

**Heritage impact report for the
CONSTRUCTION OF A PEDESTRIAN BRIDGE, ALEXANDRA TOWNSHIP,
GAUTENG PROVINCE**

HERITAGE IMPACT ASSESSMENT REPORT FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE, ALEXANDRA TOWNSHIP, GAUTENG PROVINCE

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Declaration:

I, J.A. van Schalkwyk, declare that I do not have any financial or personal interest in the proposed development, nor its developers or any of their subsidiaries, apart from the provision of heritage assessment and management services.



J A van Schalkwyk (D Litt et Phil)
Heritage Consultant
February 2013

EXECUTIVE SUMMARY

HERITAGE IMPACT ASSESSMENT REPORT FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE, ALEXANDRA TOWNSHIP, GAUTENG PROVINCE

A pedestrian bridge across the Jukskei River in Alexandra Township was washed away during the period 2011/2012. As it allows for easy access between different sections of the township, it was decided build a new bridge in its place. The proposed development triggers Section 38 of the National Heritage Resources Act 25 of 1999 (1) Subject to the provisions of subsections (7), (8) and (9) that any person who intends to undertake a development categorised as; (b) the construction of a bridge or similar structure exceeding 50m in length is required to inform SAHRA about the proposed activity.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Envirolution Consulting** to conduct a Heritage Impact Assessment (HIA) to determine if the proposed bridge would have an impact on any sites, features or objects of cultural heritage significance.

- As no sites, features or objects of cultural heritage significance were identified in the study area, there would be no impact from the proposed development.

Therefore, from a heritage point of view we recommend that the proposed development can continue. We also recommend that if archaeological sites or graves are exposed during development activities, it should immediately be reported to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made.



J A van Schalkwyk
Heritage Consultant
February 2013

TECHNICAL SUMMARY

Property details						
Province	Gauteng Province					
Magisterial district	Randburg					
District municipality	City of Johannesburg					
Topo-cadastral map	2628AA					
Closest town	Midrand					
Farm name & no.						
Portions/Holdings	Various					
Coordinates	End points					
	No	Latitude	Longitude	No	Latitude	Longitude
	1	S 26.10759	E 28.10961			

Development criteria in terms of Section 38(1) of the NHR Act	Yes/No
Construction of road, wall, power line, pipeline, canal or other linear form of development or barrier exceeding 300m in length	Yes
Construction of bridge or similar structure exceeding 50m in length	
Development exceeding 5000 sq m	
Development involving three or more existing erven or subdivisions	
Development involving three or more erven or divisions that have been consolidated within past five years	
Rezoning of site exceeding 10 000 sq m	
Any other development category, public open space, squares, parks, recreation grounds	

Development	
Description	Reconstruction of a pedestrian bridge across the Jukskei River
Project name	Alexandra Pedestrian Bridge

Land use	
Previous land use	Vacant/urban
Current land use	Urban

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GLOSSARY OF TERMS AND ABBREVIATIONS

TERMS

Study area: Refers to the entire study area as indicated by the client in the accompanying Fig. 1 - 2.

Stone Age: The first and longest part of human history is the Stone Age, which began with the appearance of early humans between 3-2 million years ago. Stone Age people were hunters, gatherers and scavengers who did not live in permanently settled communities. Their stone tools preserve well and are found in most places in South Africa and elsewhere.

Early Stone Age	2 000 000 - 150 000 Before Present
Middle Stone Age	150 000 - 30 000 BP
Later Stone Age	30 000 - until c. AD 200

Iron Age: Period covering the last 1800 years, when new people brought a new way of life to southern Africa. They established settled villages, cultivated domestic crops such as sorghum, millet and beans, and they herded cattle as well as sheep and goats. As they produced their own iron tools, archaeologists call this the Iron Age.

Early Iron Age	AD 200 - AD 900
Middle Iron Age	AD 900 - AD 1300
Late Iron Age	AD 1300 - AD 1830

Historical Period: Since the arrival of the white settlers - c. AD 1840 - in this part of the country.

