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**CK 2006/014630/23** **VAT NO.: 4360226270**

**A PHASE 1 HIA REPORT  
ON PORTIONS 36 & 83 OF THE FARM ZWARTKOPPIES 296JQ  
NORTH OF MARIKANA, BOJANALA DISTRICT MUNICIPALITY  
NORTHWEST PROVINCE**

For:

***Barnard Van Rensburg Stam (Pty) Ltd***

REPORT: **APAC020/37**

by:

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***May 2020***

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## SUMMARY

APelser Archaeological Consulting (APAC) was appointed by Barnard Van Rensburg Stam (Pty) Ltd to undertake a Phase 1 HIA on Portions 36 & 83 of the farm Zwartkoppies 296JQ. The area, also known as Schaapkraal, is located north of Marikana in the Bojanala District Municipality of the Northwest Province. The quarrying of granite is being undertaken in the area by the client. The appointment comes in the wake of a Contravention Notice & Cease Works Order issued by SAHRA's Heritage Protection Unit on the 1<sup>st</sup> of April 2020 to the client.

Background research indicated that there are a number of cultural heritage (archaeological & historical) sites and features in the larger geographical area, although nothing is known for the specific parcel of land. Physical fieldwork was undertaken during May 2020 and this document discusses the results of the assessment. Recommendations on the way forward in terms of the required measures to be implemented in order for the Cease Works Order to be lifted are provided at the end.

Finally it is recommended that, from a Cultural Heritage point of view, the proposed quarrying activities can be allowed to continue, once the recommended measures are implemented.

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## 1. INTRODUCTION

APelser Archaeological Consulting (APAC) was appointed by Barnard Van Rensburg Stam (Pty) Ltd to undertake a Phase 1 HIA on Portions 36 & 83 of the farm Zwartkoppies 296JQ. The area, also known as Schaapkraal, is located north of Marikana in the Bojanala District Municipality of the Northwest Province. The quarrying of granite is being undertaken in the area by the client. The appointment comes in the wake of a Contravention Notice & Cease Works Order issued by SAHRA's Heritage Protection Unit on the 1st of April 2020 to the client.

Background research indicated that there are a number of cultural heritage (archaeological & historical) sites and features in the larger geographical area, although nothing is known for the specific parcel of land. Physical fieldwork was undertaken during May 2020 and this document discusses the results of the assessment.

The client indicated the location and boundaries of the study area and the assessment concentrated on this portion.

The Contravention Notice indicated the following:

1. You are hereby notified that you are in contravention of the following sections of the National Heritage Resources Act No.25 of 1999 ("NHRA"):
  - 1.1 In accordance with the provisions of section 36(3) of the NHRA upon our inspection of the site on 09 March 2020, SAHRA discovered that you have destroyed; alternatively, damaged; alternatively, disturbed; alternatively, altered graves in the area of Schaapkraal (Tantanane area without permit from SAHRA).
2. You are ordered to comply with the following:
  - 2.1 Submit a full Heritage Impact Assessment to SAHRA within 14 (fourteen) business days from this notice.
  - 2.2 Provide permits, if any, in case graves have been exhumed and evidence of where they were relocated to.
  - 2.3 Provide proof of the Notices (Newspaper or Radio) on which public participation was advertised.
3. This notice is valid until you have complied with the above requirements. Please provide any additional information, documents that will respond to these findings.

The Cease Works Order stated the following:

1. All work actions on site should be ceased with immediate effect.
2. The order shall be valid until you have complied with the following recommendations:
  - 2.1 Clear the vegetation around the graves or burial grounds.
  - 2.2 Remove the dumps on top of the graves restore and rehabilitate the graves, you are to apply for a permit in line with section 36 of the National Heritage Resources Act no 25 of 1999 read with the relevant regulations in this regard.
  - 2.3 Erect proper signage indicating the location of the graves.
  - 2.4 Fencing must be erected around burial ground.
  - 2.5 Notice boards should be attached to the fence to indicate the nature and sensitivity of the site.
  - 2.6 A distance of at least 10m is left undisturbed between the nearest graves and the fence around the graves.
  - 2.7 A conservation buffer of 100m should be implemented around the cemetery fence but where areas are transformed (e.g. road) a 50m conservation buffer could be considered – subject to careful assessment of these areas.
  - 2.8 If the graves are to remain in situ, a Conservation Management Plan must be done for them.
  - 2.9 If you intend on relocating the graves, you are to apply for a necessary permit in line with section 36 of the Act read with the relevant Regulations in this regard, including but not limited to consulting next of kin or affected parties as required by the Act.
  - 2.10 Submit the copy of the Heritage Impact Assessment to South African Heritage Information System (SAHRIS) or email it to my email address nmachete@sahra.org.za as we cannot find the copy in SAHRIS.

## **2. TERMS OF REFERENCE**

The Terms of Reference for the study was to:

1. Identify all objects, sites, occurrences and structures of an archaeological or historical nature (cultural heritage sites) located on the portion of land that will be impacted upon by the proposed development;
2. Assess the significance of the cultural resources in terms of their archaeological, historical, scientific, social, religious, aesthetic and tourism value;

3. Describe the possible impact of the proposed development on these cultural remains, according to a standard set of conventions;
4. Propose suitable mitigation measures to minimize possible negative impacts on the cultural resources;
5. Review applicable legislative requirements;

***The Assessment was done in accordance to the Contravention Notice & Cease Works Order issued by SAHRA on the 1<sup>st</sup> of April 2020 and aimed at ensuring that the requirements provided in these be adhered to by the client.***

### **3. LEGISLATIVE REQUIREMENTS**

Aspects concerning the conservation of cultural resources are dealt with mainly in two acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

#### **3.1. The National Heritage Resources Act**

According to the above-mentioned act the following is protected as cultural heritage resources:

- a. Archaeological artifacts, structures and sites older than 100 years
- b. Ethnographic art objects (e.g. prehistoric rock art) and ethnography
- c. Objects of decorative and visual arts
- d. Military objects, structures and sites older than 75 years
- e. Historical objects, structures and sites older than 60 years
- f. Proclaimed heritage sites
- g. Grave yards and graves older than 60 years**
- h. Meteorites and fossils
- i. Objects, structures and sites of scientific or technological value.

