



Heritage Impact Assessment

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Lewende Woord Church
development on Portion 452 (a
Portion of Portion 39) of the farm
Townlands of Lydenburg 31 JT,
Thaba Chweu, Mpumalanga Province

Version 1.0

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- i. The results of the project;
- ii. The technology described in any report ; and,
- iii. The recommendations delivered to the Client.

EXECUTIVE SUMMARY

Professional Grave Solutions - Heritage Unit was appointed by Wandima to undertake a Phase 1 Heritage Impact Assessment that forms part of the Environmental Management Programme for the Lewende Woord Church development on Portion 452 (a Portion of Portion 39) of the farm Townlands of Lydenburg 31 JT, Thaba Chweu, Mpumalanga Province.

During the survey one site of possible archaeological significance was identified. The following management and mitigation measures are recommended:

That the area be monitored by a qualified archaeologist, during construction to identify any subsurface deposits occurring. If any such deposits occur the archaeologist must apply for a rescue permit under Section 35 of the NHRA to retrieve all archaeological material.

If the required mitigation measures are adhered there is no reason from a heritage view point why the project cannot be initiated.

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 Wandima to undertake a Phase 1 Heritage Impact Assessment that forms part of the Environmental Management Programme for the Lewende Woord Church development on Portion 452 (a Portion of Portion 39) of the farm Townlands of Lydenburg 31 JT, Thaba Chweu, Mpumalanga 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.

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

2.1 Project Description

The applicant proposes the establishment of a church with associated buildings to be erected on site.



Figure 1 – Locality Map

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 methodology.

2.2 Physical surveying

The project area comprises of approximately 4 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 two days, 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;
and
- iv. Development Facilitation Act (DFA) Act 67 of 1995

The following sections in each Act refer directly and indirectly 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	-	High / Medium	Mitigation before destruction

(GP.A)		Significance	
Generally Protected B (GP.B)	-	Medium Significance	Recording before destruction
Generally Protected C (GP.C)	-	Low Significance	Destruction

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 project.

Table 1: Probability

Category	Rating	Description
Definite	3	More than 90 percent sure of a particular factor of the likelihood of that impact occurring
Probable	2	70 to 89 percent sure of a particular factor of the likelihood of that impact occurring
Possible	1	40 to 69 percent sure of a particular factor of the likelihood of that impact occurring
Improbable	0	Less than 40 percent sure of a particular factor 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	North West 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 is characterised by the ability of these early people to manipulate and work Iron ore into implements that assisted them in creating a favourable environment to make a better living. Iron is a very hard metal to work with compared to gold and copper that have lower melting temperatures and therefore are easier to forge. A draw back of gold and copper are the occurrence of ore, which is relatively limited compared to iron.

In Africa, we proceeded technologically directly from the Stone Age in to the Iron Age where as in Eurasia there was a prolonged Copper and Bronze Age preceding the Iron Age. In southern Africa, metallurgical techniques made their first appearance in a rather advanced state that permitted the smelting of Copper and Iron directly after a Stone Age economic way of live.

This scenario provides a strong argument that metallurgical technology was introduced from elsewhere and did not develop locally. To effectively smelt iron oxide, ore by reduction requires a temperature of at least 1100°C that is 400°C below the metals melting point. To obtain a temperature this high was probably unattainable in ancient furnaces. But the prolonged heating of ore in contact with abundant charcoal, needed to obtain a sufficiently high temperature for the reduction of the oxide ores, enable the iron to obtain enough carbon to make it mild steel. If this mild steel was repeatedly heated and hammered during the forge process, it will harden.

Early Iron Age

Early in the first millennium AD, there seem to be a significant change in the archaeological record of the greater part of eastern and southern Africa lying between the equator and Natal. This change is marked by the appearance of a characteristic ceramic style that belongs to a single stylistic tradition. These Early Iron Age people practised a mixed farming economy and had the technology to work metals like iron and copper.

A meaningful interpretation of the Early Iron Age has been hampered by the uneven distribution of research conducted so far; this can be partly attributed to the poor preservation of these early sites. *Figure 2* demonstrates the high frequency of Iron Age sites that could be expected in the proposed development area.

