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**PHASE 1 HIA REPORT FOR PROPOSED DEVELOPMENT
ON PORTIONS 214 & 269 OF THE FARM WATERKLOOF 305JQ
NEAR RUSTENBURG IN THE RUSTENBURG LOCAL MUNICIPALITY OF NORTHWEST**

For:

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REPORT: **APAC020/113**

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December 2019

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SUMMARY

APelser Archaeological Consulting (APAC) was appointed by AB Enviro Consult to conduct a Phase 1 HIA for proposed development on Portions 214 & 269, of the farm Waterkloof 305JQ. The development site and study area is located near Rustenburg, in the Rustenburg Local Municipality of the Northwest Province.

Background research indicates that there are some cultural heritage sites and features in the larger geographical area within which the study area falls. The assessment of the specific study area did not identify any sites, features or material of cultural heritage (archaeological and/or historical) origin or significance. This report discusses the results of both the background research and physical assessment.

It is recommended that the proposed development be allowed to continue, taking into consideration the recommendations put forward at the end of the report.

CONTENTS

1. INTRODUCTION	5
2. TERMS OF REFERENCE	5
3. LEGISLATIVE REQUIREMENTS	5
4. METHODOLOGY	8
5. DESCRIPTION OF THE AREA	9
6. DISCUSSION	11
7. CONCLUSIONS AND RECOMMENDATIONS	23
8. REFERENCES	24
APPENDIX A: DEFINITION OF TERMS:.....	25
APPENDIX B: DEFINITION/ STATEMENT OF HERITAGE SIGNIFICANCE.....	26
APPENDIX C: SIGNIFICANCE AND FIELD RATING:	27
APPENDIX D: PROTECTION OF HERITAGE RESOURCES:.....	28
APPENDIX E: HERITAGE IMPACT ASSESSMENT PHASES.....	29

1. INTRODUCTION

APelser Archaeological Consulting (APAC) was appointed by AB Enviro Consult to conduct a Phase 1 HIA for proposed development on Portions 214 & 269, of the farm Waterkloof 305JQ. The development site and study area is located near Rustenburg, in the Rustenburg Local Municipality of the Northwest Province.

Background research indicates that there are some cultural heritage sites and features in the larger geographical area within which the study area falls. The assessment of the specific study area did not identify any sites, features or material of cultural heritage (archaeological and/or historical) origin or significance.

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

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 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 & proposed development area is situated on Portion 214 and Portion 29 of the farm Waterkloof 305JQ in the Rustenburg Local Municipality of the North West Province.

The topography of the study area is mostly flat and open with no rocky outcrops, ridges or hills present. The study & development area footprint includes already established business and urban residential establishments and as a result have been fairly impacted already. In the recent historical past the area would also have been utilized for agricultural purposes as is evident from earlier aerial imagery (Google Earth). If any sites, features or material of cultural heritage (archaeological and/or historical) did exist here in the past it would have been extensively disturbed or destroyed as a result.

Dense vegetation (grass and tree cover in some sections) resulted in limited visibility on the ground, although it is unlikely that any sites would have been missed. The informal dumping of building material and other household refuse occurs in parts of the study area as well.

