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**REPORT ON A PHASE 1 HERITAGE ASSESSMENT
FOR THE MBEKI SUN INFORMAL SETTLEMENT UPGRADING PROJECT
LOCATED ON VARIOUS PORTION OF THE FARM PAARDEKRAAL 279JQ
RUSTENBURG LOCAL MUNICIPALITY, NORTHWEST PROVINCE**

For:

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REPORT: APAC018/56

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August 2018

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Although all efforts are made to identify all sites of cultural heritage (archaeological and historical) significance during an assessment of study areas, the nature of archaeological and historical sites are as such that it is always possible that hidden or subterranean sites, features or objects could be overlooked during the study. APELSER Archaeological Consulting can't be held liable for such oversights or for costs incurred as a result thereof.

Clients & Developers should not continue with any development actions until SAHRA or one of its subsidiary bodies has provided final comments on this report. Submitting the report to SAHRA is the responsibility of the Client unless required of the Heritage Specialist as part of their appointment and Terms of Reference

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SUMMARY

APelser Archaeological Consulting (APAC) was appointed by Maxim Planning Solutions, to undertake a Phase 1 HIA for the proposed Mbeki Sun Informal Settlement Upgrading Project located on various portions of the farm Paardekraal 279IQ. The study area is situated in the Rustenburg Local Municipality of the Northwest Province.

The project is conducted on instruction from King & Associates (Pty) Ltd and on behalf of the Rustenburg Local Municipality.

A number of known cultural heritage sites (archaeological and/or historical) exist in the larger geographical area within which the study area falls. There are no known sites on the specific land parcel, and none were identified in the study area during the assessment. The report will discuss the results of the desktop and field assessment and provide recommendations on the way forward at the end of the document.

From a Cultural Heritage point of view the proposed upgrading can continue, taking into consideration the mitigation measures proposed in the report.

CONTENTS

	page
SUMMARY	3
CONTENTS.....	4
1. INTRODUCTION	5
2. TERMS OF REFERENCE	5
3. LEGISLATIVE REQUIREMENTS	5
4. METHODOLOGY	8
5. DESCRIPTION OF THE AREA.....	9
6. DISCUSSION.....	14
7. CONCLUSIONS AND RECOMMENDATIONS	23
8. REFERENCES	23
APPENDIX A – DEFINITION OF TERMS	25
APPENDIX B – DEFINITION/ STATEMENT OF SIGNIFICANCE.....	26
APPENDIX C – SIGNIFICANCE AND FIELD RATING.....	27
APPENDIX D – PROTECTION OF HERITAGE RESOURCES.....	28
APPENDIX E – HERITAGE MANAGEMENT IMPACT ASSESSMENT PHASES.....	29

1. INTRODUCTION

APelser Archaeological Consulting (APAC) was appointed by Maxim Planning Solutions, to undertake a Phase 1 HIA for the proposed Mbeki Sun Informal Settlement Upgrading Project located on various portions of the farm Paardekraal 279IQ. The study area is situated in the Rustenburg Local Municipality of the Northwest Province.

The project is conducted on instruction from King & Associates (Pty) Ltd and on behalf of the Rustenburg Local Municipality.

A number of known cultural heritage sites (archaeological and/or historical) exist in the larger geographical area within which the study area falls. There are no known sites on the specific land parcel, and none were identified in the study area during the assessment.

The client indicated the location and boundaries of the Project Area, and the assessment focused on this area.

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;***

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 000m² or involve three or more existing erven or subdivisions thereof
- d. Re-zoning of a site exceeding 10 000 m²
- 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 this 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 or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;

- b. destroy, damage, alter, exhume 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 the study was conducted according to generally accepted HIA practices and aimed 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 was determined by means of a Global Positioning System (GPS), while detailed photographs were also taken where possible.

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. Mr. Allman, owner of the property, provided some information on the study area.

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 were determined by means of the Global Positioning System (GPS). The information was added to the description in order to facilitate the identification of each locality.

5. DESCRIPTION OF THE AREA

APelser Archaeological Consulting (APAC) was appointed by Maxim Planning Solutions, to undertake a Phase 1 HIA for the proposed Mbeki Sun Informal Settlement Upgrading Project located on various portions of the farm Paardekraal 279IQ. The study area is situated in the Rustenburg Local Municipality of the Northwest Province.

