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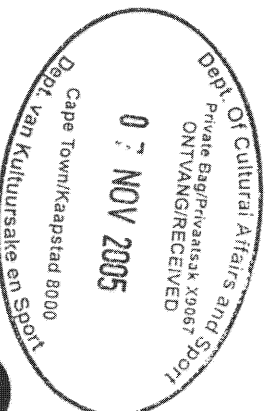
**PHASE 1 ARCHAEOLOGICAL IMPACT
ASSESSMENT OF DOORDEKRAAL FARM,
TRIANGLE ERF (PORTION OF ERF 11615),
BELLVILLE, NOW KNOWN AS ERF 39169,
BELLVILLE**

for

Andre van der Spuy Environmental Consultants

October 2005

Prepared by



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1. Executive Summary

This Archaeological Impact Assessment and socio-historical evaluation forms part of the limited scope Heritage Statement that is required by Heritage Western Cape (HWC) in terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999). The significance of the labourers' cottage, and the possible occurrence of prehistoric archaeological material in the wetland area bordering the river and on the rest of the property were assessed.

The socio-historical evaluation was aimed at providing information on previous landuses of the site and its relationship to the broader cultural landscape, including surrounding farms and periphery of the urban area

The wetland area rated as being of low significance and requires no recording before destruction (recommended grading, Generally Protected C).

The cottages are of medium aesthetic, architectural, historical, scientific, social, spiritual, linguist or technological value or significance (recommended grading Generally Protected B). The cottages are in ruined condition and fall wholly within the road reserve for the extension of the Jip de Jager Drive on the edge of the property.

Both cottages are older than 60 years and thus protected by the National Heritage Resources Act (NHRA). They may be altered/demolished only after they have been adequately recorded and after a permit or a letter of permission from Heritage Western Cape has been obtained

2. Background Information on the Project

The developer of Triangle Erf (Portion of Erf 11615 Bellville, now known as Erf 39169), Umdiliya Estates (PTY) Ltd plans to develop 25 free standing residential housing units and 40 semi-detached units on this site. The full size of the property, as per title deed is 2.4 ha and according to the background information document, the proposed development will cover approximately 0.85 ha of the 1.86 ha site (Figure 1, Appendix 1).

The developer has appointed Andre van der Spuy Environmental Consultants to undertake the application for authorization for the proposed development of Triangle Erf. Ross Holland of Andre van der Spuy consultants contacted Proactive Archaeology to undertake the phase 1 archaeological impact assessment and socio-historical evaluation.

EIA

Contact details of Owner, Developer, Planning and Environmental Consultants

Owner	D'Aria Vineyards (Pty) Ltd Mr Gerald Boshoff
Developer (Project Applicant)	Umdilya Estates (PTY) Ltd Mr Gerald Boshoff PO Box 3556 Tyger Valley 7536 Fax: 21 9190349 Email: Gerald@barinor.co.za

Planning Consultant	Planning Services Gerhard Erasmus Cabernet House Vineyards Office Estate 99 Jip de Jager Bellville 7530 Tel: 021 913 5000 Email: planserv@icon.co.za
Environmental Consultant	Andre van der Spuy Environmental Consultants Ross Holland 6 Bedfordshire Close Kirstenhof 7945 Fax: 086 653 1765 Cell: 072 601 0803 Email: ross_m_holland@yahoo.com

Terms of reference

Proactive Archaeology was requested to

- ascertain the value and age of the ruins of the labourers' cottage
- determine whether any evidence of pre-historic settlement along the wetland area occur
- undertake socio-historical evaluation by focusing on previous land uses of the site and its relationship to the broader cultural landscape, including surrounding farms and periphery of the urban area.

3. Locality and setting and methodology

Triangle Erf (33° 51' 20" S, 18° 37'30" E) is situated adjacent to the De Bron suburb (see Figures 2 and 3, Appendix 1) in the Tygerberg district, Western Cape Province. The road reserve for the proposed future extension of Jip de Jager Drive, separate the site from De Bron. The Valley Primary School is situated on the northern boundary of the site.

Hilary Deacon and myself inspected the site on 3 October 2005. The area was covered on foot and Ross Holland of Van der Spuy Environmental Consultants and Gerard Erasmus of Planning Services accompanied us for a part of the investigation. Archaeological remains were plotted using a Garmin GPS e-trex (map datum WGS84) with an accuracy of 4 meters and detailed recording of the attributes of the cottages was made. Photographs were taken with a Cannon Powershot A400 camera. A literature review and archival research was undertaken to investigate the social and settlement history of the area.