**The National Estate includes the following:**

- 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 features of cultural significance
- e. Geological sites of scientific or cultural importance
- f. Sites of Archaeological and palaeontological importance
- g. Graves and burial grounds**
- h. Sites of significance relating to the history of slavery
- i. Movable objects (e.g. archaeological, palaeontological, meteorites, geological specimens, military, ethnographic, books etc.)

A Heritage Impact Assessment (HIA) is the process to be followed in order to determine whether any heritage resources are located within the area to be developed as well as the possible impact of the proposed development thereon. An Archaeological Impact Assessment (AIA) only looks at archaeological resources. An HIA must be done under the following circumstances:

- a. The construction of a linear development (road, wall, power line, canal etc.) exceeding 300m in length
- b. The construction of a bridge or similar structure exceeding 50m in length
- c. Any development or other activity that will change the character of a site and exceed 5 000m<sup>2</sup> or involve three or more existing erven or subdivisions thereof
- d. Re-zoning of a site exceeding 10 000 m<sup>2</sup>
- e. Any other category provided for in the regulations of SAHRA or a provincial heritage authority

### **Structures**

Section 34 (1) of the mentioned act states that no person may demolish any structure or part thereof which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

A structure means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith.

Alter means any action affecting the structure, appearance or physical properties of a place or object, whether by way of structural or other works, by painting, plastering or the decoration or any other means.

### **Archaeology, palaeontology and meteorites**

Section 35(4) of the Act deals with archaeology, palaeontology and meteorites. The Act states that no person may, without a permit issued by the responsible heritage resources authority (national or provincial)

- a. destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
- b. destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
- c. trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
- d. bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.
- e. alter or demolish any structure or part of a structure which is older than 60 years as protected.



**The above mentioned may only be disturbed or moved by an archaeologist, after receiving a permit from the South African Heritage Resources Agency (SAHRA). In order to demolish such a site or structure, a destruction permit from SAHRA will also be needed.**

### **Human remains**

Graves and burial grounds are divided into the following:

- a. ancestral graves
- b. royal graves and graves of traditional leaders
- c. graves of victims of conflict
- d. graves designated by the Minister
- e. historical graves and cemeteries
- f. human remains

In terms of Section 36(3) of the National Heritage Resources Act, no person may, without a permit issued by the relevant heritage resources authority:

- a. destroy, damage, alter, exhume or remove from its original position of otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
- b. destroy, damage, alter, exhume or remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- c. bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation, or any equipment which assists in the detection or recovery of metals.

Human remains that are less than 60 years old are subject to provisions of the Human Tissue Act (Act 65 of 1983) and to local regulations. Exhumation of graves must conform to the standards set out in the **Ordinance on Excavations (Ordinance no. 12 of 1980)** (replacing the old Transvaal Ordinance no. 7 of 1925).

Permission must also be gained from the descendants (where known), the National Department of Health, Provincial Department of Health, Premier of the Province and local police. Furthermore, permission must also be gained from the various landowners (i.e. where the graves are located and where they are to be relocated to) before exhumation can take place.

Human remains can only be handled by a registered undertaker or an institution declared under the **Human Tissues Act (Act 65 of 1983 as amended)**.

### **3.2. The National Environmental Management Act**

This act states that a survey and evaluation of cultural resources must be done in areas where development projects, that will change the face of the environment, will be undertaken. The impact of the development on these resources should be determined and proposals for the mitigation thereof are made.

Environmental management should also take the cultural and social needs of people into account. Any disturbance of landscapes and sites that constitute the nation's cultural heritage should be avoided as far as possible and where this is not possible the disturbance should be minimized and remedied.

## **4. METHODOLOGY**

### **4.1. Survey of literature**

A survey of available literature was undertaken in order to place the development area in an archaeological and historical context. The sources utilized in this regard are indicated in the bibliography.

### **4.2. Field survey**

The field assessment section of any HIA/AIA is conducted according to generally accepted standards & practices and aims at locating all possible objects, sites and features of heritage significance in the area of the proposed development. The location/position of all sites, features and objects is determined by means of a Global Positioning System (GPS) where possible, while detail photographs are also taken where needed.

### **4.3. Oral histories**

People from local communities are sometimes interviewed in order to obtain information relating to the surveyed area. It needs to be stated that this is not applicable under all circumstances. When applicable, the information is included in the text and referred to in the bibliography.

### **4.4. Documentation**

All sites, objects, features and structures identified are documented according to a general set of minimum standards. Co-ordinates of individual localities are determined by means of the Global Positioning System (GPS). The information is added to the description in order to facilitate the identification of each locality.

## 5. DESCRIPTION OF THE AREA

The study area is located on Portions 36 & 83 of the farm Zwartkoppies 296JQ, north of Marikana in the Bojanala District Municipality of Northwest. It is not on Portion 26 as indicated in the Cease Works Order. The client is undertaking quarrying on Portion 36, while the grave site under discussion is located on the neighboring land parcel (Portion 83).