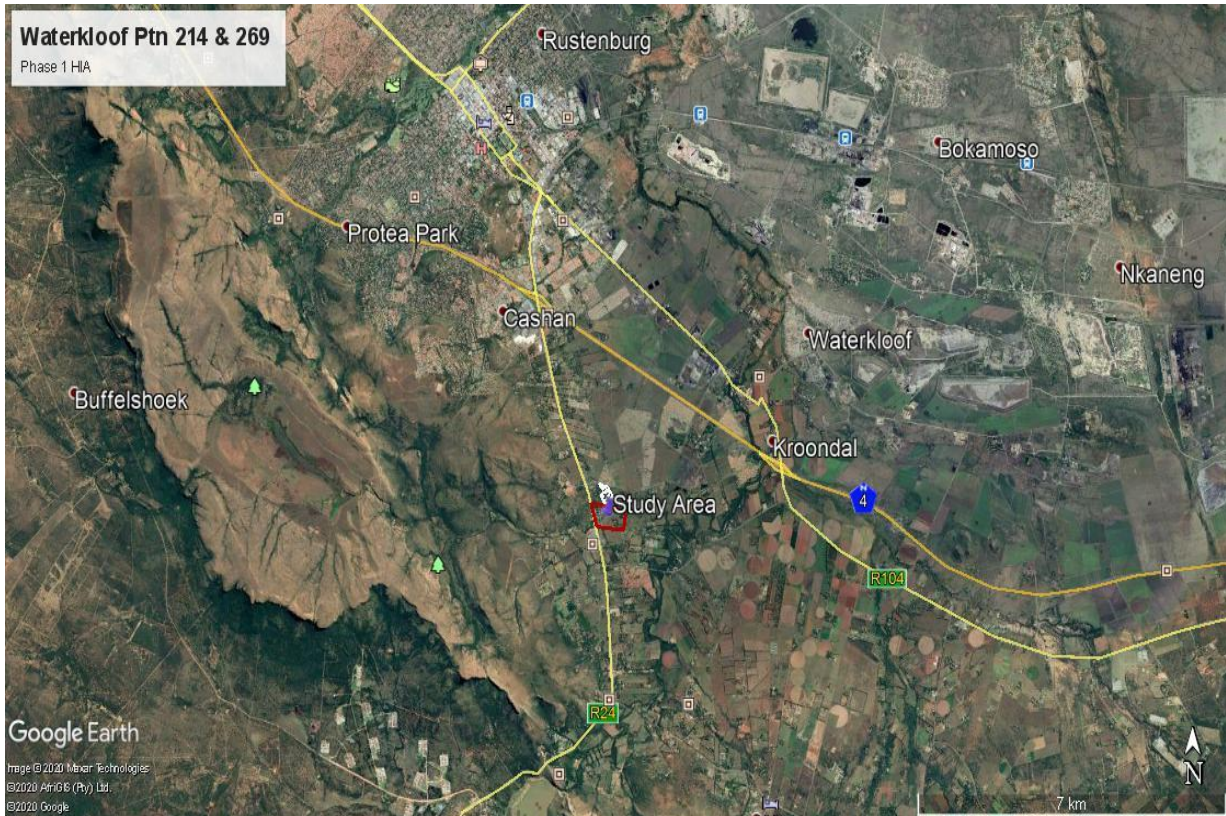


Figure 1: General location of the study area (Google Earth 2020).