ABBREVIATIONS

ADRC	Archaeological Data Recording Centre
ASAPA	Association of Southern African Professional Archaeologists
CS-G	Chief Surveyor-General
EIA	Early Iron Age
ESA	Early Stone Age
LIA	Late Iron Age
LSA	Later Stone Age
HIA	Heritage Impact Assessment
MSA	Middle Stone Age
NASA	National Archives of South Africa
NHRA	National Heritage Resources Act
PHRA	Provincial Heritage Resources Agency
SAHRA	South African Heritage Resources Agency

HERITAGE IMPACT ASSESSMENT REPORT FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE, ALEXANDRA TOWNSHIP, GAUTENG PROVINCE

1. INTRODUCTION

A pedestrian bridge across the Jukskei River in Alexandra Township was washed away during the period 2011/2012. As it allows for easy access between different sections of the township, it was decided build a new bridge in its place. The proposed development triggers Section 38 of the National Heritage Resources Act 25 of 1999 (1) Subject to the provisions of subsections (7), (8) and (9) that any person who intends to undertake a development categorised as; (b) the construction of a bridge or similar structure exceeding 50m in length is required to inform SAHRA about the proposed activity.

South Africa's heritage resources, also described as the 'national estate', comprise a wide range of sites, features, objects and beliefs. However, according to Section 27(18) of the National Heritage Resources Act (NHRA), No. 25 of 1999, no person may destroy, damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of any heritage site without a permit issued by the heritage resources authority responsible for the protection of such site.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Enviolution Consulting** to conduct a Heritage Impact Assessment (HIA) to determine if the proposed bridge would have an impact on any sites, features or objects of cultural heritage significance.

This HIA report forms part of the Environmental Impact Assessment (EIA) as required by the EIA Regulations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and is intended for submission to the South African Heritage Resources Agency (SAHRA).

2. TERMS OF REFERENCE

This report does not deal with development projects outside of or even adjacent to the study area as is presented in Section 5 of this report. The same holds true for heritage sites, except in a generalised sense where it is used to create an overview of the heritage potential in the larger region.

2.1 Scope of work

The aim of this HIA, broadly speaking, is to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the mixed power line.

This include:

- Conducting a desk-top investigation of the area;

- A visit to the proposed development site,

The objectives were to

- Identify possible archaeological, cultural and historic sites within the proposed development areas;
- Evaluate the potential impacts of construction, operation and maintenance of the proposed development on archaeological, cultural and historical resources;
- Recommend mitigation measures to ameliorate any negative impacts on areas of archaeological, cultural or historical importance.

2.2 Limitations

The investigation has been influenced by the following factors:

- The unpredictability of archaeological remains occurring below the surface.

Table 1: Applicable category of heritage impact assessment study and report.

Type of study	Aim	SAHRA involved	SAHRA response
Heritage Impact Assessment	<p>The aim of a full HIA investigation is to provide an informed heritage-related opinion about the proposed development by an appropriate heritage specialist. The objectives are to identify heritage resources (involving site inspections, existing heritage data and additional heritage specialists if necessary); assess their significances; assess alternatives in order to promote heritage conservation issues; and to assess the acceptability of the proposed development from a heritage perspective.</p> <p>The result of this investigation is a heritage impact assessment report indicating the presence/ absence of heritage resources and how to manage them in the context of the proposed development.</p> <p>Depending on SAHRA's acceptance of this report, the developer will receive permission to proceed with the proposed development, on condition of successful implementation of proposed mitigation measures.</p>	Provincial Heritage Resources Authority	Comments on built environment and decision to approve or not
		SAHRA Archaeology, Palaeontology and Meteorites Unit	Comments and decision to approve or not

3. HERITAGE RESOURCES

3.1 The National Estate

The NHRA (No. 25 of 1999) defines the heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations that must be considered part of the national estate to include:

- places, buildings, structures and equipment of cultural significance;

- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- graves and burial grounds, including-
 - ancestral graves;
 - royal graves and graves of traditional leaders;
 - graves of victims of conflict;
 - graves of individuals designated by the Minister by notice in the Gazette;
 - historical graves and cemeteries; and
 - other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including-
 - objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - objects to which oral traditions are attached or which are associated with living heritage;
 - ethnographic art and objects;
 - military objects;
 - objects of decorative or fine art;
 - objects of scientific or technological interest; and
 - books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

3.2 Cultural significance

In the NHRA, Section 2 (vi), it is stated that “cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. This is determined in relation to a site or feature’s uniqueness, condition of preservation and research potential.

According to Section 3(3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of

- its importance in the community, or pattern of South Africa's history;
- its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and
- sites of significance relating to the history of slavery in South Africa.

