzilikazi refused to give up the spoils of battle and in June 1822, he bolted with his followers, (Howcroft,undated).

The Matabele

Moving north and north-west, as he pillaged and slaughtered, Mzilikazi rounded up the strong men and women, turning the men into army recruits and the women into concubines for his warriors, his possessions increasing with his power and prestige, and his followers numbering, in due course, more Sotho youths than Zulu. Having cleared for himself a wide area, in about 1822-23 Mzilikazi temporarily joined forces with Nxaba, a chieftain of the Nguni-speaking Ndzundza Ndebele community who lived in the Middelburg area. Here, he built the royal kraal ekuPhumuleni (Place of Rest). By then, the size of the Khumalo clan was swollen by other Nguni-speakers who had settled in the area.

During the early years of their migrations Sotho-speakers of the highveld called Nguni-speakers 'maTebele', a name they used for all people who came from the coast, whereas the Nguni-speakers called themselves Ndebele. After the arrival of Mzilikazi on the highveld, the name Matabele became especially attached to his fearful hordes, and historians later wrote of this period referring to the Matabele wars. While living among the Ndzundza, Mzilikazi subjugated the old baPedi kingdom of Chief Thulare, killing five of his nine sons, but one son, Sekwati, fled north to the Soutpansberg Mountains, where his people were able to repulse Mzilikazi's attacks.

Mzilikazi settled for a while along the Vaal River until Korana cattle raiders became a threat. In the winter of 1827, Mzilikazi decided to move northwards. The Matabele army swept through the Magaliesberg via Kommandonek near the present Hartbeespoort Dam. Mzilikazi established temporary settlements near present-day Rustenburg, then launched into action against the baKwena, roasting some alive, clubbing most to death, and piling the infants onto mounds of brushwood, which were set ablaze. After falling on the Kwena at Silkaatsnek the Matabele turned on the Po who were easily overwhelmed. Kgatla Chief Pilane fled to the hills that now bear his name. Mzilikazi ruthlessly, massacred the remaining Tswana groups in the area. Using the Magaliesberg as his centre, Mzilikazi expanded his kingdom, which by then stretched from the Vaal River in the south to the confluence of the Crocodile and Limpopo Rivers.

Between 1827 and 1832, Mzilikazi built himself three military strongholds. The largest was Kungwini, situated at the foot of the Wonderboom Mountains on the Apies River, just north of present day Pretoria. Another was Dinaneni, north of the Hartbeespoort Dam, while the third was Hlahlandlela in the territory of the Fokeng near Rustenburg. By 1829, the total Matabele population numbered about 70,000, consisting of the Matabele elite and a vast number who had been enslaved. Most of the Tswana

settlements were desolate, (Carruthers, 1990).

A strange friendship

In 1830, Mzilikazi received a visit from Robert Moffat (1795-1883), the Scottish missionary who worked among the Tswana from 1821 to 1870. Moffat's friendship with Mzilikazi is one of the most remarkable stories to emerge from Southern Africa. Moffat described the king as charming, dignified, good-looking, with a ready smile; and added, had he not himself been present at some executions it would have been hard to believe the man's terrible reputation. Mzilikazi admired Moffat so much that he honoured him with the name of his own father, Mashobane, and called Moffat the King of Kuruman'. Henceforth, ordered Mzilikazi, all traders and hunters had to enter his country on the road that led from his friend Moffat's mission at Kuruman. In the spring of 1830, Dingane's Zulu regiments advanced on the Matabele. On the upper reaches of the Sand River, they fell on each other. Three Zulu regiments were wiped out before they fell back.

Early in 1832, the Matabele razed the Rolong villages. Matabele raiding expeditions conquered the Hurutshe, whose capital Mosega became the king's most southern military headquarters guarding the route to Kuruman. At Tshwenyane, he built another military stronghold, and near the Great Marico River, he built the colossal settlement of eGabeni (Kapain).

In May 1835, Mzilikazi was overjoyed when he heard that Moffat wanted to visit him again, this time accompanied by a group of explorers who were undertaking a scientific expedition led by Dr Andrew Smith. Hoping to stay on good terms with the British and to learn more from them about the use of firearms, Mzilikazi gave the expedition permission to enter his country. The party's journey from Kuruman took them around the northern tip of the Magaliesberg, teeming with game. There, they encountered some Tswana survivors who had built grass huts on scaffolds within a gigantic tree as a safeguard against nocturnal visits of some rather bold lions. This old *Ficus ingens*, with long, massive branches drooping to the ground, where they have struck root, is now known as 'Moffat's Tree' or the 'Inhabited Tree'. It was identified in the 1960s and can be seen on the farm Bultfontein at Boshhoek, a farming area between Rustenburg and Sun City, (Moffat, 1969).

