

1 CHANCE FIND PROCEDURES FOR HERITAGE RESOURCES

The following procedures must be considered in the event that previously unknown heritage resources, including burial grounds or graves, are exposed or found during the life of the project (extracted and adapted from the National Heritage Resources Act, 1999 Regulations Reg No. 6820, GN: 548).

List of Acronyms

CRM	Cultural Resources Management
HIA	Heritage Impact Assessment
NHRA	National Heritage Resources Act
PHRA	Provincial Heritage Resources Authority
SAHRA	South African Heritage Resources Authority
SAPS	South African Police Service

For simplicity, the term 'heritage resource' includes burial grounds and graves, unless these are specifically addressed.

Heritage Resources: structures, archaeology, palaeontology, meteors, public monuments

1. The heritage resource must be avoided and all activities in the immediate vicinity temporarily ceased;
2. The Digby Wells project manager and/or CRM unit must be notified of the discovery;
3. Digby Wells will deploy a qualified specialist to consider the heritage resource, either via communicating with the Environmental Officer via telephone or email, or based on a site visit;
4. Appropriate measures will then be presented to Exxaro Coal (PTY) Ltd (Exxaro);
5. Should the specialist conclude that the find is a heritage resource protected in terms of the NRHA (1999) Sections 34, 36, 37 and NHRA (1999) Regulations (Regulation 38, 39, 40), Digby Wells will notify SAHRA and/or PHRA on behalf of Exxaro; and
6. SAHRA/PHRA may require that a HIA in terms of NHRA Section 38 must take place that may include rescue excavations, for which Digby Wells will submit costs and proposal as relevant.

Burial grounds and graves

1. In the event that human remains were accidentally exposed, the Digby Wells project manager and/or Cultural Resources Management (CRM) unit must immediately be notified of the discovery in order to take the required further steps:
 - a. The local SAPS will be notified on behalf of Exxaro;
 - b. Digby Wells will deploy a suitably qualified specialist to inspect the exposed burial and determine in consultation with the SAPS whether:
 - i. The temporal context of the remains, i.e.:
 - forensic,
 - authentic burial grave (informal or older than 60 years, NHRA (1999) Section 36); or
 - archaeological (older than 100 years, NHRA (1999) Section 38).
 - ii. Any additional graves may exist in the vicinity.
2. Should the specialist conclude that the find is a heritage resource protected in terms of the NHRA (1999) Section 35 and NHRA (1999) Regulations (Regulation 38, 39, 40), Digby Wells will notify SAHRA and/or PHRA on behalf of Exxaro;
3. SAHRA/PHRA may require that an identification of interested parties, consultation and /or grave relocation take place;
4. Consultation must take place in terms of NHRA (1999) Regulations 39, 40, 42;
5. Grave relocation must take place in terms of NHRA (1999) Regulations 34

Digby Wells can facilitate and assist with all chance find procedures outlined above.

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