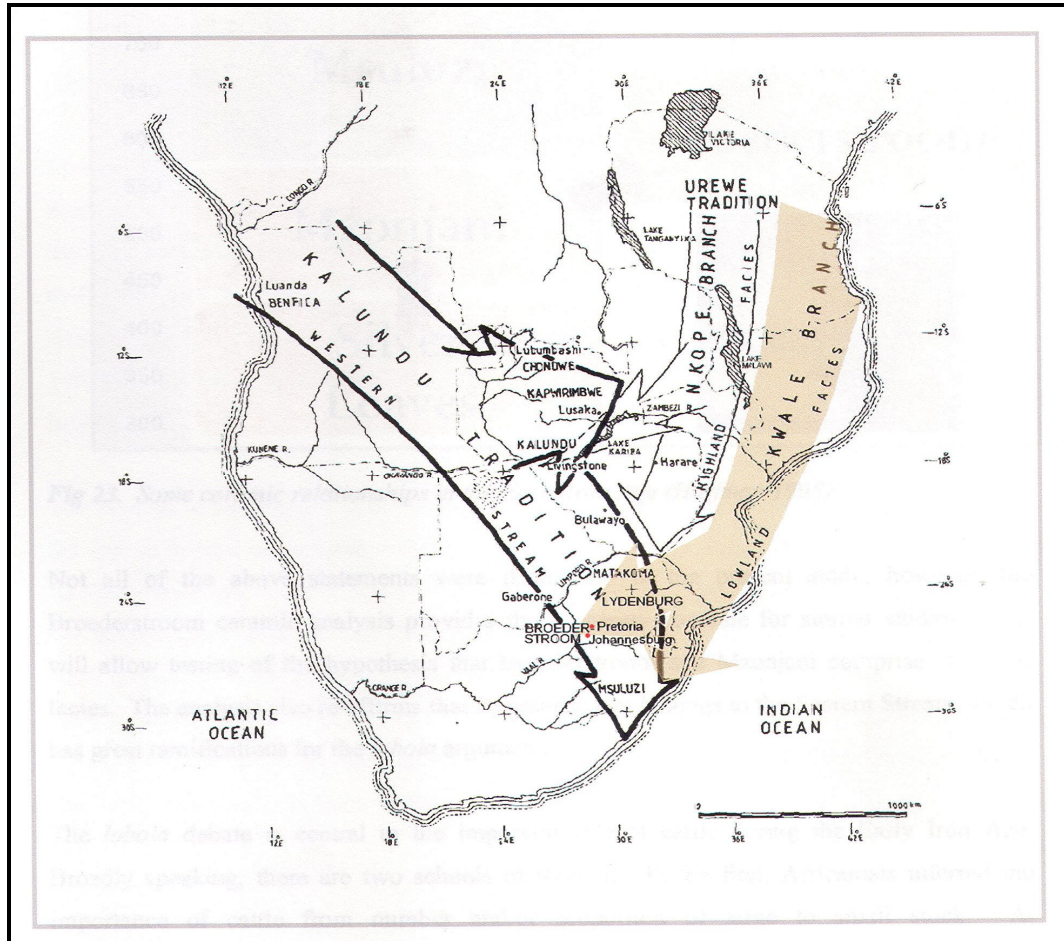


Figure 2 - Western extension of Eastern Stream into the interior

History of Lydenburg Iron Age

The basis of cultural sequence is a combination of ceramic typology, stratigraphy, and radiocarbon dates. The incomplete sequence of the Lydenburg area recognises four phases: Marateng, Eiland, Klingbeil and Lydenburg. In the following section, a short synopsis will be given of the Lydenburg and Klingbeil phases.

Lydenburg Phase

Five sites with Lydenburg pottery have been excavated up to 1981. These are the Heads site, Doornkop, Plaston, Langdraai and Klipspruit. All these sites are located on lower valley

slopes in interfluvial situations at the confluence of two streams. These sites are relatively large measuring between 7 to 15 hectares.

The Lydenburg Heads Site

During the discovery of the site in 1964 seven clay heads, pottery, achatina and metal beads, bone and ivory objects and some stone bowls were found. Charcoal found was later radiocarbon dated to between 600-700 AD (Evers, 1981).

The find of the heads were unique and only two other excavations produced fragments of the similar construction, however the Heads site is still the main find spot for these terracotta heads (Evers, 1981)

Klingbeil Phase

The sites of the Klingbeil Phase appear to have a similar distribution as the Lydenburg Phase. The Klingbeil Nature Reserve sites and other Early Iron Age sites are essentially in the same topographical location (Evers, 1981).