A matrix was developed whereby the above criteria were applied for the determination of the significance of each identified site (see Appendix 1). This allowed some form of control over the application of similar values for similar identified sites.

4. STUDY APPROACH AND METHODOLOGY

4.1 Extent of the Study

This survey and impact assessment covers the area as presented in Section 5 and as illustrated in Figure 1 - 3.

4.2 Methodology

4.2.1.1 Survey of the literature

A survey of the relevant literature was conducted with the aim of reviewing the previous research done and determining the potential of the area. In this regard, various anthropological, archaeological and historical sources were consulted – De Jong 2008; Mason 1962, 2012; Van Schalkwyk 2006, 2007; Van Schalkwyk & De Jong 1997.

- Information on events, sites and features in the larger region were obtained from these sources.

4.2.1.2 Data bases

The *Heritage Atlas Database*, the *Environmental Potential Atlas*, the *Chief Surveyor General* and the *National Archives of South Africa* were consulted.

- Database surveys produced a number of sites located in the larger region of the proposed development.

4.2.1.3 Other sources

Aerial photographs and topocadastral and other maps were also studied - see the list of references below.

- Information of a very general nature were obtained from these sources

4.2.2 Field survey

The field survey was done according to generally accepted archaeological practices, and was aimed at locating all possible sites, objects and structures. The area that had to be investigated was identified by **Envirovolution Consulting** by means of maps. The area was investigated by walking both side of the river bank.

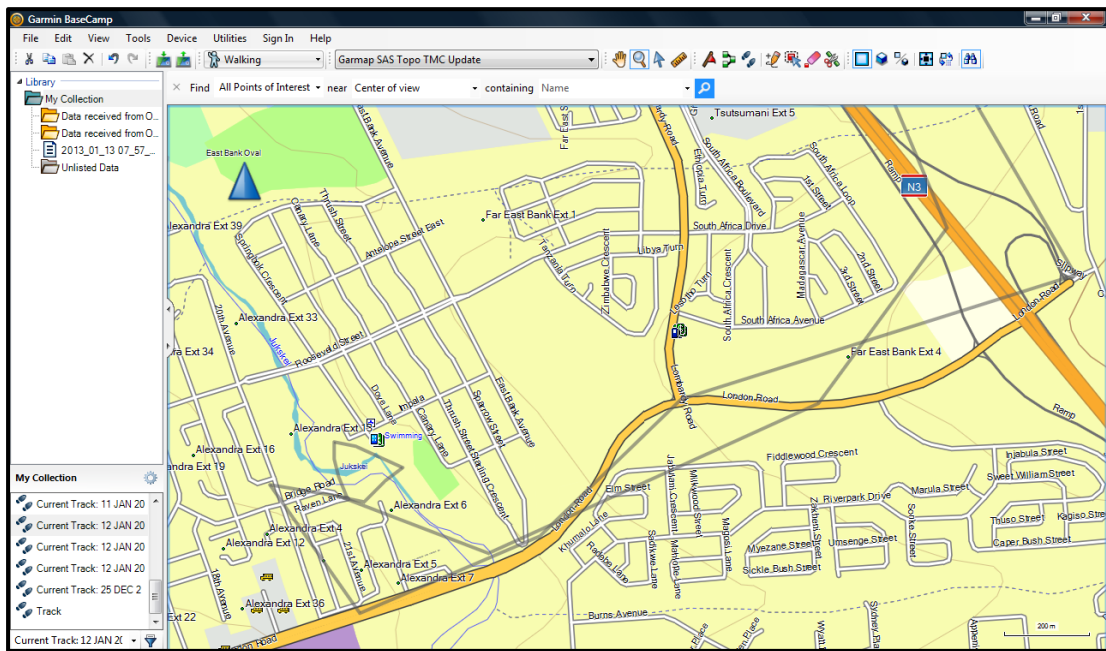


Fig. 1. Map indicating the track log of the field survey.

4.2.3 Documentation

All sites, objects and structures that are identified are documented according to the general minimum standards accepted by the archaeological profession. Coordinates of individual localities are determined by means of the *Global Positioning System* (GPS) and plotted on a map. This information is added to the description in order to facilitate the identification of each locality.

Map datum used: Hartebeeshoek 94 (WGS84).

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location

The proposed development involves the construction of a pedestrian bridge across the Jukskei River in Alexandra township. The original bridge was built during the 1980s, but got washed away during 2011.