The topography of the area is relatively flat and open with some rocky outcrops and hills present. Tree and grass cover was fairly dense in sections, while the grave site and graves on it (consisting mostly of low, stone-packed graves) were also relatively overgrown and covered by a tree canopy. Rock dumping related to previous quarrying activities had encroached onto a section of this site, covering some graves.

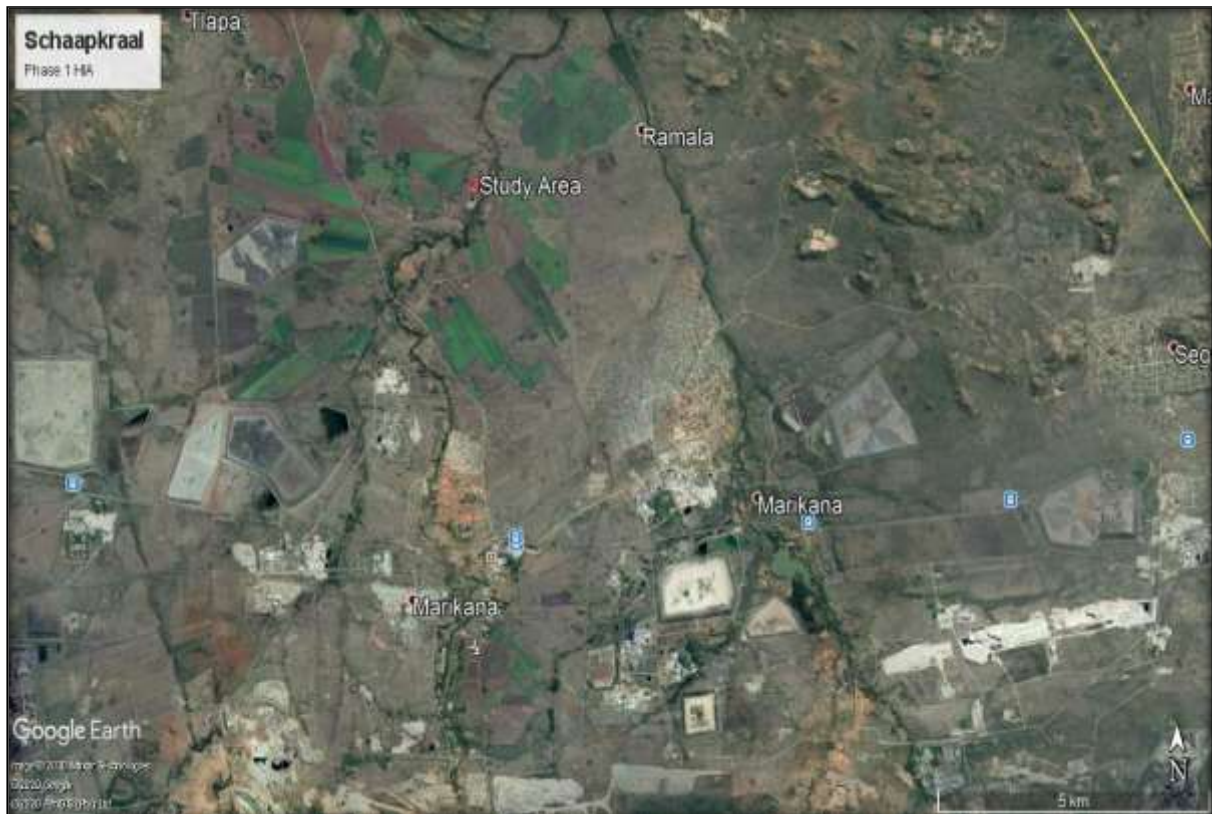


Figure 1: General location of study area (Google Earth 2020).



**Figure 2: Closer view of study area (Google Earth 2020). The graves are located in the black polygon (Portion 83) while the client’s quarrying activities are visible on Portion 36.**



**Figure 3: A view of the current quarry area road.**



**Figure 4: A view of the current quarrying activity.**



**Figure 5: Another view.**



**Figure 6: The rock dumps from previous quarrying in the area.**



**Figure 7: Further evidence of earlier quarrying.**



**Figure 8: The rock dump close to the grave site on Portion 83.**



**Figure 9: A general view of the Grave Site location.**

## 6. DISCUSSION

The Stone Age is the period in human history when lithic (stone) material was mainly used to produce tools. In South Africa the Stone Age can be divided basically into three periods. It is however important to note that dates are relative and only provide a broad framework for interpretation. A basic sequence for the South African Stone Age (Lombard et.al 2012) is as follows:

Earlier Stone Age (ESA) up to 2 million – more than 200 000 years ago  
Middle Stone Age (MSA) less than 300 000 – 20 000 years ago  
Later Stone Age (LSA) 40 000 years ago – 2000 years ago

It should also be noted that these dates are not a neat fit because of variability and overlapping ages between sites (Lombard et.al 2012: 125).

There are no known Stone Age sites or features in the specific study area. The closest known Stone Age sites in the larger geographical area are located in the so-called Magaliesberg Research Area and include rock shelter sites dating to the Middle and Later Stone Age. There is also some rock engraving sites in this area (Bergh 1999: 4-5).