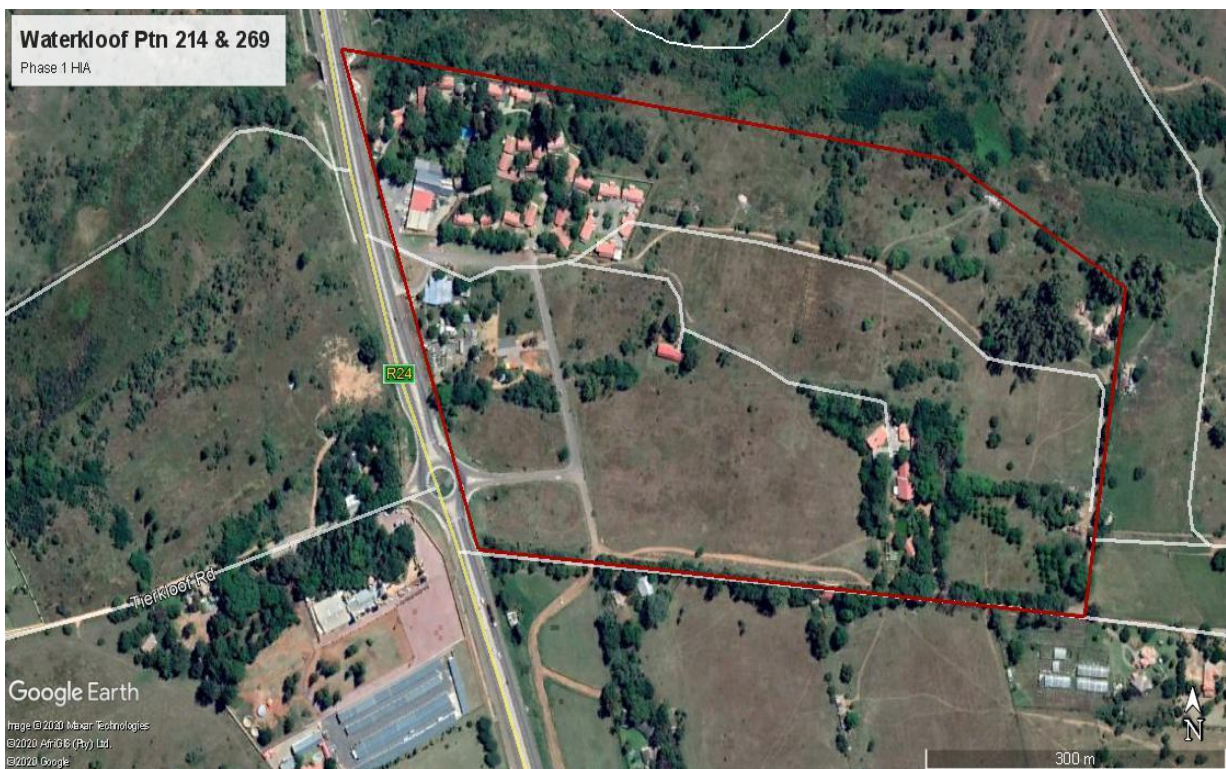


Figure 2: Closer view of the study and development area footprint (Google Earth 2020).

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 site in the vicinity of the farm is a rock art site to the northeast. Rock engravings are found to the south and east of Rustenburg. These date back to the Late Stone Age (Bergh 1999: 5).

No Stone Age sites or material (stone tools) were identified in the study area during the assessment.

The Iron Age is the name given to the period of human history when metal was mainly used to produce 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) indicates that a Middle Iron Age should be included. His dates, which are 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 the towns of Rustenburg, Koster and Groot Marico as well as in the Waterberg Mountains. This includes the surveyed area (Bergh 1999: 7-8). 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 Kwena, 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).

No Iron Age occurrences were identified in the study area during the assessment.

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 Scoon 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 Scoon in 1835. In 1836 William Cornwallis Harris visited the area. The well-known explorer Dr. David Livingston passed through this area in 1847 (Bergh 1999: 13, 119-122).

In 1837 the Voortrekkers also moved through the Swartruggens area (Bergh 1999: 11). During this year a Voortrekker commando moved out against Mzilikazi and was engaged in a battle with his impi to the north of Swartruggens. The area surveyed was inhabited by white settlers as early as 1839 (Bergh 1999: 14-15).

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 Nootgedacht 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 Waterkloof 305JQ (Portion 1), dates to 1917 (**Document 10G1YZ01**). It shows that the farm was then numbered as No.4 and was situated in the Rustenburg District and Hex River Ward of the Transvaal. It was originally granted to one H.C. van der Westhuizen in November 1916 and surveyed between August and September 1917. The Portion 214 map (Document 10FU7001) dates to 1940 and shows that the farm was then in the Rustenburg District of the Transvaal Province. Portion 214 was surveyed in January & February 1940. Portion 269 (Document 10FVJZ01) was surveyed in September & October 1952 and shows a waterfurrow and dam in the area that was not identified during the December 2020 field assessment. It is possible that these features had been demolished a long time ago and is not visible anymore.