Particular attention was given to the area along the wetland and the ruins of the cottages. Ground visibility was low due to the type of vegetation. The area is covered in thick grass (Figure 4 & 5, Appendix 1), which hindered efforts to locate archaeological material. However, it is unlikely that archeological material will be found in the wetland area, since the whole area to be developed has been filled in and used as a dumping area (Background Information Document) and several piles of rubble were evident.

4. Background information on the archaeological history of the area

The Tygerberg area was first occupied by Earlier Stone Age and Middle Stone Age communities who lived between 700 000 and 40 000 years ago (Deacon & Deacon 1999). Evidence of these communities have been seriously impacted by modern development and very few traces remain. Kaplan (2002) notes that the area next to De Bron is severely disturbed and his survey located a few Middle Stone Age artefacts out of context.

Archaeological remains from the past few centuries may represent links to living communities and may form an important part of the history and beliefs of communities. For this reason they should be managed in a way that acknowledges the right of the affected communities (NHRA). In order to determine who the affected communities may be and whether the structures found in Triangle Erf could be linked in any way to living heritage and indigenous knowledge systems, an historical review and archival study was undertaken.

Triangle Erf is situated on the old freehold farm Doodekraal, also known as Doordekraal (Shell 2005; Smit 1976). Simon van der Stel granted Doodekraal to the widow of Gysbert Verwey, Tryntje Theunisse (Catharina Ganzevanger) in 1698 (Fagan 1994). A 'spectacular' matrilineal frontier dynasty evolved around Tryntjie Theunis, also known as "*Tryntje de Boerin*" (Tryntje, the farmer). Her son, Dirk Verwey, is the progenitor of all the Verweys of South Africa (Du Plessis 1998). Tryntje Theunisse possessed seven slaves, planted vines, rye and wheat and had a large number of cattle. She allegedly dabbled in illegal trade with the *Khoekhoen* (Shell 2005).

Doodekraal was one of the sites where Pieter Potter, surveyor and mapmaker in the late seventeenth and early eighteenth century, indicated the presence of a group of *Khoekhoen* and he refers to Doodekraal as 'de oude kraal' (Du Plessis 1998). It is recorded that some of the *Khoekhoen* built their own huts on their employer's land and enjoyed positive reciprocal relations with the landowner (Du Plessis 1998). The unfortunate events of the early 1700s, for example the smallpox epidemics and the subordination of their chiefs resulted in only a fraction of the original *Khoekhoen* population surviving, and during the eighteenth century many of the three or four thousand *Khoekhoen* who survived mostly lost their ethnic identity with the breakdown of their social structure.

Doodekraal did not remain in the same hands for extended periods of time and was sold eighteen times before the emancipation of slaves in 1838. In the early 19th century a road from Cape Town ran along the eastern bank or 'oewer' of the Elsjeskraalriver over Doordekraal towards the farm of the Parkers (Altydgedacht), and from there over Pampoenkraal, Lichtenburg and over the Bergriver at Wagenmakersvaleipont (Smit 1976). In the late nineteenth century Doodekraal was sold to the de Villiers family (Figure 6, Appendix 1) and the records at the Deeds Office show that the property was subdivided repeatedly after 1924. As an identifiable entity Doodekraal began to disappear in 1948 when the suburb Kenridge was established and other parts of Doodekraal were sold off or appropriated to establish, for example, a township and a school. Fagan (1994) visited a remaining part of Doodekraal in 1978 and recorded a T-shaped house, stable and a granary. These buildings had been altered, but six yellow-wood panel doors probably indicate a 17th century date for the original dwelling. These buildings are not related to the cottages on Erf 11615, as these are of a much later date.

At Doodekraal and the neighbouring farms of Onrust and Altydgedacht, as on most other farms of the Tygerberg area, the main farming activities since the 1700s were growing

grain and grapes. This was often combined with farming dairy cattle, vegetables and fruit. In the past few decades production has shifted almost entirely towards the wine industry. Currently, only Altydgedacht is a wine estate that takes pride in the fact that the property has been in the Parker family since 1852 (<http://www.altydgedacht.co.za/>). Onrust like the original Doodekraal has been subdivided and encroached by urban development.