**No Stone Age sites or objects (such as stone tools) were identified in the area during the May 2020 field work. It is believed that if any Stone Age artifacts are to be found in the area then it would more than likely be single, out of context, stone tools.**

The Iron Age is the name given to the period of human history when metal was mainly used to produce metal artifacts. In South Africa it can be divided in two separate phases (Bergh 1999: 96-98), namely:

Early Iron Age (EIA) 200 – 1000 A.D  
Late Iron Age (LIA) 1000 – 1850 A.D.

Huffman (2007: xiii) however indicates that a Middle Iron Age should be included. His dates, which now seem to be widely accepted in archaeological circles, are:

Early Iron Age (EIA) 250 – 900 A.D.  
Middle Iron Age (MIA) 900 – 1300 A.D.  
Late Iron Age (LIA) 1300 – 1840 A.D.

In a band stretching roughly from Brits in the east to Zeerust in the west many Iron Age sites have been discovered previously (Bergh 1999: 7-8). These all belong to the Later Iron Age (Bergh 1999: 8-9). A copper smelting site was identified along the Hex River to the northwest of the surveyed area (Bergh 1999: 8). The closest Earlier Iron Age site is located at Broederstroom near Brits (Bergh 1999: 6).

During earlier times the area was settled by the Fokeng. In the 19th century this group inhabited this area with other Tswana groups including the Kwena and the Po (Bergh 1999:



9-10). During the *difaqane* these people moved further to the west, but they returned later on (Bergh 1999: 11).

According to the research of Tom Huffman the following Iron Age traditions could be present in the area: (a) the Mzonjani facies of the Urewe tradition (Broederstroom) dating to AD450 – AD750 (b) Olifantspoort facies of the same tradition AD1500 – AD1700 (c) Uitkomst facies of Urewe AD1650 – AD1820 and (d) Buispoort facies of Urewe dating to around AD1700 - AD1840 (Huffman 2007: 127; 171; 191 & 203).

**As with the Stone Age, no Iron Age occurrences were identified in the study area during the 2020 site assessment.**

The historical age started with the first recorded oral histories in the area. It includes the moving into the area of people that were able to read and write. Early travelers have moved through this part of the Northwest Province. This included David Hume in 1825, Robert Scoon and William McLuckie in 1829 and Dr. Robert Moffat and Reverend James Archbell in 1829 (Bergh 1999: 12, 117-119).

Hume again moved through this area in 1830 followed by the expedition of Dr. Andrew Smith in 1835 (Bergh 1999: 13, 120-121). In 1836 William Cornwallis Harris visited the area. The well-known explorer Dr. David Livingstone passed through this area between 1841 and 1847 (Bergh 1999: 13, 119-122).

**The grave site and graves on it belongs to the recent historical period, and although their age could not be determined at this stage they might be older than 60 years of age.**

The oldest map of the farm Zwartkoppies 292JQ that could be obtained from the Chief Surveyor General's database ([www.csg.dla.gov.za](http://www.csg.dla.gov.za)) dates to 1930 (CSG Document 10FURH01). It is for Portion 1 and shows that the farm was then in the Rustenburg District and Ward of Hex River of the Transvaal Province. It also indicates that the whole of the farm was transferred by Deed to one J.D. Aswegen on the 16<sup>th</sup> of January 1860. Portion 1 was officially surveyed in April 1928. A 1937 map for Portion 36 (the portion on which the client's quarrying activities are taking place) was also surveyed in April 1928 (CSG Document 10FUPN01). The map for Portion 83 (the portion on which the grave site is located - CSG Document 10G16201) dates to 1953 and was surveyed in September 1953. No historical sites or features are shown on any of these maps and the grave site located on Portion 83 is also not indicated. It does not necessarily mean that the site was not present and could indicate that it might not have been known or just not measured at the time. It could also of course be evidence that the grave site post-dates 1953.