The dotting king feted Moffat. He allowed him to lecture him about his cruelty and ungodly ways. When Moffat said he was looking for timber for his new church at

Kuruman, the king personally assisted him in finding good wood for his church, travelling with him in his wagon, enjoying the company of his esteemed friend and the surprising comfort of the mattress on his bed. During this visit, Moffat gained Mzilikazi's permission for missionaries of the American Board to settle at Mosega. Soon after Moffat's visit, in 1836, Mzilikazi welcomed William Cornwallis Harris, a captain in the Indian Army, who was hunting and sketching in Africa, (Harris, 1841).

The Voortrekkers

Early in 1836 Louis Trichardt's company and the Van Rensburg trekkers moved into Matabele territory and were wiped out by fever and by hostile warriors. Hendrik Potgieter's party followed. They trekked north across the Vaal searching for a permanent place to settle. Captain Cornwallis Harris was still at the royal headquarters in August 1836 when Mzilikazi heard that the Voortrekkers were crossing the Vaal without his permission. Moffat records that Mzilikazi saw this as a threat to the Matabele state. When he heard they were poaching his game, his warriors were ordered to expel them as bandits. Mzilikazi's warriors butchered the Erasmus party, but were repulsed by the Steyn and Botha families in their laagers. The Liebenburgs were not so lucky, although the Matabele spared two girls and a boy who were carried off as gifts for Mzilikazi, (Carruthers, 1990).

The Rout of Mosega

While the Matabele army was away in the north, Potgieter's trekkers fell upon Mosega at dawn on January 17th, 1837, and destroyed it. Dingane, the Zulu king, seized the opportunity of attacking the weakened Matabele forces. But again, they were beaten off, though this time the Matabele suffered heavy losses. Mzilikazi then decided to move to eGabeni.

The destruction of eGabeni

In November 1837, Potgieter, Maritz and Uys launched another attack on the Matabele. In a battle lasting nine days, they destroyed eGabeni as well as other Matabele camps along the Marico River. Fearing utter destruction at the hands of the Boers who had gained dominance in the Transvaal, Mzilikazi decided to move much further north. His people, now numbering some 15,000, streamed out of the Marico valley, and after crossing the Limpopo River into the present Botswana, they split into two groups (Carruthers, 1990).

The remarkable friendship between Robert Moffat and Mzilikazi was resumed when Moffat visited the king at Nyathi in 1854, 1857, and 1859. Moffat surveyed the old king's swollen body and palsied legs with shock. He was saddened to note that though the king still enjoyed the devotion and respect of his followers, he was no longer the mighty Bull Elephant, the fearsome ruler of the past. As before, these visits opened the way to British hunters, traders, and missionaries. The king allowed Robert Moffat's son John to become a missionary in Matabeleland. John Moffat and missionary colleagues were useful translators, but they achieved no converts because they refused to repair firearms and make bullets. After Mzilikazi's favourite wife Loziba died in 1861, Mzilikazi left Nyathi and moved to a new great place that he called Hlahlandlela after his previous stronghold.

Death

In 1868, Mzilikazi died and Lobengula was installed as king in 1870, but strife between contesting groups led to civil war that weakened the Ndebele Empire. British imperial expansion later caused the collapse of Ndebele power, but the Zimbabwean Ndebele language and culture survived.

3.1.4 Ethnography of Study area

The baPo originally came from Zululand and later from Wonderboom near Pretoria where they branched off from the southern Ndebele more than 300 years ago. Around 1700 the tribe lived somewhere on the banks of the Crocodile River (Odi) in the present district of Brits. Around 1750 they settled at Makolokwe on the farm Wolwekaal. Between 1770 and 1800 they moved eight kilometres further south to Tobong (Boschfontein) at the northern foot of Thlogokgolo (Wolhuterskop).

As a result of several wars, mainly Mzilikazi, the tribe was scattered. When the Matabele retreated the tribe lived near their ancestral land on Mogale's River. After 1847, a large part of the tribe fled to Basutoland while other parts were scattered among the baFokeng, ba Magopa and Bkgatla. They remained in Basutoland for 15 years as dependants of Moshweshwe. In 1862 they obtained the farm Boschfontein, the land of their ancestors, (Breutz, 1953).

5.2 Historical Background

5.2.1 Hendrik Potgieter and Andries Pretorius

With the removal of Mzilikazi from the Magaliesberg in 1837, the road was cleared for resettlement of the area, first by the local inhabitants and then by the Voortrekkers.

On 26 April 1851, the town of Rustenburg was officially proclaimed by reverend Andrew Murray. In March 1851, the town of Rustenburg became a focal point of confrontation between two Voortrekker leaders, Andries Pretorius and Hendrik Potgieter. Both Potgieter and Pretorius played a major part in the settlement of white farmers in the Magaliesberg.