The study area has been nearly completely altered by recent informal settlement structures (houses) and related activities, with only small sections of original vegetation still existing. In earlier historic times the area would also have been utilized for agricultural purposes. If any sites, features or material of cultural heritage (archaeological and/or historical) origin or significance did exist here in the past it would have been disturbed or destroyed to a large degree as a result.

The topography of the area is flat with no large hills or rocky ridges and outcrops present. Visibility and access was made difficult by the built-up nature of the study area.

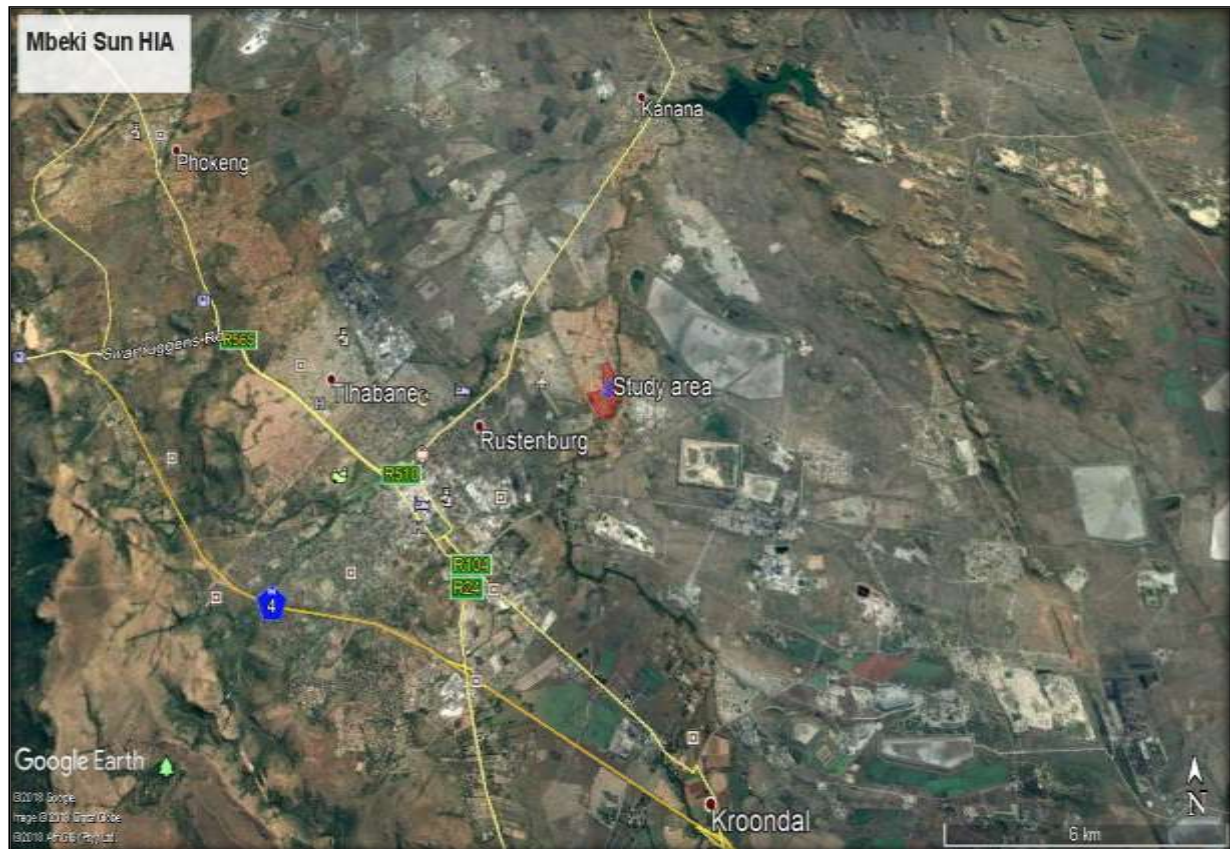


Fig.1: General location of study area (Google Earth 2018).



Fig.2: Closer view of study area (Google Earth 2018).



Fig.3: Closer view of the study area in 2004. The area had been less disturbed by then, but informal settlement had commenced already (Google Earth 2018).



Fig.4: A view of some of the typical structures in the area.



**Fig.5: A view of the general area around the study area.
Note the informal dumping.**



Fig.6: A view of one of the streets in the informal settlement area.



Fig.7: Another view of informal housing structures in the area.