In the course history, as this survey shows, there has been considerable social and economic change. More recently, the impact of urbanization has meant vestiges of traditional farm labouring communities who may have been linked to particular parcels of land have been largely lost. It is probable that the two structures of Triangle Erf, both simple two roomed dwellings, are remnants of labourers cottages and that they are older than 60 years. The aerial photographs Triangle Erf from 1944 and 1967 obtained from the report by DH Environmental Consulting, (Figures 7 & 8 Appendix 1,) show some structures which may relate to these cottages. The cottages would relate to the intensification of farming activities in the area in the last some 100 years. Their construction shows they do not relate to the earlier phase of land use. It has not been possible to find socio historical links to the particular people inhabiting these cottages. A public Open Day was held at the Vineyards Office Estate, 99 Jip De Jager Road, Bellville on 12 April 2005, and no objections on social grounds were raised against the destruction of the cottages.

5. Description of the Sites

5.1. Wetland area:

The wetland borders virtually the total western border of the Erf 11615. The area along the wetland is severely disturbed and degraded. Building rubble is spread over large portions of the terrain and also along the wetland border and no archaeological material has been noted.

5.2. Cottage 1 (33° 51.199' S 18° 37.659' E)

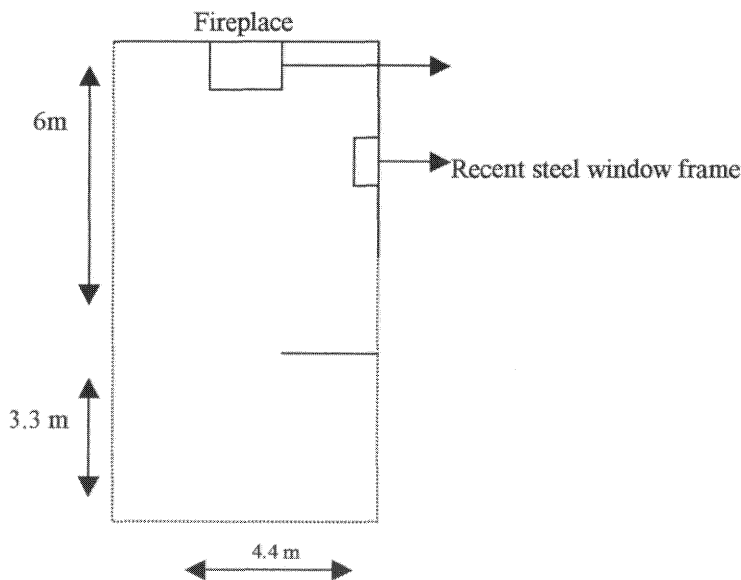


Figure 9: Schematic diagram of Cottage 1

This cottage is approximately 20 metres from the eastern boundary of the site, and falls within the road reserve (Figure 1, Appendix 1). The cottage is unroofed and has a stone footing of up to one metre. A part of one of the end walls and one side wall, as well as a

portion of the cross wall remains. The walls are 300 mm thick. As on the rest of the site, much glass and building rubble surround the ruins, but is not associated with it. The building material consists mostly of mud bricks, interspersed with modern bricks, with daga between the bricks. Cement plaster has been applied over the bricks.