Klingbeil 2530AB1 and 2

The site is situated in the Gustav Klingbeil Nature Reserve. It covers an area of approximately 4 hectares. The site was severely damaged by the construction of a dam spillway in 1976. The sites were covered by a 0.5 to 1 meter layer of colluvium deposit making it impossible to identify from surface features. Both these site belong to the Early Iron Age Tradition (Evers, 1981). (*See Map of find sites for survey for position of these sites*)

Settlement location and layout

Collett (1979) and Marker and Evers (1976) have indicated that settlements were located on the lower foot slopes and spur ends, while a westerly aspect was preferred.

Homesteads can be divided into two groups. The first comprises two concentric circles and is mostly small. The second is more elaborate and larger. It comprises of a central ring with two opposite openings with a number of concentric circles around it. The huts were usually built between the two walls. The outer wall is usually mistaken for a terrace wall and not seen as part of the settlement (Evers, 1981).

Terraces on gentle slopes area often just stone lines possibly serving as boundary markers between fields. On steeper slopes, close-set, well-built walls are found retaining up to a meter of soil (Evers, 1981).

Cattle tracks usually link directly from the outside of the homesteads to the central kraal. Several major cattle tracks are found between settlements linking several homesteads.

Ethnographic History

The Pedi oral tradition refers to the people living near Orighstad and Lydenburg as *Koni* (Hunt, 1931 from Evers, 1981). *'...They were raided early in Pedi history under Chief Moukangoe and later came under Pedi rule in the days of Thulare who reigned in the late eighteenth and early nineteenth centuries. One of Thulare's sons was placed in charge of the Koni near Orighstad. The Pedi west of the Steelpoort River and the Koni were devastated by Mzilikazi in about 1826. Hunt (1931) recorded accounts of retreat to caves and other refuges in the mountains, severe famine, stock loss and cannibalism. Caves near Orighstad and Sabie, and krantz situations near Lydenburg all seem to have been occupied late in the Iron Age...'* (Evers, 1981).

Historic Timeframe

17th Century to present AD (1600 – 2000)

The historic timeframe intermingles with the later parts of the Stone and Iron Age, and can loosely be regarded as times when written and oral recounts of incidents became available

5.2 Archival study

5.2.1. Aims

The primary aim of the study was to locate and review available archival and historical records in an attempt to provide supportive information for the Heritage Impact Assessment. The results of the study can be used to make recommendations based on historical truth rather than conjecture.

5.2.2. Methodology

The methodology consisted of the study of published and unpublished literature, archival records, as well as maps to compile the available information needed to address the project aims. The National Archives as well as the UNISA Library were approached for information. The detail into which research was undertaken was limited by the project budget.

5.2.3 Cartographic material

Major Jackson Map, November 1901 (National Archives, Maps, 3/571)

Figure 2 depicts the 'Lydenburg' sheet (National Archives, Maps, 3/571) of the Major Jackson Map Series compiled by the Field Intelligence Department during the Anglo Boer War (1899-1902). The sheet is the Second Revised Edition and dates from November 1901. The following observations can be made from the map:

The old wagon road between Lydenburg and Dullstroom passes over the study area. It is therefore evident that the area under discussion used to contain sections of roads which came into Lydenburg from the west. As a result this area would have had strategic significance during the South African War.