Fig.8: A street view in the informal settlement.



Fig.9: Another general view. Only small sections of natural vegetation exist around the fringes of the Informal settlement.

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).

The closest known Stone Age sites are found in an area known as the Magaliesberg Research Area. It consists of a number of sites including rock shelters in the Magaliesberg Mountain. These date back to the Middle and Later Stone Age and include rock engravings (Bergh 1999: 4 – 5).

No known Stone Age sites or artifacts were identified in the study area during the assessment. If any Stone Age artifacts are to be found 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.

Many Late Iron Age sites have been identified in the area around Rustenburg (Bergh 1999: 7-8). A copper smelting site was identified along the Hex River to the northeast of the study 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 inhabited by Tswana groups, namely the Fokeng and Hurutshe. In the 19th century and even today, the area is inhabited by other Tswana groups, namely the Kweni, Tlokwa, Phiring, Taung and the Fokeng (Bergh 1999: 9-10). During the difaqane these people moved further to the north and south, 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).

No Iron Age occurrences were identified in the study area during the 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 Coenraad de Buys in 1821 and 1825, David Hume in 1825, Robert Schoon and William McLuckie in 1827 and 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). Hume again moved through the area with Schoon in 1835. In 1836 the hunter and traveler William Cornwallis Harris visited the area. The well-known explorer Dr. David Livingstone passed through this area in 1847 (Bergh 1999: 13, 119-122).

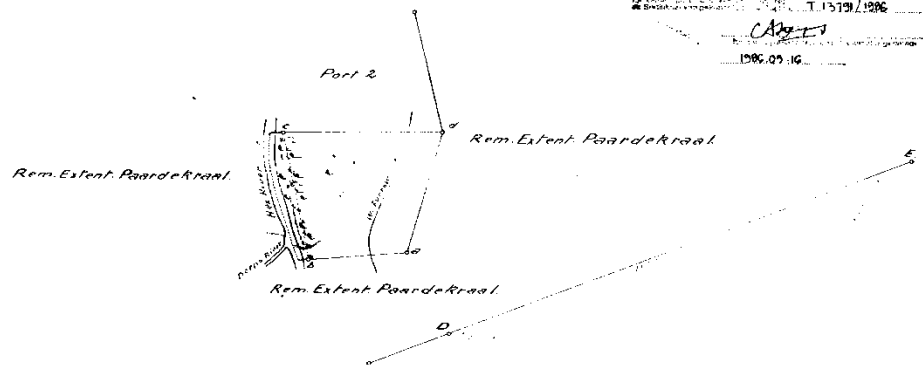
The area around Rustenburg, including the surveyed area, was inhabited by Europeans as early as 1839 (Bergh 1999: 15). The town of Rustenburg was established in 1851 (Bergh 1999: 17).

The greater Magaliesberg and Rustenburg area saw much action during the Anglo-Boer War (1899-1902). British troops reached Rustenburg on 14 June 1900. Three battles were fought here during the War, being the one at Buffelspoort on 3 December 1900, the one at Nooitgedacht on 13 December 1900 and the one at Vlakfontein on 29 May 1901 (Bergh 1999: 51-52).

The oldest map obtained from the Chief Surveyor General's database (www.csg.dla.gov.za) for the farm Paardekraal 279JQ (Portion 1), dates to 1909 (Document 10G38I01)). It shows that the farm was then numbered as No.388 and was situated in the Rustenburg District and Hex River Ward of the Transvaal. The whole of the farm was originally granted to one C. Grobler by Deed of Grant on the 5th of January 1859 and surveyed in December 1892. Portion 1 was surveyed in April 1909. A 1912 map for Portion 25 shows that it was surveyed in September 1912 (Document No.10290420). Four 1954 maps for Portions 84, 85, 86 & 87 (CSG Documents 10FVBX01, 10FVBY01, 10FVZ01 & 10FVC001 respectively) shows that they all were surveyed between April and June 1951. These sections are all portions of Portion 25.

No archaeological or historical sites or features could be identified from any of these maps.

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Transvaal Colony.

perly erected according to Law.
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 Government Land Surveyor.

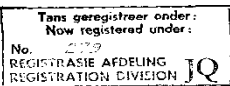
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W. P. HARMON & Co., Printers.