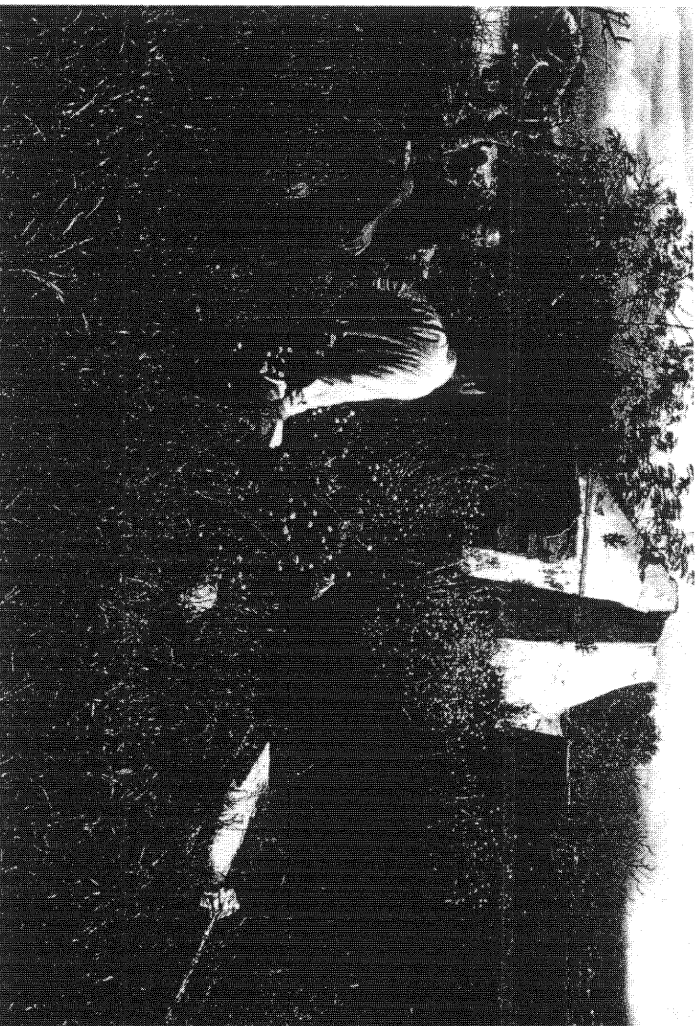


Figure 10. Mr Erasmus & Mr Ross at Cottage 1



Figure 11. The eastern facing wall of cottage 1

Cottage 2: (33° 51.210' S 18° 37.669' E)

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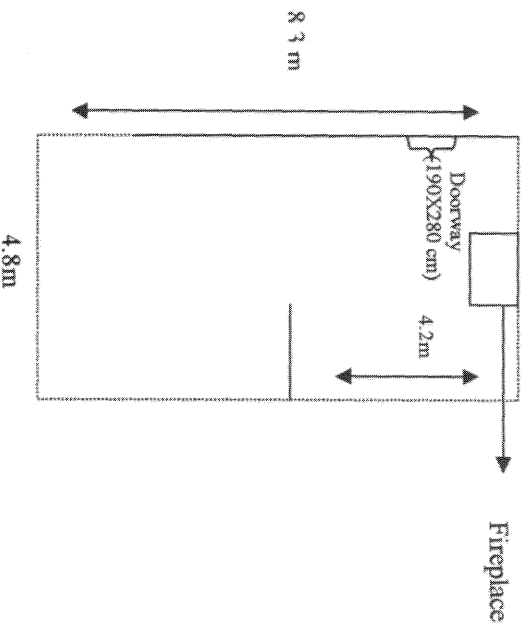


Figure 12: Schematic diagram of Cottage 2

This cottage is 3.7 m from the boundary wall, and also falls within the road reserve. The building material is the same as cottage 1. This cottage, as Cottage 1, is unroofed, and part of a stone footing could be seen. The southern wall and parts of the eastern and western walls remain (Figure 13). Here too the walls are 300 mm thick. The building material used is the same as Cottage 1. This cottage also consisted of two rooms, but the cross wall does not exist anymore.