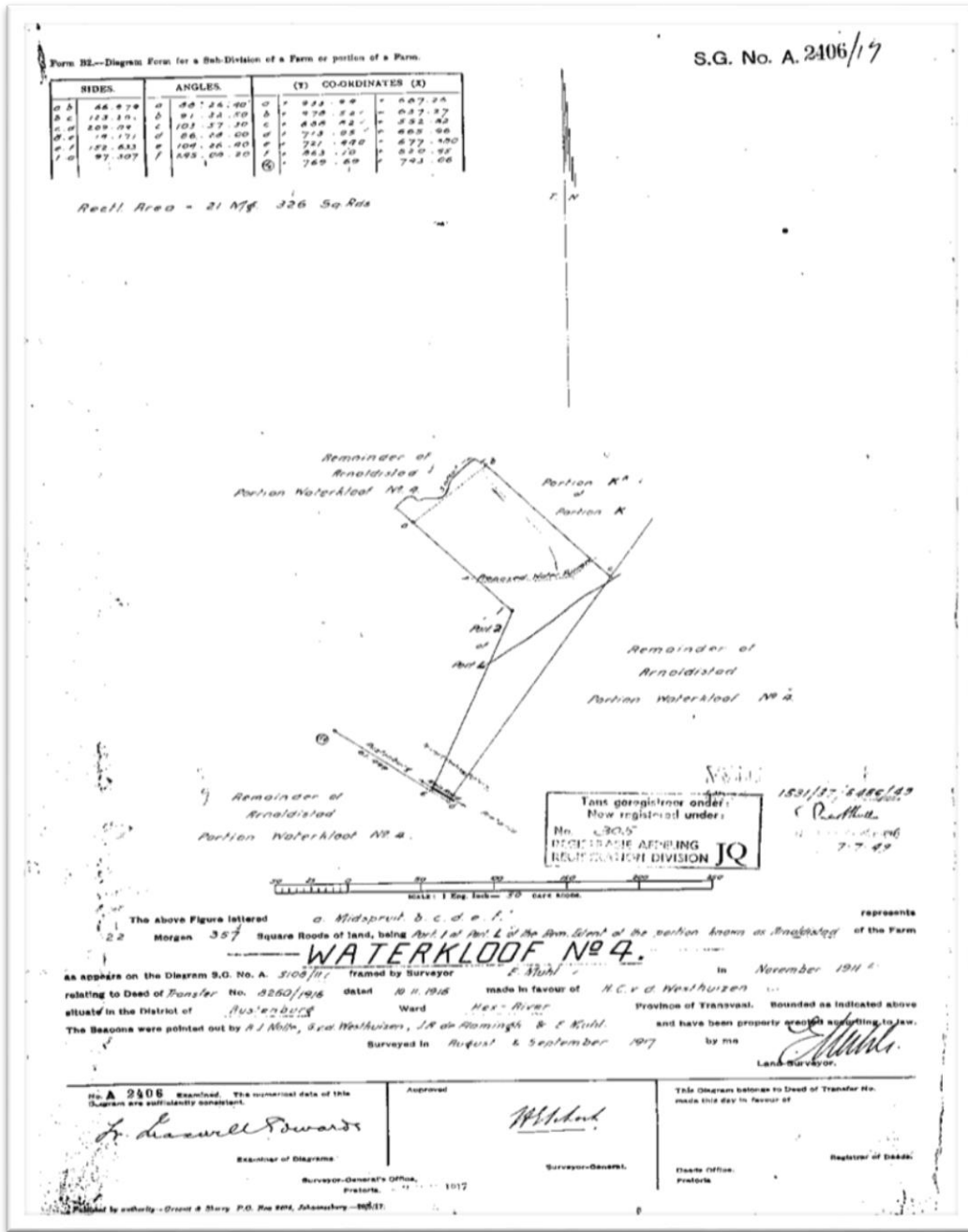


Figure 3: A 1917 map of Portion 1 of the farm (www.csg.dla.gov.za).

18

S.G. No. A. 995/49

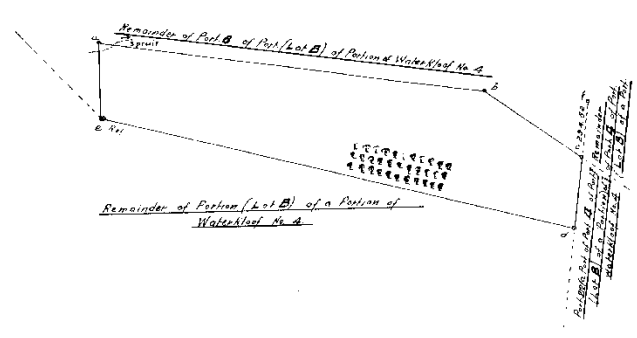
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Surveyor General.