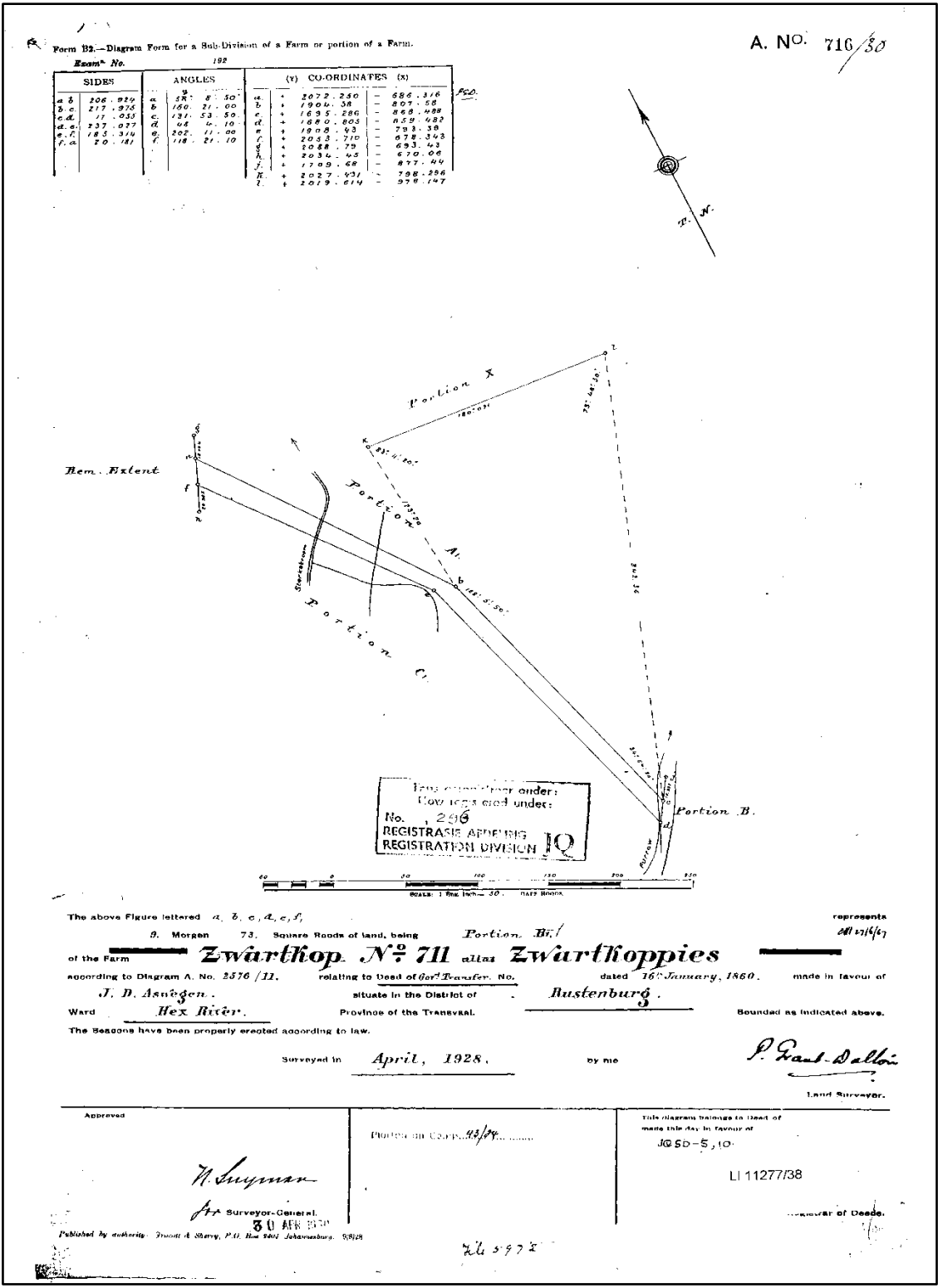


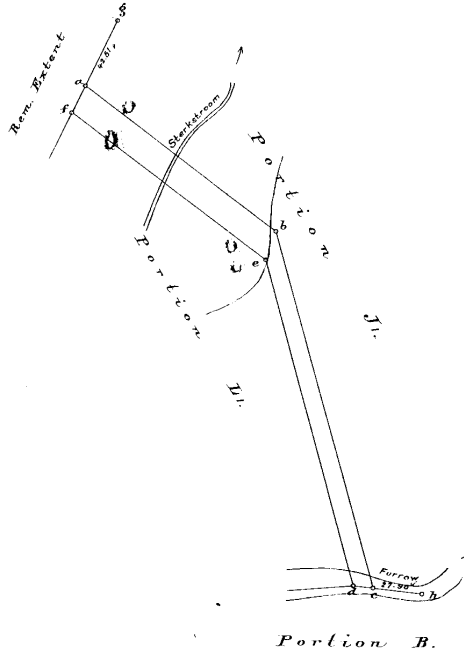
Figure 10: A 1930 map of Portion 1 of Zwartkoppies 296JQ ([www.csg.dla.gov.za](http://www.csg.dla.gov.za)).

Form B2.—Diagram Form for a Sub-Division of a Farm or portion of a Farm.

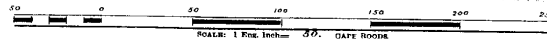
Exam<sup>n</sup> No. 182

A. No. 2557

SIDES		ANGLES		(y) CO-ORDINATES (x)	
a.b.	137.760'	α.	76° 18' 50"	α.	+ 1938.295 - 828.684
b.c.	222.370'	β.	143.9.20	β.	+ 1855.41 - 788.72
c.d.	11.950'	γ.	69.48.10.	γ.	+ 1641.833 - 800.07
d.e.	200.895'	δ.	110.16.10.	δ.	+ 1642.67 - 788.72
e.f.	140.364'	ε.	215.59.30.	ε.	+ 1835.63 - 732.46
f.a.	18.210'	ζ.	109.27.00.	ζ.	+ 1921.57 - 621.48
		η.		η.	+ 1977.34 - 645.60
		θ.		θ.	+ 1639.68 - 828.97



This disposition order:  
Now registered under:  
No. 296  
REGISTRATION DIVISION  
REGISTRATION DIVISION JQ



The above Figure lettered *a, b, c, d, e, f* represents  
8<sup>1</sup>/<sub>2</sub> Morgen 193<sup>1</sup>/<sub>2</sub> Square Rods of land, being *Portion Kl. 36*  
of the Farm *Zwartkop N<sup>o</sup> 711* *aka* *Zwartkoppies*  
according to Diagram A. No. 2576/II, relating to Deed of Gov<sup>t</sup> Transfer. No. dated 16<sup>th</sup> January, 1860. made in favour of  
*J. D. Aswegen*,  
situate in the District of *Rustenburg*.  
Ward *Hex River*. Province of the Transvaal. Bounded as indicated above.  
The Bascons have been properly erected according to law.

Surveyed in *April, 1928.* by me *P. Grant-Dalton*  
Land Surveyor.

Approved  
*[Signature]*  
Asst. Surveyor-General.  
5-7-1928

*[Signature]*

This diagram balances to Deed of  
made this day in favour of  
JQ 5D - 5 + 10  
Registrar of Deeds.