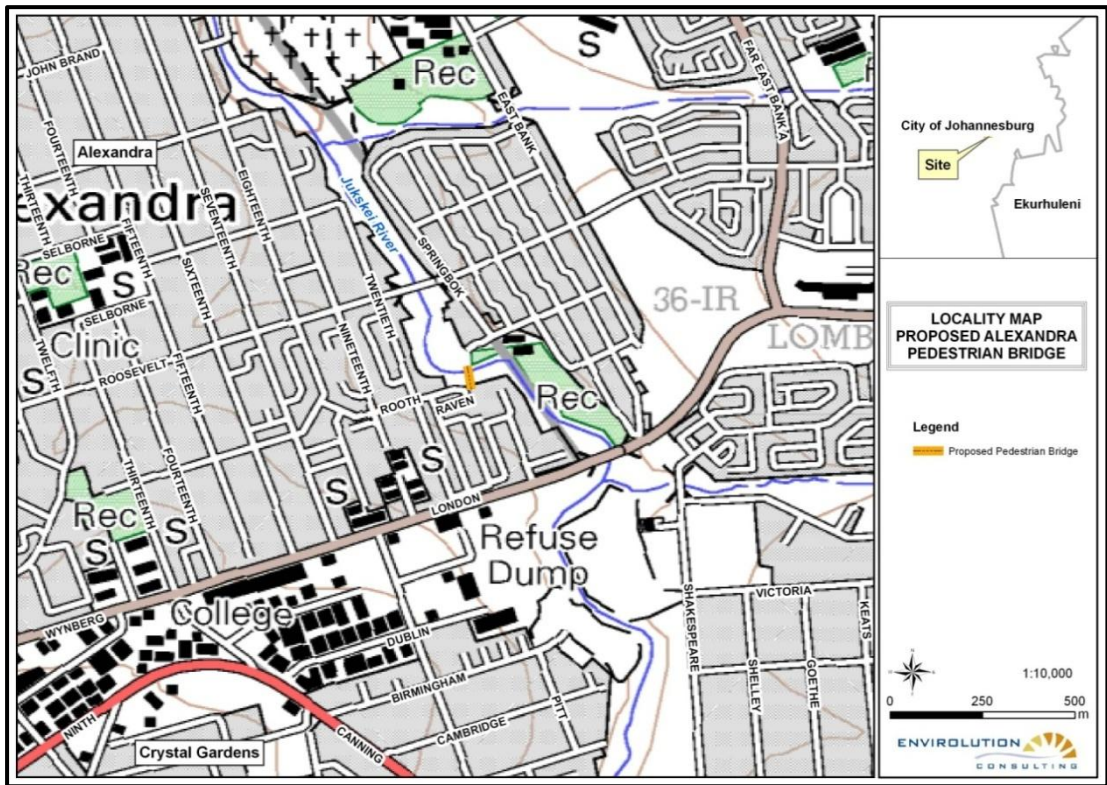


Fig. 2. Location of the study area (yellow line) in regional context. (Map 2628AA: Chief Surveyor-General)



Fig. 3. Views over the study area.

5.2 Development proposal

The proposed development involves the construction of a pedestrian bridge across the Jukskei River in Alexandra township, allowing easy access for pedestrians to cross from one section of the township into newer settlement areas. The proposed bridge is 64.5 metres in length.



Fig. 4. Layout of the proposed development (yellow line).
(Image supplied by Envirolution Consulting)

5.3 Overview of the region

The aim of this section is to present an overview of the history of the larger region in order to eventually determine the significance of heritage sites identified in the study area, within the context of their historic, aesthetic, scientific and social value, rarity and representivity – see Section 3.2 and Appendix 1 for more information.

The history of human occupation of and settlement in the Midrand area, known so far, goes back at least 150 000 years, when groups of Early Stone Age people appeared periodically. These people survived by manufacturing simple tools and weapons of stone, bone and wood, which they used for hunting and gathering edible plants.

Following the Early Stone Age, Midrand was the scene of the periodic occupation by Middle and probably also by Late Stone age groups. Some of the local rock was suitable for manufacturing stone artefacts. Settlement, which was only of a temporary nature, often occurred at sheltered spots close to rivers, such as Glenferness Cave. By Late Stone Age times people were settled in the region on a regular basis, as is evidenced by the work done by Prof R. Mason on the farm Waterval.