Fig.10: A 1909 map of Paardekraal 279JQ (www.csg.dla.gov.za).



represents
of the Farm

as appears on the Diagram S.G. No. A. 203/1894 framed by Surveyor F.S. Watermeyer in December 1893
 Relating to Dred of Grant No. Dated 5 Jan. 1894 made in favour of C Grobler
 situate in the District of RUSTENBURG Ward HEX RIVER Province of Transvaal situated as indicated above.
 The Beacons were pointed out by H.D. Nauwe, J.B.L. Kock, J.C.F. Potgieters & E. Muhl. and have been properly erected according to Law.
 Surveyed in September 1912 by me *E. Muhl.*

Land Surveyor

Maxwell Edwards

Examiner of Diagrams

Headquarters, General's Office
Tromsø.

W. Schuch.

Surveyor-General

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(www.csg.dla.gov.za).

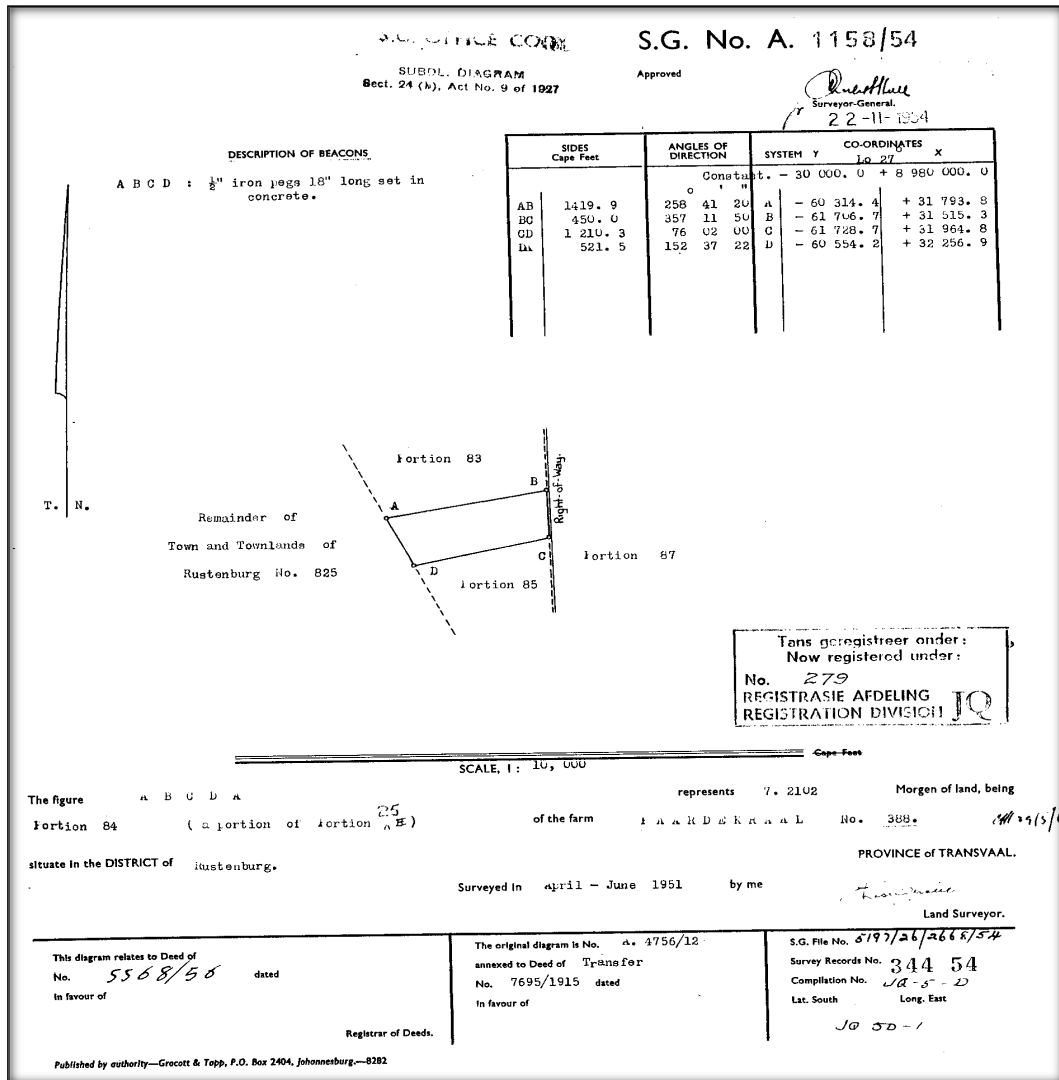


Fig.12: A 1954 map of Portion 84 (www.csg.dla.gov.za).