Potgieter believed in obtaining independence by trekking beyond the limits of the British influence. The Cape government decreed that its jurisdiction extended as far as the 25th parallel, a line some 100km north of the Magaliesberg. By trekking past the 25th parallel, Potgieter founded the towns of Lydenburg and Orighstad.

Pretorius however chose to confront the British directly. Pretorius led a commando south and encountered the Cape forces at Boomplaats in August 1848. The Boers were routed and Pretorius returned to the Magaliesberg.

After numerous squabbles, Pretorius and Potgieter came to a standoff in Rustenburg and reconciled after a discussion lasting hours. Soon after their reconciliation both men died and the harmony ceased abruptly. Marthinus Pretorius, son of Andries, drafted an improved constitution to which all Transvaalers could subscribe. Stephanus Schoeman who had replaced Hendrik Potgieter as leader of the Boers in the north objected to the constitution and arrived at the court in Rustenburg with a small army.

Early in January 1864, the two Boer armies confronted each other at Commandonek just north of the present Hartebeespoortdam. Several men were wounded and one killed before Marthinus Pretorius intervened and managed to halt the hostilities, (Carruthers, 1990).

5.2.2 The South African War of 1899 to 1902

Hostilities broke out between the Boer Republics and Britain on 10 October 1899.

Silkaatsnek

At Silkaatsnek, General De la Rey launches a three-pronged attack on the Scots Greys, 'O' Battery and some Lincolns, commanded by Colonel HR Roberts. De la Rey personally leads the frontal assault from the north and sends two groups of 200 men to scale both shoulders of the pass, where the British have placed small pickets. The British are unable to bring their guns to bear or signal for assistance. Colonel Alexander, stationed at Kommandonek, hears the sounds of battle, and sends out two field guns and a Maxim to engage the enemy. As soon as they draw retaliatory fire, they withdraw. The Boers surround and capture two of their field guns, (Cloete, 2000).

Colonel Roberts surrenders the next morning.

Silkaatsnek was retaken by the British under Hamilton after forcing Commandant Coetzee to retreat to the North, (Carruthers, 1990)

Forts and Blockhouses

As the British tightened their control over the Magaliesberg during 1901, they built a number of fortifications at strategic points along the range, one of the finest stands at the summit overlooking Kommandonek and Hartebeespoort dam. It was one of four similar stone, three-storeyed forts built in the early months of 1901 to guard this important pass. A cable way was erected by the Royal Engineers to carry building material and equipment to the site. In addition to the large masonry forts, constructed, large numbers of redoubts, trenches, and other smaller fortifications were constructed along the range, (Carruthers, 1990).

An unusual iron-clad blockhouse was erected at Silkaatsnek within the stone redoubt from which the Lincolns had tried to defend themselves from De la Rey in July 1900.

6. SITES OF SIGNIFICANCE

The study area is located on topographical sheet 2527DB. The proposed development covers approximately 19 hectares.

The proposed site largely of a rocky ridge with bushveld vegetation dominating the site. On thatched roof house with outbuildings occur on site and is of recent history. (Figure 3).



Figure 2 - View of general conditions on site

One single site of heritage significance was identified within the study.

6.1 Site 1


Description of Site:		
Site Number	Site 1	
Map reference	Topo-sheet number	Number of Map in report
	2527DB	Annexure A
GPS coordinates: <i>Indicate Model and datum - WGS 84</i>	X	Y
Garmin 60Csx, WGS 84	-25 41 34.9	27 52 00
Site Data	Description	
Type of site (e.g. open scatter; shell midden, cave /shelter);	The site is that of a recent historic cemetery, consisting of three stone packed grave aligned east-west	
Site categories (e.g. Earlier Stone Age, Late Iron Age);	Recent Historic	
Estimation or measurement of the extent (maximum dimensions) and orientation of the site(s);	10X10m	
Photographs and diagrams (Figure numbers)		
	<i>Figure 3: Photo of site</i>	



Figure 4: View of single grave

<p>Statement of Significance (Heritage Value)</p>	<p>The site is of high significance.</p>				
<p>Field Rating (Recommended grading or field significance) of the site:</p>	<p>Generally protected (GP.A)</p>				
<p>Impact Evaluation of development on site</p>	<p>Impact on site is seen as high negative.</p>				
<p>Recommendations including:</p>	<p>There is currently a grave relocation process conducted by Professional Grave Solutions. The process was completed and is currently in the permit</p>				
<p>Summary</p>					
<p>Significance Rating</p>	<p>Field Rating</p>	<p>Probability</p>	<p>Extent</p>	<p>Duration</p>	<p>Intensity</p>
<p>14 - High</p>	<p>GP.A</p>	<p>3</p>	<p>1</p>	<p>6</p>	<p>4</p>