Occupation of Midrand by the first groups of Iron Age settlers began some 1600 years ago. These people spoke Bantu languages, such as Tswana, kept domesticated animals, grew crops and manufactured pots and iron implements. Like the Stone Age people, they also hunted and gathered edible plants. A site such as The Boulders was probably occupied by early Iron Age groups between 350 and 600 AD, followed by new periods of settlement by Tswana-speaking groups since the early 16th century. Like the Stone Age people, the Iron

Age communities often favoured sheltered places, as is evidenced by their occupation of Glenferness Cave.

In the 1820s the first white people appeared on the scene, hunters, traders, missionaries and other travellers. Permanent occupation by whites began in the early 1840s, when Voortrekker farmers such as Frederik Andries Strydom and Johannes Elardus Erasmus established the farms Olifantsfontein and Randjesfontein respectively. These early white settlers and their descendants were buried on their farms, and it is thus important to preserve these burial sites where history has been written into stone. Elements of the original farmsteads have survived and should also be recorded and preserved for posterity.

Gradually the entire area was divided into farms, often with names which describe the local geographical conditions: Blue Hills, Witbos, Witpoort, Kaalfontein, Waterval, Zevenfontein, Witsloot, Diepsloot, and others. However, it was only since the 1880s that these farms were formally surveyed and mapped, and when not only their names, but also the names of rivers (Kaalspruit, Jukskei, etc) and other features became permanent fixtures on maps.

Pretoria and Johannesburg were connected by stage-coach and post-cart services in the 1880s, and a stop-over station where horse and mule teams could be changed and passengers could rest was developed midway between the two towns. This facility became known as the 'Halfway House'. It gave rise to the establishment of a hotel (with the inevitable pub) and a post-office in 1889. A year later, when it was predicted that the proposed railway line between the Witwatersrand and Pretoria would pass Halfway House, a township, known as 'Waterval Mooiegelegen', was surveyed, which made provision for a station, government offices, shops and a market. However, the railway bypassed Halfway House to the east, and thus Midrand's first railway station was opened on the farm Olifantsfontein in 1892.

The township of Alexandra was established in 1912. It was supposed to be a white's only suburb, but, as it was located some distance from central Johannesburg, it was not a success. Consequently it was declared a native township and became one of the few places in South Africa where black people could own land. Its original population was to be about 70 000, but currently it is more than double that number, whereas some estimates put it at three times that number.

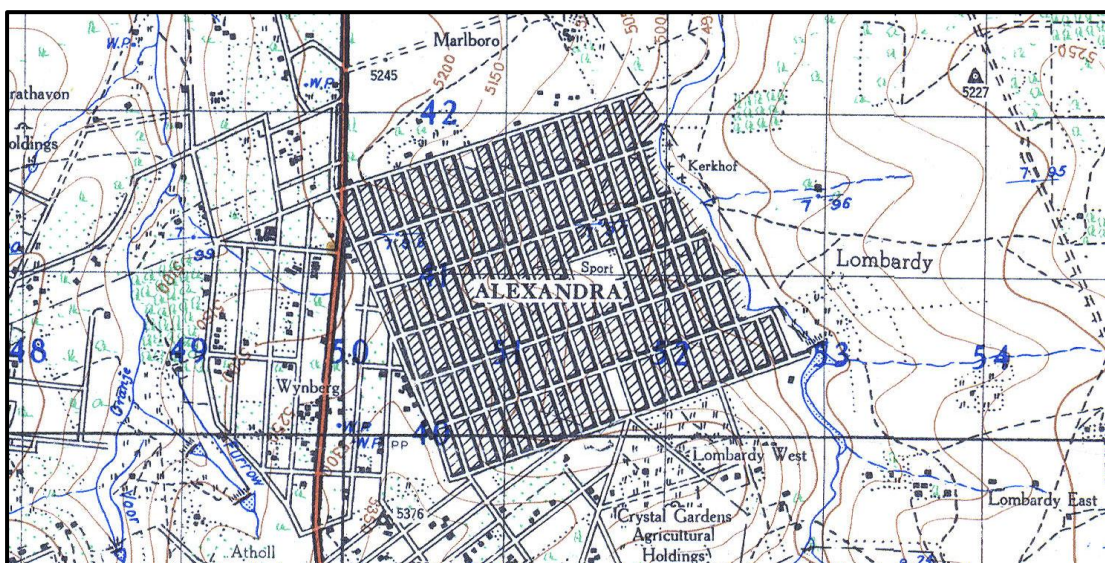


Fig. 5. Layout and size of Alexandra on the 1939 topocadastral map. (Map 2628AA: Chief Surveyor-General)

The township was originally only confined to the western side of the Jukskei River. During the late 1980s, with the relocation of large number of black people, the township was extended across the river into the area called "East Bank". It was during this time the pedestrian bridge was built. The bridge got washed away in 2011.