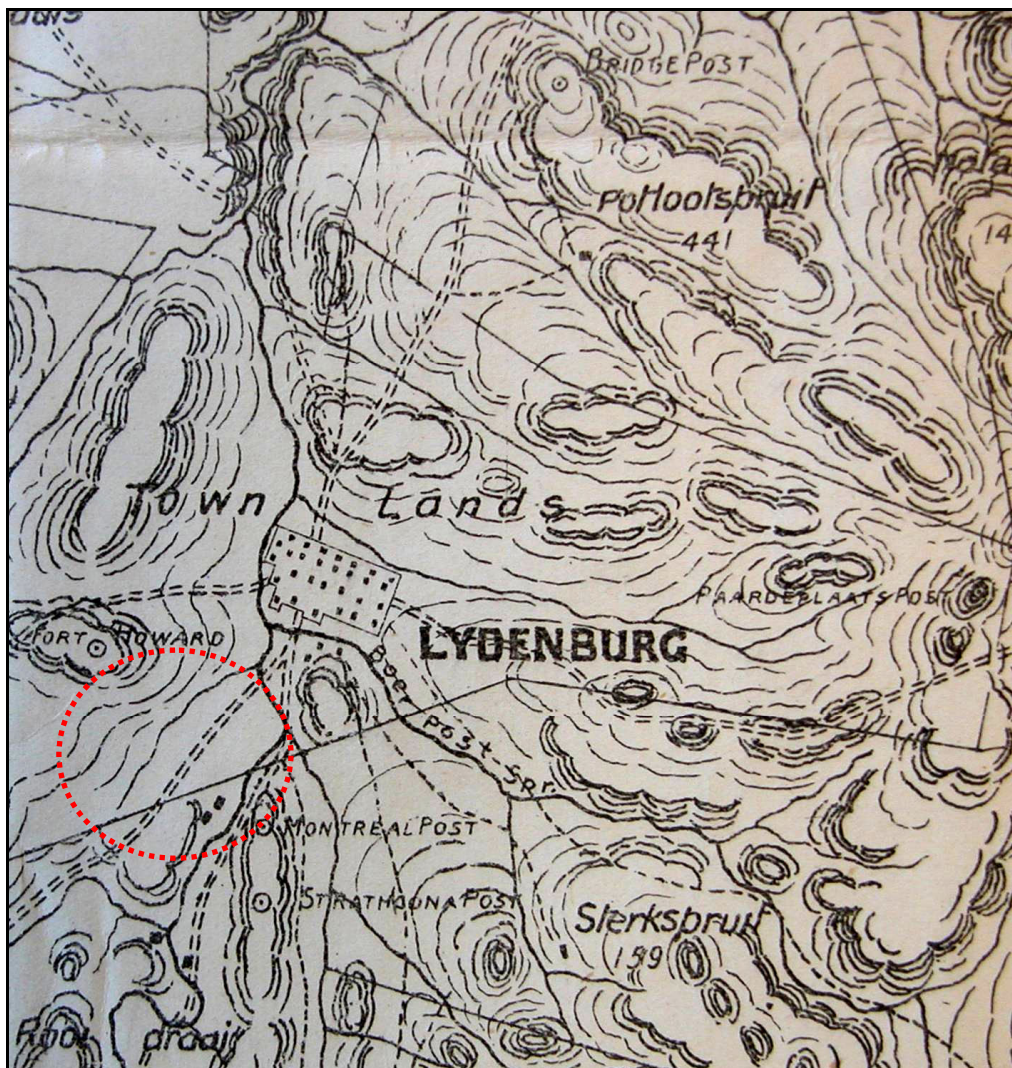


Figure 3 - Enlarged section of the 'Lydenburg' sheet of the Major Jackson Series. The sheet is the second revised edition and is dated to November 1901.

5.2.4 General aspects with regards to the history of the study area

Short historic overview of the old roads passing through the study area

Various transport roads between Lydenburg and its gold fields and the coastal town of Delagoa Bay were established during the nineteenth century. A couple of these started out from Lydenburg in a northern direction, and must have crossed over the study area. However, even before the establishment of Lydenburg a transport road was already in existence. This road was known as the 'Commission' road (also referred to as the *Oude Wagenweg*) and was used between 1844 and 1849. It passed through the area where Krugerspost would later be established, over Casper's Nek, Grootfontein, Spitzkop, Kruisfontein and on to Delagoa Bay.

With the establishment of Lydenburg the need for a closer, more direct, road to Delagoa Bay was expressed. As a result a road over the Mauchsberg was constructed. However, due to the treacherous nature of this road, many transport riders of the 1880s still preferred to use the 'Commission' road or alternatively a newer road that was established in 1878. This newer road left Lydenburg for Krugerspost, after which it turned to the east and travelled through Pilgrim's Rest and Sabie before linking up with the Mauchsberg road at Spitzkop. This road was known as the old Delagoa Bay transport road, and was used between 1878 and 1892.

Of course these roads were not only frequented by transport riders. The need for the movement of people between the mining towns of Pilgrim's Rest and Lydenburg was early expressed. A number of coaching services were subsequently established to address this need. The first of these was established during the early 1870s by William Leathern and a person by the name of Pierce. They transported passengers with a horse-drawn coach between Lydenburg and Pilgrim's Rest, and their business was well supported by miners.

During the early 1880s two further coach services were established, namely Geo Heys & Co. as well as the Red Star Line. The Red Star Line was established by the Gibson brothers, and all their coaches were named after steamboats of the Castle Steamboat Line.