SIDES Cose Feet	ANGLES of Direction	SYSTEM CO ORDINATES CONSTANTS
a b 19.50 .30	a b 108° 55' 10"	a 19.15 .42 47.48 .30
b c 50.3 .85	b c 216 .36 30	b 15.72 .48 28.18 .73
c d 3.70 .68	c d 277 .22 50	c 12.10 .52 23.43 .27
d e 2.47 .40	d e 14 .56 30	d 8.50 .31 23.90 .89
e a 3.53 .55	e a 91 .2 30	e 1.80 .34 23.55 .54
Ref 2.430 .00	Ref 121 .58 30	f 15.10 .00 23.05 .40
Ref 11 .40	Ref 121 .58 30	Ref 14.78 .00 47.44 .52

T. N.

Description of Beacons
a, c are 2" iron pipes under cairns of stones
b, d, f are 1/2" iron pegs under cairns of stones



RECORDS REPLACED
A. 212/22
on 21/2/22

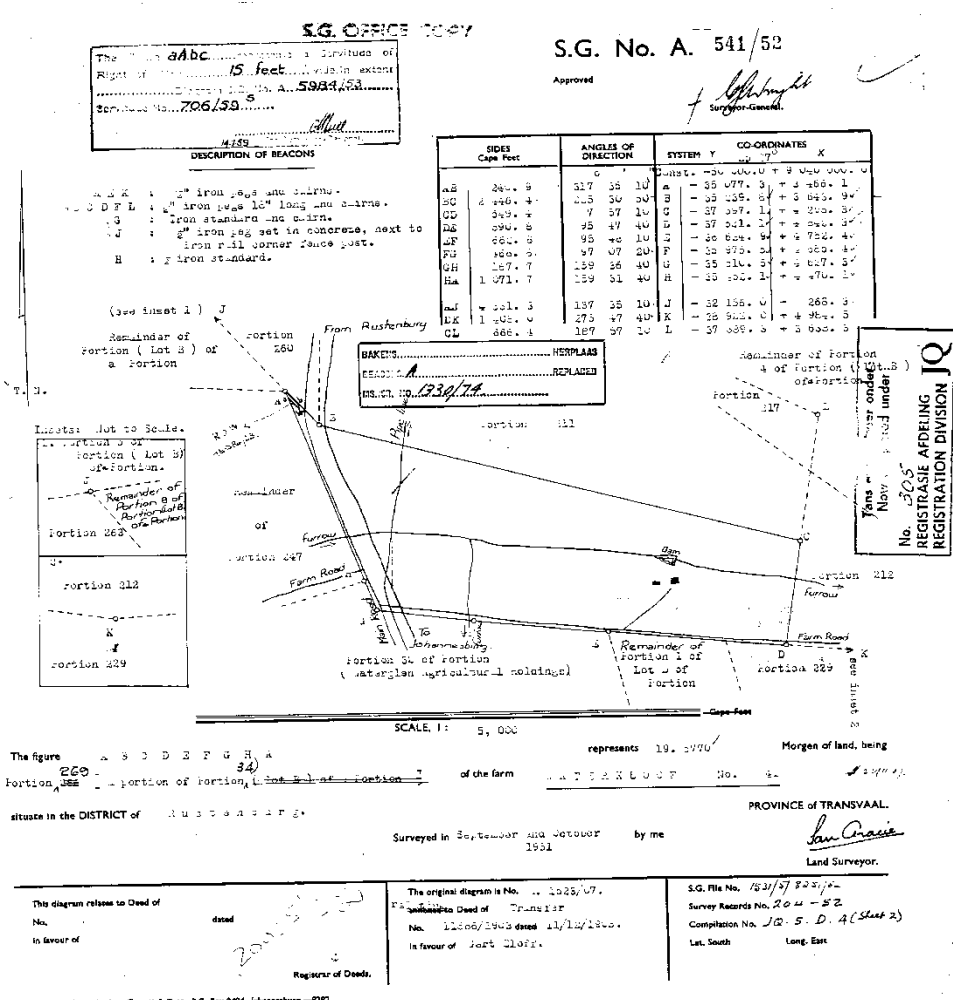
Plans registered under:
How registered under:
No. 505
REGISTRATION DIVISION JQ