6. SITE SIGNIFICANCE AND ASSESSMENT

6.1 Heritage assessment criteria and grading

The NHRA stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act:

- **Grade I:** Heritage resources with qualities so exceptional that they are of special national significance;
- **Grade II:** Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and
- **Grade III:** Other heritage resources worthy of conservation, on a local authority level.

The occurrence of sites with a Grade I significance will demand that the development activities be drastically altered in order to retain these sites in their original state. For Grade II and Grade III sites, the applicable of mitigation measures would allow the development activities to continue.

6.2 Statement of significance

In terms of Section 7 of the NHRA, all the sites currently known or which are expected to occur in the study area are evaluated to have Grade III significance.

6.3 Impact assessment

Impact analysis of cultural heritage resources under threat of the proposed development, are based on the present understanding of the development:

- As no sites, features or objects of cultural heritage significance were identified in the study area, there would be no impact from the proposed development.

7. RECOMMENDATIONS

The aim of this survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area of the proposed development, to assess the significance thereof and to consider alternatives and plans for the mitigation of any adverse impacts.

- As no sites, features or objects of cultural heritage significance were identified in the study area, there would be no impact from the proposed development.

Therefore, from a heritage point of view we recommend that the proposed development can continue. We also recommend that if archaeological sites or graves are exposed during development activities, it should immediately be reported to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made.

8. REFERENCES

8.1 Data bases

Chief Surveyor General
Environmental Potential Atlas, Department of Environmental Affairs and Tourism.
Heritage Atlas Database, Pretoria.
National Archives of South Africa

8.2 Literature

Acocks, J.P.H. 1975. *Veld Types of South Africa*. Memoirs of the Botanical Survey of South Africa, No. 40. Pretoria: Botanical Research Institute.

De Jong, R.C. 2008. *Final heritage impact assessment report: proposed Waterfall Estate (Mia's farm), Johannesburg*. Cultmatric: Unpublished report.

Mason, R.J. 1969. *Prehistory of the Transvaal*. Johannesburg: Witwatersrand University Press.

Mason, R.J. 2012. A built stone alignment associated with an LSA artefact assemblage on Mia Farm, Midrand, South Africa. *South African Archaeological Bulletin* 67(196):214-230.

Richardson, D. 2001. *Historic sites of South Africa*. Cape Town: Struik Publishers.

Van Schalkwyk, J.A. 2006. *Review of cultural heritage resources in the Modderfontein area, east of Johannesburg, Gauteng*. Unpublished report 2006KH151.

Van Schalkwyk, J.A. 2007. *Heritage impact assessment for the planned development of the Edenvale Health Precinct, Germiston municipal district, Gauteng Province*. Unpublished report 2007KH076.

Van Schalkwyk, J.A. & De Jong, R.C. 1997. *A survey of cultural resources in the Midrand municipal area, Gauteng Province*. Unpublished report 1997KH021. Pretoria: National Cultural History Museum.

8.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2628AA
Google Earth

APPENDIX 1: CONVENTIONS USED TO ASSESS THE IMPACT OF PROJECTS ON HERITAGE RESOURCES

Significance

According to the NHRA, Section 2(vi) the **significance** of a heritage sites and artefacts is determined by its aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technical value in relation to the uniqueness, condition of preservation and research potential. It must be kept in mind that the various aspects are not mutually exclusive, and that the evaluation of any site is done with reference to any number of these.