Published by authority—Frood & Sherry, P.O. Box 2404, Johannesburg. — 9/8/28

Figure 11: A 1937 map of Portion 36 of the farm Zwartkoppies 296JQ ([www.csg.dla.gov.za](http://www.csg.dla.gov.za)).

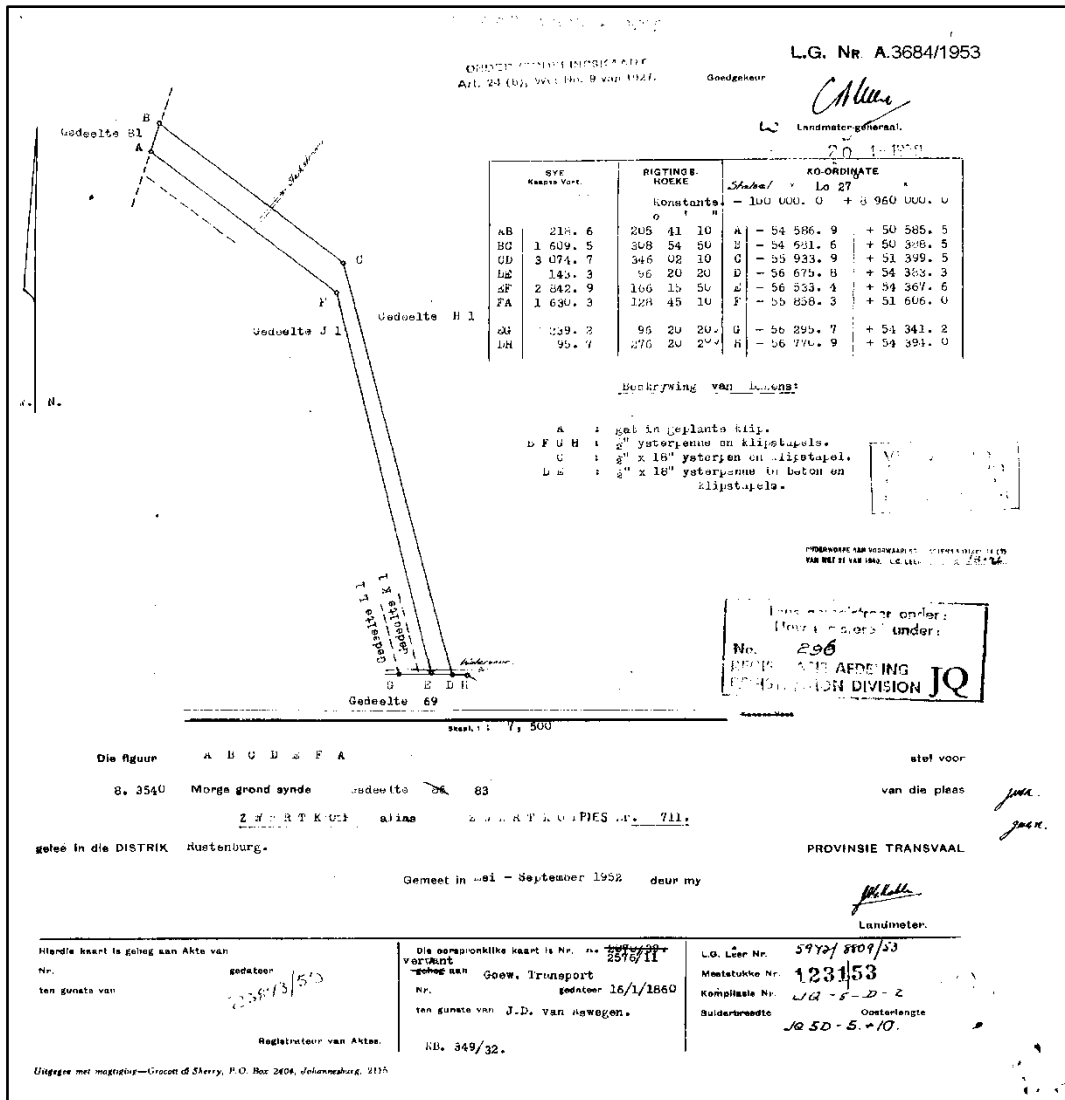


Figure 13: A 1953 map of Portion 83 of the farm Zwartkoppies 296JQ ([www.csg.dla.gov.za](http://www.csg.dla.gov.za)).

### Results of the study area assessment

The physical assessment of the area and the existing grave sites was undertaken during May 2020. No other sites, features or material of cultural heritage (archaeological and/or historical) origin or significance was identified in the study area.

According to representatives of the client they have been quarrying in the area (on Portion 36) after obtaining their mining rights since 2018 and that the grave site was not known to them. They also indicated that previous and illegal/unlicensed quarrying had been undertaken in the area and on Portion 83 prior to that and that the dumping of quarry material on the grave site is the result of those earlier workings and through their quarrying. They do however utilize the neighboring portions of land (including Portion 83) for access and transporting of quarried material, the rights for which they compensate the owners of those properties (Personal Communication: Mr. Marthinus Barnard & Mr. Willem Barnard – 2020-05-19).

What is clear from old Aerial Images of the area (Google Earth) dating back to 2004 is that between that year and 2015 no quarrying activity had taken place on any of the land parcels. It is only in 2016 that activities become visible on Portion 83 and close to the grave site and where dumping of material close to and on the site can be seen. Only in the 2018 images quarrying activities on Portion 36 become evident.