The figure a b c d e of land being
represents 13-2236 Morgen (195)
Portion 214 (a Portion of Portion B of Portion A) of Portion
situate in the DISTRICT of Rustenburg of the farm WATERKLOOF No. A
PROVINCE OF TRANSVAAL
Surveyed in January and February 1940, by me
[Signature]
Land Surveyor.

This diagram relates to Deed of No. In favour of Registrar of Deeds	The original diagram is No. 9, 1023/35 relating to Deed of No. In favour of Registrar of Deeds	S.G. File No. 1531/48 12789/40. Survey Record No. 111-116 Completion No. 43/24 Lat. South 25° 40' Long. East 27° 17' Degree Sheet No. Rustenburg 018.
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Published by authority: Government Printer, P.O. Box 2404, Johannesburg-31/1938.

Figure 4: 1940 map of Portion 214 (www.csg.dla.gov.za).



The diagram refers to Deed of No. ...
 In favour of ...
 Registrar of Deeds.

The original diagram is No. ...
 Deed of Transfer No. ...
 In favour of ...

S.G. File No. ...
 Survey Records No. ...
 Compilation No. ...
 Lat. South Long. East

Figure 5: 1952 map of Portion 269 (www.csg.dla.gov.za).

Results of the study area assessment

As indicated earlier no sites, features or material of cultural heritage (archaeological and/or historical) origin or significance were identified in the study area during the physical assessment. If any sites did exist here in the past it would have been largely disturbed or destroyed by recent historical agricultural and urban development activities in the study and larger area around it.

Earlier aerial images of the study area (dated to between 2003 & 2020) shows that the study area was used for agricultural activities in the recent past, but that by 2003 already there had been some residential and business developments in it. These developments had expanded slightly between 2003 and 2015, achieving basically the levels of 2020. There is some evidence on these images of the waterfarrow indicated on the 1952 map of Portion 269, but by 2015 and 2020 this is all but gone.



Figure 6: View of section of the study area. Note the residential settlement in the study area footprint.



Figure 7: Another section. Note the informal dumping.



Figure 8: Note the dense grass and tree cover in sections.



Figure 9: More informal dumping.



Figure 10: One of the existing homesteads in the study and development footprint area.



Figure 11: Another section of the study area. Parts of it are fairly open. This section would have been used in the past for agricultural purposes.



Figure 12: Another view of one of the existing homesteads in the area. This house is not older than 60 years of age and is unlikely to be impacted by the proposed development.



Figure 13: Another section of the area. Note the dense grass cover.



Figure 14: Another section of the study area with informal dumping of building & other material.



Figure 15: A general view of a section of the study area. This is also in an area close to where the old waterfurrow might have been.



Figure 16: Aerial view of study area in 2003 (Google Earth 2020).



Figure 17: Aerial view in 2009. The residential and business developments had expanded slightly by then (Google Earth 2020).



Figure 18: Aerial view of the area in 2015 (Google Earth 2020).