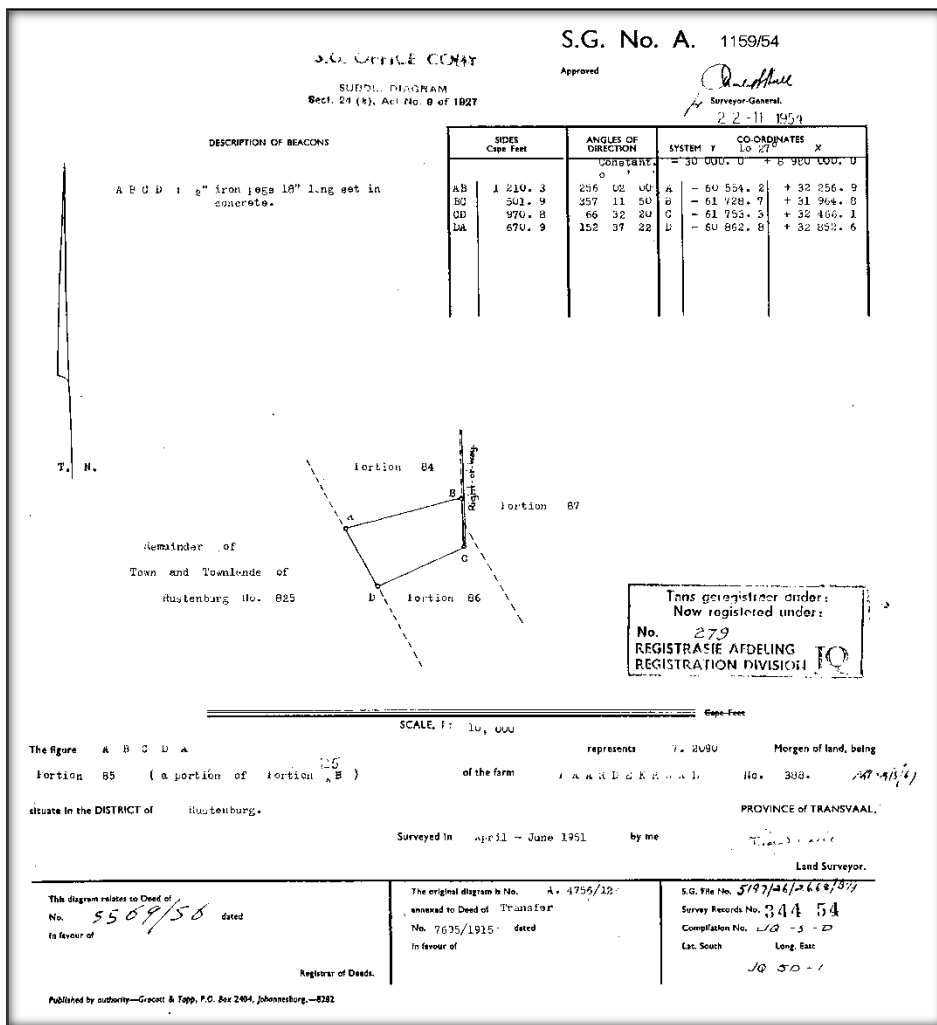


Fig.13: A 1954 map of Portion 85 (www.csg.dla.gov.za).