Matrix used for assessing the significance of each identified site/feature

1. Historic value				
Is it important in the community, or pattern of history				
Does it have strong or special association with the life or work of a person, group or organisation of importance in history				
Does it have significance relating to the history of slavery				
2. Aesthetic value				
It is important in exhibiting particular aesthetic characteristics valued by a community or cultural group				
3. Scientific value				
Does it have potential to yield information that will contribute to an understanding of natural or cultural heritage				
Is it important in demonstrating a high degree of creative or technical achievement at a particular period				
4. Social value				
Does it have strong or special association with a particular community or cultural group for social, cultural or spiritual reasons				
5. Rarity				
Does it possess uncommon, rare or endangered aspects of natural or cultural heritage				
6. Representivity				
Is it important in demonstrating the principal characteristics of a particular class of natural or cultural places or objects				
Importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class				
Importance in demonstrating the principal characteristics 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.				
7. Sphere of Significance		High	Medium	Low
International				
National				
Provincial				
Regional				
Local				
Specific community				
8. Significance rating of feature				
1.	Low			
2.	Medium			
3.	High			

Significance of impact:

- low where the impact will not have an influence on or require to be significantly accommodated in the project design
- medium where the impact could have an influence which will require modification of the project design or alternative mitigation
- high where it would have a “no-go” implication on the project regardless of any mitigation

Certainty of prediction:

- Definite: More than 90% sure of a particular fact. Substantial supportive data to verify assessment
- Probable: More than 70% sure of a particular fact, or of the likelihood of that impact occurring
- Possible: Only more than 40% sure of a particular fact, or of the likelihood of an impact occurring
- Unsure: Less than 40% sure of a particular fact, or the likelihood of an impact occurring

Recommended management action:

For each impact, the recommended practically attainable mitigation actions which would result in a measurable reduction of the impact, must be identified. This is expressed according to the following:

- 1 = no further investigation/action necessary
- 2 = controlled sampling and/or mapping of the site necessary
- 3 = preserve site if possible, otherwise extensive salvage excavation and/or mapping necessary
- 4 = preserve site at all costs

Legal requirements:

Identify and list the specific legislation and permit requirements which potentially could be infringed upon by the proposed project, if mitigation is necessary.

APPENDIX 2. RELEVANT LEGISLATION

All archaeological and palaeontological sites, and meteorites are protected by the National Heritage Resources Act (Act no 25 of 1999) as stated in Section 35:

(1) Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority: Provided that the protection of any wreck in the territorial waters and the maritime cultural zone shall be the responsibility of SAHRA.

(2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collection policy acceptable to the heritage resources authority and may in so doing establish such terms and conditions as it sees fit for the conservation of such objects.

(3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

(4) No person may, without a permit issued by the responsible heritage resources authority-

- (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 which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

In terms of cemeteries and graves the following (Section 36):

(1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.

(2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated with the grave referred to in subsection (1), and must maintain such memorials.

(3) No person may, without a permit issued by SAHRA or a provincial 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, 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 equipment, or any equipment which assists in the detection or recovery of metals.

(4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.

The National Heritage Resources Act (Act no 25 of 1999) stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act:

- **Grade I:** Heritage resources with qualities so exceptional that they are of special national significance;
- **Grade II:** Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and
- **Grade III:** Other heritage resources worthy of conservation, and which prescribes heritage resources assessment criteria, consistent with the criteria set out in section 3(3), which must be used by a heritage resources authority or a local authority to assess the intrinsic, comparative and contextual significance of a heritage resource and the relative benefits and costs of its protection, so that the appropriate level of grading of the resource and the consequent responsibility for its management may be allocated in terms of section 8.

Presenting archaeological sites as part of tourism attraction requires, in terms 44 of the Act, a Conservation Management Plan as well as a permit from SAHRA.

(1) Heritage resources authorities and local authorities must, wherever appropriate, co-ordinate and promote the presentation and use of places of cultural significance and heritage resources which form part of the national estate and for which they are responsible in terms of section 5 for public enjoyment, education, research and tourism, including-

- (a) the erection of explanatory plaques and interpretive facilities, including interpretive centres and visitor facilities;
- (b) the training and provision of guides;
- (c) the mounting of exhibitions;
- (d) the erection of memorials; and
- (e) any other means necessary for the effective presentation of the national estate.

(2) Where a heritage resource which is formally protected in terms of Part I of this Chapter is to be presented, the person wishing to undertake such presentation must, at least 60 days prior to the institution of interpretive measures or manufacture of associated material, consult with the heritage resources authority which is responsible for the protection of such heritage resource regarding the contents of interpretive material or programmes.

(3) A person may only erect a plaque or other permanent display or structure associated with such presentation in the vicinity of a place protected in terms of this Act in consultation with the heritage resources authority responsible for the protection of the place.