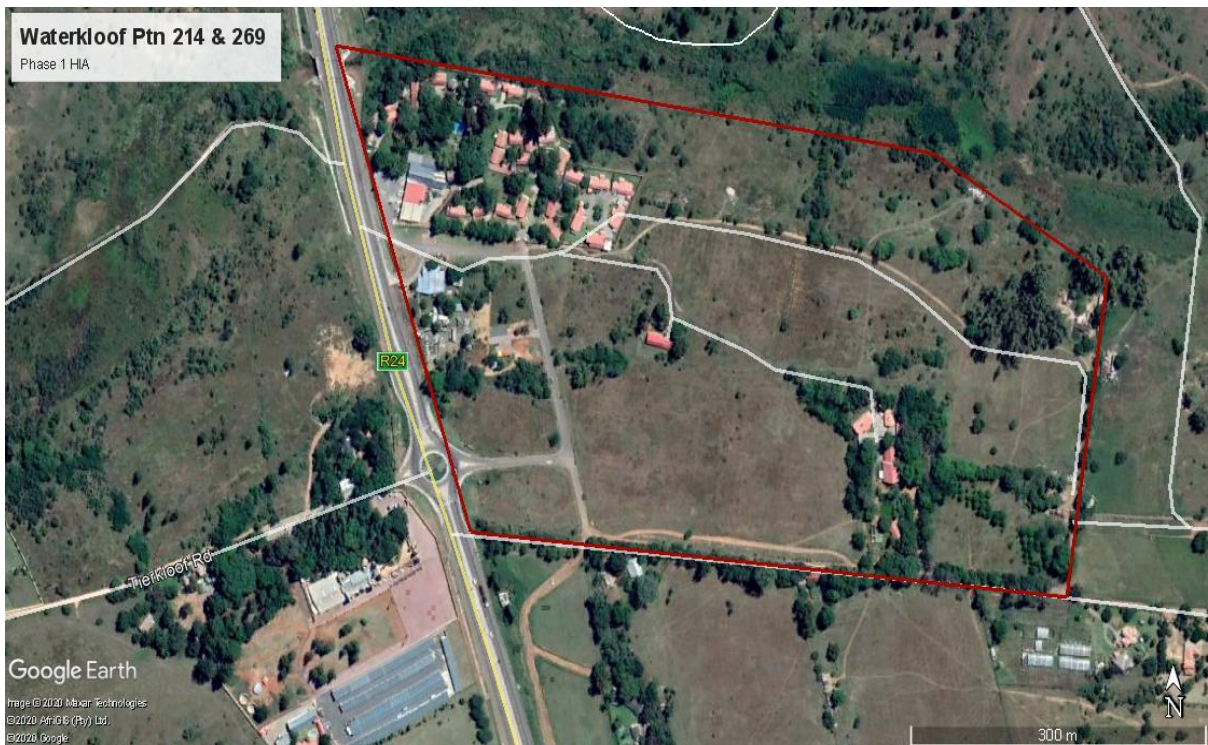


Figure 19: The area by 2020 again. Some roads have been added and the possible waterfurrow is not visible anymore (Google Earth 2020).

It should be noted that although all efforts are made to cover a total area during any assessment and therefore to identify all possible sites or features of cultural (archaeological and/or historical) heritage origin and significance, that there is always the possibility of something being 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

In conclusion it is possible to say that the Phase 1 HIA for proposed development on Portions 214 & 269, of the farm Waterkloof 305JQ was conducted successfully. The development site and study area is located near Rustenburg, in the Rustenburg Local Municipality of the Northwest Province.

Background research indicated that there are some cultural heritage sites and features in the larger geographical area within which the study area falls. The assessment of the specific study area did not identify any sites, features or material of cultural heritage (archaeological and/or historical) origin or significance. If any sites did exist here in the past it would have been largely disturbed or destroyed by recent historical agricultural and urban development activities in the study and larger area around it.

Earlier aerial images of the study area (dated to between 2003 & 2020) shows that the study area was used for agricultural activities in the recent past, but that by 2003 already there had been some residential and business developments in it. These developments had expanded slightly between 2003 and 2015, achieving basically the levels of 2020. There is some evidence on these images of the waterfurrow indicated on the 1952 map of Portion 269, but by 2015 and 2020 this is all but gone.

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.

Finally, from a Cultural Heritage point of view the proposed development on Portions 214 & 269 of the farm Waterkloof 305JQ should be allowed to continue taking the above into consideration.

8. REFERENCES

General and Closer Views of study area location and footprint: Google Earth 2020.

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Republic of South Africa. 1999. **National Heritage Resources Act** (No 25 of 1999). Pretoria: the Government Printer.

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: 10G1YZ01; 10FU7001 & 10VJZ01.

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.