Possibly the best known of all these coaching companies was the one owned by three brothers Piet, Louw and Doel Zeederberg. They operated between Lydenburg and Pilgrim's Rest from the mid-1880s up to the 1910s, when, presumably motor vehicles became more common (Pienaar, 1990).



Figure 4 - Transport riders and a wagon at Poort City in the Crocodile Poort, 1890 (Pienaar, 1990:267)



Figure 5 -A transport wagon in the vicinity of Pilgrim's Rest, ca. 1880s (Pienaar, 1990:268)

The South African War

The fact that the study area and surroundings were situated on the main wagon road from the north into Lydenburg must have meant that the area had immense strategic

significance during the South African War (1899-1902). The association of the war with Lydenburg only commences with its occupation by British forces under Sir Redvers Buller and Ian Hamilton on the 6th of September 1900. Two days later, on the 8th of September 1900, a battle was fought at Paardeplaats. This battle was essentially for control of the strategically located mountain overlooking the town, namely Mauchsberg (Doyle, 1902). The town was occupied for the duration of the war, and after the cessation of hostilities in 1902 the South African Constabulary (S.A.C.) maintained a distinct presence in the town and vicinity.

One of the best sources from British side in terms of the occupation of Lydenburg is the diary of E.A. Mackey. Although the diary itself could not be located, excerpts from it were published in the *Lydenburg News* during September and October 1948. These published excerpts appeared under the heading *A Gentleman's War*. Although not as detailed, another work which shows some insight into the experiences of the men occupying Lydenburg is Gordon-Duff's *With the Gordon Highlanders to the Boer War and Beyond*.

The descriptions of both these authors in terms of the occupation of Lydenburg leave one with the feeling that the town was almost in a position of siege. The description of the town made by Mackey (*Lydenburg News*, September 3, 1948: 1 & 2) certainly supports this suggestion " (Lydenburg) *was now surrounded with barbed wire with forts and gun emplacements at every corner. The streets were crowded; every house and building was bursting with soldiers, equipment and stores; the market and church squares and other open spaces were covered with tents.*"

This description suggests that the British had defensive features (i.e. forts and gun emplacements) at all entrances to town. It therefore appears likely that such features also existed within or in the general vicinity of the study area.



Figure 6: British cavalry in Lydenburg (National Archives, TAB, 26453).



Figure 7 - Members of the Lydenburg Commando (National Archives, TAB, 23321).

6. SITES OF SIGNIFICANCE

The study area is located on topographical sheet 2530AB.

The study area consists of partially disturbed ploughed fields and an old dirt bike track. The area is largely covered by veldt and bushy growth with low ground visibility due to dense vegetation cover.



Figure 8 – General view of site towards the west



Figure 9 – General view of site towards the north, with Fort Howard on hill in the background

6.1 SITE 1

GPS Coordinates

S25.11557 E30.43487

Site Description

The site consists of a low density scatter of potsherds that was unearthed from a burrowing animals' hole. No diagnostic pieces were recovered and no cultural deposits were identified.



Figure 10 - Site photo

Impact Rating	Field Rating	Probability	Extent	Duration	Intensity	Mitigation
15	GP.C	1	6	6	4	Monitoring

Low impact if monitored.

Mitigation:

It is recommended that the area be monitored by a qualified archaeologist, during construction to identify any subsurface deposits occurring. If any such deposits occur the archaeologist must apply for a rescue permit under Section 35 of the NHRA to retrieve all archaeological material.

7. ASSUMPTIONS AND LIMITATIONS

Not subtracting in any way from the comprehensiveness of the fieldwork undertaken, it is necessary to realise that the archaeological and heritage resources located during the fieldwork do not necessarily represent all the archaeological and 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.

The general thick vegetation cover made surveying of the site difficult.

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 paleontological 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 paleontological 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 heritage map is provided in **Annexure A***

During the survey one site of possible archaeological significance was identified. The following management and mitigation measures are recommended:

That the area be monitored by a qualified archaeologist, during construction to identify any subsurface deposits occurring. If any such deposits occur the archaeologist must apply for a rescue permit under Section 35 of the NHRA to retrieve all archaeological material.

If the required mitigation measures are adhered there is no reason from a heritage view point why the project cannot be initiated.

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:
Heritage sites**

Townlands of Lydenburg 31 JT
Portion 452 of Portion 39
Heritage Map