The physical assessment of the impacted grave site and graves clearly shows that waste rock from earlier quarrying had encroached onto the site and that some graves have been covered by this. The number of graves covered could not be determined, but at least 3 were visible under some of the rocks. The total number of graves on site could also not be determined as a result of the tree and grass cover, but it could be between 30 & 50 graves. Most of the graves are low, stone-packed cairns without any headstones or identificatory markers. A cement cross was lying flat on one side of the site, but from which grave exactly it originated it is unsure.

As the graves have no headstones with any inscriptions providing names of the deceased and their dates of death, it is impossible at this stage to determine the age of the site and the graves on it. It is assumed currently that they are older than 60 years of age and is therefore protected by the National Heritage Resources Act (Act 25 of 1999).

Graves always carry a High Significance Rating from a Cultural Heritage Perspective and should be handled with care and any damage to them should be avoided at all costs. The best option should always be to preserve a grave site and the graves on it in situ, but if a site containing graves cannot be avoided by development then the option exists to exhume and relocate the graves after extensive and detailed consultation had been undertaken. This is to obtain consent from any possible descendants to do this work and to obtain permits from various Local, Provincial and National Authorities – including SAHRA where graves are deemed older than 60 years of age and/or of Heritage Significance.

**GPS Location:** S25 38 35.00 E27 29 08.10.

**Cultural Significance:** High – Graves always carry a High Significance rating

**Heritage Significance:** Grade III: Other heritage resources of local importance and therefore worthy of conservation.

**Field Ratings:** Local Grade IIIB: Should be included in the heritage register and may be mitigated (High/Medium significance).

**Mitigation:** If the graves cannot be protected in situ and is to be negatively impacted then they can be exhumed and relocated after detailed consultation with possible descendants have been concluded and permits have been obtained from various local, provincial and National Departments. The first option would however be to preserve and manage the site and graves in situ. A Graves Management Plan should be drafted and implemented as part of the Development.



**Figure 14: The cement cross headstone on the site.**



**Figure 15: A view of a section of the site with stone-packed graves visible.**



**Figure 16: Another view of some of the graves.**



**Figure 17: Some waste rock on top of graves.**



**Figure 18: A grave visible in between some blocks of granite.**





**Figure 19: A 2004 aerial image showing no activities in the area (Google Earth 2020).**



**Figure 20: By 2010 the situation had not changed (Google Earth 2020).**



**Figure 21: A 2014 aerial image of the same area (Google Earth 2020).**



**Figure 22: By 2016 quarrying activities has become evident on Portion 83, with the grave site already impacted (Google Earth 2020). On Portion 36 no quarrying had commenced.**



**Figure 23: In this 2018 image quarrying had already commenced on Portion 36 (Google Earth 2020).**

Although the grave site and graves does not fall on the property of the clients and portion of land they are quarrying, they have indicated that there is no intention to exhume and relocate the graves and they intend to preserve the site in situ. According to them, even though they were not responsible for the damage to the site or the disturbance of the graves on it, they are however willing to adhere to the recommendations made by SAHRA in the Contravention Notice and Cease Works Order of the 1<sup>st</sup> of April 2020. They will undertake the following:

1. Clean the site of all overburden (waste rock dumped on it) and removal of all rock from the graves
2. Properly demarcate the site with a boundary fence, allowing access should any descendants wish to visit the graves. Anyone visiting the graves should also adhere to strict Health and Safety Procedures and Protocols when such visits are undertaken
3. Mark the site as a Grave Site with proper signage
4. Adhere to the buffer zones indicated by SAHRA as best as possible taking into consideration the existing road between the grave site and the quarrying activities on Portion 36. A 30m buffer between the outer perimeter of the grave site within which no development or quarrying activity will take place will be established.

It is furthermore recommended that a Graves Management Plan be drafted and submitted once the site has been cleaned and properly fenced in. The total number of graves on the site will then also be determined and a detailed Graves Register be drafted as part of this process.

Finally it is recommended that once the recommendations have been implemented that the Cease Works Order be lifted as a matter of urgency so that activities can commence as soon as possible. It should also be noted that although all efforts are made to locate, identify and record all possible cultural heritage sites and features (including archaeological remains) there is always a possibility that some might have been missed as a result of grass cover and other factors.

## **6. CONCLUSIONS AND RECOMMENDATIONS**

In conclusion it can be said that the Phase 1 HIA on Portions 36 & 83 of the farm Zwartkoppies 296JQ was conducted successfully. The area, also known as Schaapkraal, is located north of Marikana in the Bojanala District Municipality of the Northwest Province. The quarrying of granite is being undertaken in the area by the client. The appointment comes in the wake of a Contravention Notice & Cease Works Order issued by SAHRA's Heritage Protection Unit on the 1st of April 2020 to the client.

Background research indicated that there are a number of cultural heritage (archaeological & historical) sites and features in the larger geographical area, although nothing is known for the specific parcel of land. The physical assessment of the area and the existing grave sites was undertaken during May 2020. No other sites, features or material of cultural heritage (archaeological and/or historical) origin or significance was identified in the study area.

Graves always carry a High Significance Rating from a Cultural Heritage Perspective and should be handled with care and any damage to them should be avoided at all costs. The best option should always be to preserve a grave site and the graves on it in situ, but if a site containing graves cannot be avoided by development then the option exists to exhume and relocate the graves after extensive and detailed consultation had been undertaken. This is to obtain consent from any possible descendants to do this work and to obtain permits from various Local, Provincial and National Authorities – including SAHRA where graves are deemed older than 60 years of age and/or of Heritage Significance.