7. ASSUMPTIONS AND LIMITATIONS

Not subtracting in any way from the comprehensiveness of the fieldwork undertaken, it is necessary to realise that the heritage resources located during the fieldwork do not necessarily represent all the heritage resources located there. This may be due to various reasons, including the subterranean nature of some archaeological sites and dense vegetation cover. As such, should any heritage features and/or objects not

included in the present inventory be located or observed, a heritage specialist must immediately be contacted. Such observed or located heritage features and/or objects may not be disturbed or removed in any way until such time that the heritage specialist has been able to make an assessment as to the significance of the site (or material) in question. This is true for graves and cemeteries as well.

8. LEGAL AND POLICY REQUIREMENTS

8.1 General principles

In areas where there has not yet been a systematic survey to identify conservation worthy places, a permit is required to alter or demolish any structure older than 60 years. This will apply until a survey has been done and identified heritage resources are formally protected.

Archaeological and palaeontological sites, materials, and meteorites are the source of our understanding of the evolution of the earth, life on earth and the history of people. In the new legislation, permits are required to damage, destroy, alter, or disturb them. People who already possess material are required to register it.

The management of heritage resources are integrated with environmental resources and this means that before development takes place heritage resources are assessed and, if necessary, rescued.

In addition to the formal protection of culturally significant graves, all graves, which are older than 60 years and are not in a cemetery (such as ancestral graves in rural areas), are protected. The legislation protects the interests of communities that have interest in the graves: they may be consulted before any disturbance takes place.

The graves of victims of conflict and those associated with the liberation struggle will be identified, cared for, protected and memorials erected in their honour.

Anyone who intends to undertake a development must notify the heritage resource authority and if there is reason to believe that heritage resources will be affected, an impact assessment report must be compiled at the developer's cost. Thus developers will be able to proceed without uncertainty about whether work will have to be stopped if a heritage resource is discovered.

According to the National Heritage Act (Act 25 of 1999 section 32) it is stated that:

An object or collection of objects, or a type of object or a list of objects, whether specific or generic, that is part of the national estate and the export of which SAHRA deems it necessary to control, may be declared a heritage object, including –

- objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects, meteorites and rare geological specimens;
- visual art objects;
- military objects;
- numismatic objects;
- objects of cultural and historical significance;
- objects to which oral traditions are attached and which are associated with living heritage;
- objects of scientific or technological interest;
- books, records, documents, photographic positives and negatives, graphic material, film or video 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), or in a provincial law pertaining to records or archives; and
- any other prescribed category.

Under the National Heritage Resources Act (Act No. 25 of 1999), provisions are made that deal with, and offer protection, to all historic and pre-historic cultural remains, including graves and human remains.

8.1 Graves and cemeteries

Graves younger than 60 years fall under Section 2(1) of the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925) as well as the Human Tissues Act (Act 65 of 1983) and are the jurisdiction of the National Department of Health and the relevant Provincial Department of Health and must be submitted for final approval to the Office of the relevant Provincial Premier. This function is usually delegated to the Provincial MEC for Local Government and Planning, or in some cases the MEC for Housing and Welfare. Authorisation for exhumation and reinterment must also be obtained from the relevant local or regional council where the grave is situated, as well as the relevant local or regional council to where the grave is being relocated. All local and regional provisions, laws and by-laws must also be adhered to. In order to handle and transport human remains the institution conducting the relocation should be authorised under Section 24 of Act 65 of 1983 (Human Tissues Act).

Graves older than 60 years, but younger than 100 years fall under Section 36 of Act 25 of 1999 (National Heritage Resources Act) as well as the Human Tissues Act (Act 65 of 1983) and are the jurisdiction of the South African Heritage Resource Agency (SAHRA). The procedure for Consultation Regarding Burial Grounds and Graves (Section 36(5) of Act 25 of 1999) is applicable to graves older than 60 years that are situated outside a formal cemetery administrated by a local authority. Graves in the category located inside a formal cemetery administrated by a local authority will also require the same authorisation as set out for graves younger than 60 years over and above SAHRA authorisation. If the grave is not situated inside a formal cemetery but is to be relocated to one, permission from the local authority is required and all regulations, laws and by-laws set by the cemetery authority must be adhered to.

9. ASSESSMENT AND RECOMMENDATIONS

*A locality map is provided in **Annexure A***

During the survey one site of heritage significance was identified. The mitigation process of grave relocation is already in a advance stage.

There is from a Heritage point of view no reason why the development can not commence.

General

If during development any possible finds are made, the operations must be stopped and a qualified archaeologist be contacted for an assessment of the find.

10. LIST OF PREPARES

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ANNEXURE A:
Study area