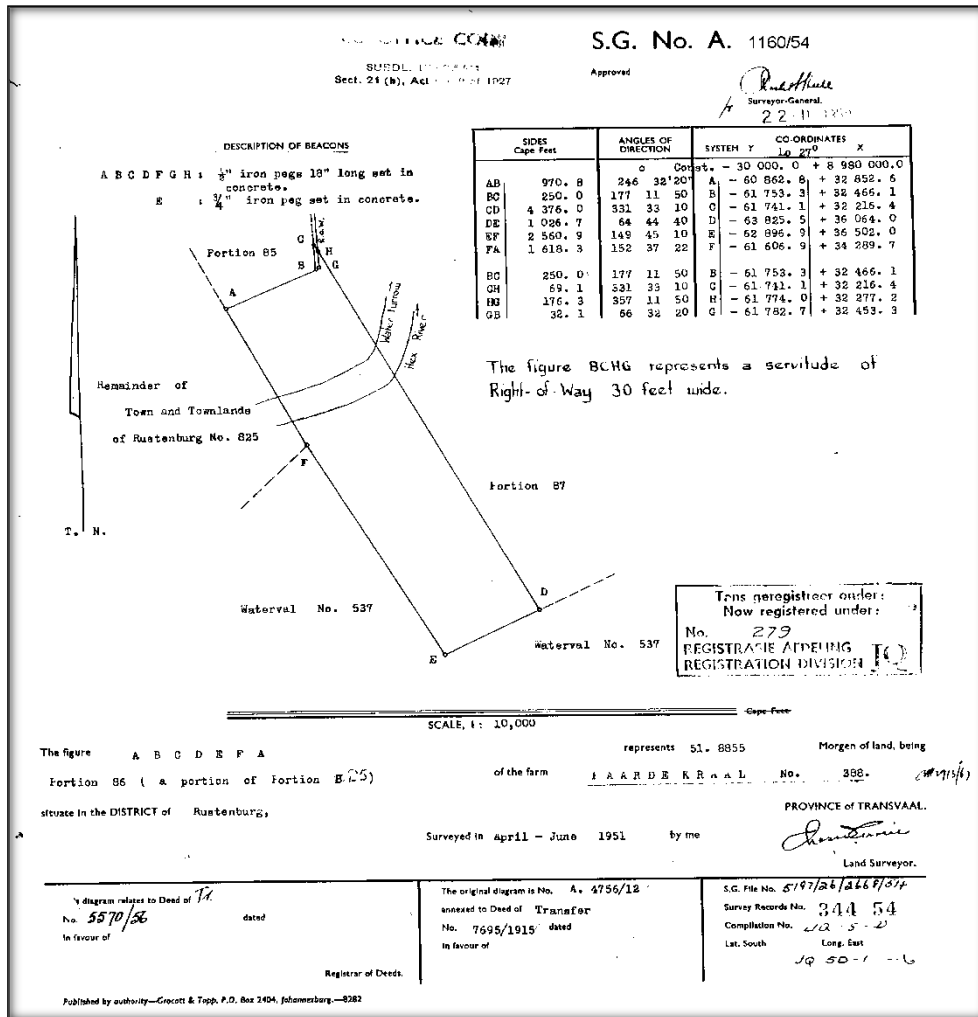


Fig.14: A 1954 map of Portion 86 (www.csg.dla.gov.za).

missed. This will include low stone-packed or unmarked graves. This aspect should be kept in mind when development work commences and if any sites (including graves) are identified then an expert should be called in to investigate and recommend on the best way forward.

7. CONCLUSIONS AND RECOMMENDATIONS

APelser Archaeological Consulting (APAC) was appointed by Maxim Planning Solutions, to undertake a Phase 1 HIA for the proposed Mbeki Sun Informal Settlement Upgrading Project located on various portions of the farm Paardekraal 279IQ. The study area is situated in the Rustenburg Local Municipality of the Northwest Province.

The project is conducted on instruction from King & Associates (Pty) Ltd and on behalf of the Rustenburg Local Municipality.

A number of known cultural heritage sites (archaeological and/or historical) exist in the larger geographical area within which the study area falls. There are no known sites on the specific land parcel. No sites, features or material of cultural heritage (archaeological and/or historical) origin or significance were identified during the assessment.

The area has been extensively disturbed in recent years by the establishment of informal and some more formal settlement activities that include structures, roads (dirt tracks & others), informal dumping and others. If any sites or features did exist here in the past it would most likely have been heavily disturbed or destroyed as a result. Informal cemeteries and burials (both marked and unmarked) should be considered in areas such as these and care should be taken not to impact on any during development activities.

Finally, 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.

From a cultural heritage point of view the proposed Mbeki Sun Informal Settlement Upgrading Project can therefore continue, taking cognizance of the above recommendations.

8. REFERENCES

Aerial views of General & Closer study area locations: Google Earth 2018.

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Republic of South Africa. 1998. **National Environmental Management Act** (no 107 of 1998). Pretoria: The Government Printer.

Chief Surveyor General Database – www.csg.dla.gov.za. Documents No: 10G38I01; 10290420; 10FVBX01; 10FVBY01; 10FVZ01 & 10FVC001.

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.