Although the grave site and graves does not fall on the property of the clients and portion of land they are quarrying, they have indicated that there is no intention to exhume and relocate the graves and they intend to preserve the site in situ. According to them, even though they were not responsible for the damage to the site or the disturbance of the graves on it, they are however willing to adhere to the recommendations made by SAHRA in the Contravention Notice and Cease Works Order of the 1st of April 2020. They will undertake the following:

1. Clean the site of all overburden (waste rock dumped on it) and removal of all rock from the graves
2. Properly demarcate the site with a boundary fence, allowing access should any descendants wish to visit the graves. Anyone visiting the graves should also adhere to strict Health and Safety Procedures and Protocols when such visits are undertaken
3. Mark the site as a Grave Site with proper signage
4. Adhere to the buffer zones indicated by SAHRA as best as possible taking into consideration the existing road between the grave site and the quarrying activities on Portion 36. A 30m buffer between the outer perimeter of the grave site within which no development or quarrying activity will take place will be established.

It is furthermore recommended that a Graves Management Plan be drafted and submitted once the site has been cleaned and properly fenced in. The total number of graves on the site will then also be determined and a detailed Graves Register be drafted as part of this process.

Finally it is recommended that once the recommendations have been implemented that the Cease Works Order be lifted as a matter of urgency so that activities can commence as soon as possible.

**It should be noted that although all efforts are made to locate, identify and record all possible cultural heritage sites and features (including archaeological remains) there is always a possibility that some might have been missed as a result of grass cover and other factors. The subterranean nature of these resources (including low stone-packed or unmarked graves) should also be taken into consideration. Should any previously unknown or invisible sites, features or material be uncovered during any development actions then an expert should be contacted to investigate and provide recommendations on the way forward.**

## **7. REFERENCES**

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## **APPENDIX A: DEFINITION OF TERMS:**

**Site:** A large place with extensive structures and related cultural objects. It can also be a large assemblage of cultural artifacts, found on a single location.

**Structure:** A permanent building found in isolation or which forms a site in conjunction with other structures.

**Feature:** A coincidental find of movable cultural objects.

**Object:** Artifact (cultural object).

(Also see Knudson 1978: 20).

## **APPENDIX B: DEFINITION/ STATEMENT OF HERITAGE SIGNIFICANCE**

**Historic value:** Important in the community or pattern of history or has an association with the life or work of a person, group or organization of importance in history.

**Aesthetic value:** Important in exhibiting particular aesthetic characteristics valued by a community or cultural group.

**Scientific value:** Potential to yield information that will contribute to an understanding of natural or cultural history or is important in demonstrating a high degree of creative or technical achievement of a particular period

**Social value:** Have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

**Rarity:** Does it possess uncommon, rare or endangered aspects of natural or cultural heritage.

**Representivity:** Important in demonstrating the principal characteristics of a particular class of natural or cultural places or object or a range of landscapes or environments characteristic of its class or of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province region or locality.



## **APPENDIX C: SIGNIFICANCE AND FIELD RATING:**

### **Cultural significance:**

- Low: A cultural object being found out of context, not being part of a site or without any related feature/structure in its surroundings.
- Medium: Any site, structure or feature being regarded less important due to a number of factors, such as date and frequency. Also any important object found out of context.
- High: Any site, structure or feature regarded as important because of its age or uniqueness. Graves are always categorized as of a high importance. Also any important object found within a specific context.

### **Heritage significance:**

- Grade I: Heritage resources with exceptional qualities to the extent that they are of national significance
- Grade II: Heritage resources with qualities giving it provincial or regional importance although it may form part of the national estate
- Grade III: Other heritage resources of local importance and therefore worthy of conservation

### **Field ratings:**

- i. National Grade I significance: should be managed as part of the national estate
- ii. Provincial Grade II significance: should be managed as part of the provincial estate
- iii. Local Grade IIIA: should be included in the heritage register and not be mitigated (high significance)
- iv. Local Grade IIIB: should be included in the heritage register and may be mitigated (high/medium significance)
- v. General protection A (IV A): site should be mitigated before destruction (high/medium significance)
- vi. General protection B (IV B): site should be recorded before destruction (medium significance)
- vii. General protection C (IV C): phase 1 is seen as sufficient recording and it may be demolished (low significance)

## **APPENDIX D: PROTECTION OF HERITAGE RESOURCES:**

### **Formal protection:**

National heritage sites and Provincial heritage sites – Grade I and II

Protected areas - An area surrounding a heritage site

Provisional protection – For a maximum period of two years

Heritage registers – Listing Grades II and III

Heritage areas – Areas with more than one heritage site included

Heritage objects – e.g. Archaeological, palaeontological, meteorites, geological specimens, visual art, military, numismatic, books, etc.

### **General protection:**

Objects protected by the laws of foreign states

Structures – Older than 60 years

Archaeology, palaeontology and meteorites

Burial grounds and graves

Public monuments and memorials

## **APPENDIX E: HERITAGE IMPACT ASSESSMENT PHASES**

1. Pre-assessment or Scoping Phase – Establishment of the scope of the project and terms of reference.
2. Baseline Assessment – Establishment of a broad framework of the potential heritage of an area.
3. Phase I Impact Assessment – Identifying sites, assess their significance, make comments on the impact of the development and makes recommendations for mitigation or conservation.
4. Letter of recommendation for exemption – If there is no likelihood that any sites will be impacted.
5. Phase II Mitigation or Rescue – Planning for the protection of significant sites or sampling through excavation or collection (after receiving a permit) of sites that may be lost.
6. Phase III Management Plan – For rare cases where sites are so important that development cannot be allowed.