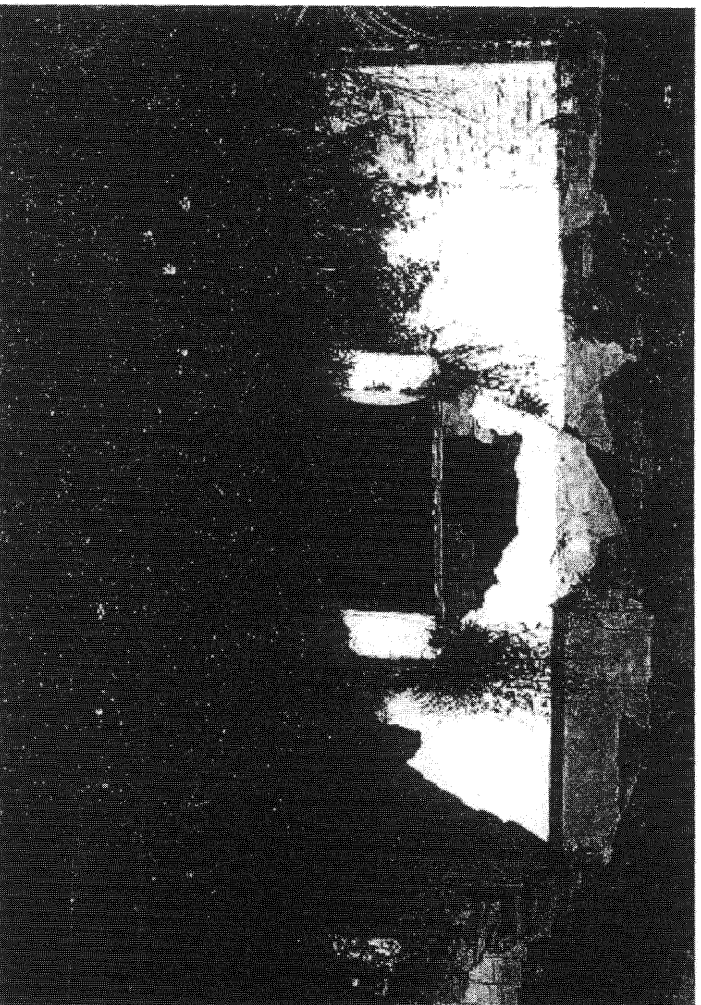


Figure 13, Cottage 2

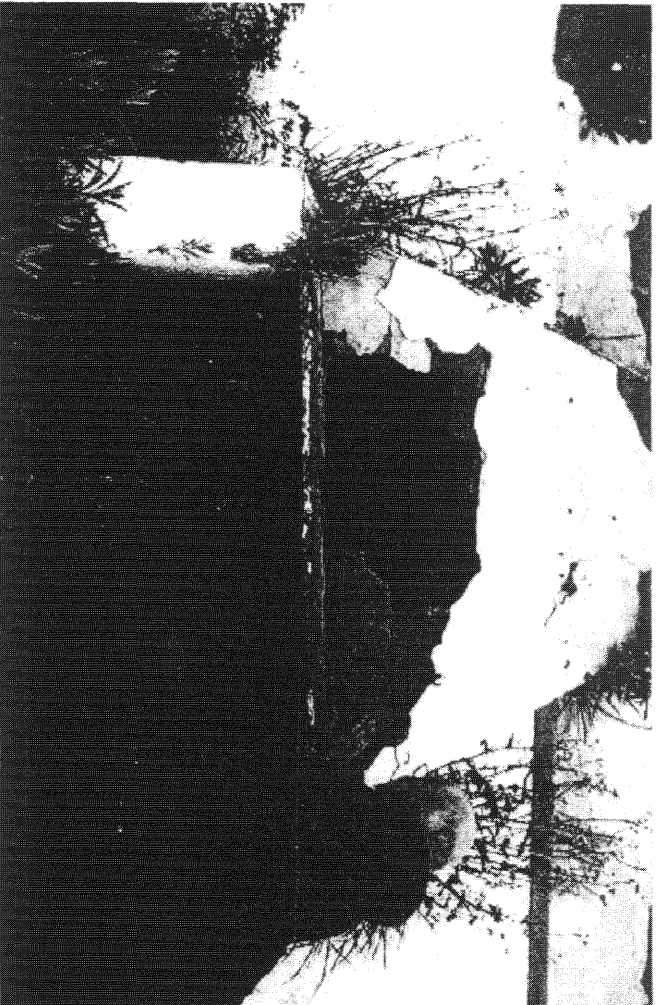


Figure 14. The Fireplace of Cottage 2

8. Significance and recommended grading

The South African Heritage Resources Agency (SAHRA) divide heritage sites into three main categories according to their significance. These categories may be seen as guidelines that suggest the extent of protection a given site may receive. They include sites or features of local (Grade 3) provincial (Grade 2) and national (Grade 1) significance (Draft Minimum Standards, SAHRA, October 2005). Grading is the responsibility of the heritage resources authorities, but it is recommended that the discussion of significance be followed with a proposal for the grading of the sites.

The following system is recommended by the draft minimum standards and has been used to assess the sites on Triangle Erf in terms of grading and mitigation:

- a. National: This site is considered to be of Grade 1 significance and should be nominated as such;
- b. Provincial: This site is considered to be of Grade 2 significance and should be nominated as such;
- c. Local: this site is of Grade 3A significance. It should not be mitigated but should be retained as a heritage site (High significance);
- d. Local: this site is of Grade 3B significance. It should be mitigated in part but part should be retained as a heritage site (High significance);
- e. Generally Protected A: this site is should be mitigated before destruction (generally High/Medium significance);
- f. Generally Protected B: this site should be recorded before destruction (generally Medium significance);
- g. Generally Protected C: this site has been sufficiently recorded. It requires no further recording before destruction (generally Low significance).

8a) Statement of Significance for the Wetlands area and suggested grading

This area is degraded because of dumping ~~of~~² the presence of building rubble. No archaeological remains could be seen during the investigation, and none are expected. The wetland area is of low significance (Generally Protected C) and has been sufficiently recorded. It requires no further recording before development. The proposed development is restoration and management as a wetland which would be beneficial.

8b) Statement of Significance for the cottages and suggested grading

The significance of the cottages on Triangle Erf is assessed using the following criteria (NHRA 1999: 14).

a) its importance in the community, or pattern of South Africa's history

The farm labourers played an important role in the formation of the history of the country. However, the cottages are dilapidated and occur in isolation of the original context and no record remains of the particular role these particular cottages could have played in this phase of history. As such there is no 'sense of place' and no ties to living communities that seems to be preserved. Therefore the cottages are of low significance in this regard.

b) its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage

The cottages are not uncommon or representative of an endangered architectural style , thus of low significance.

c) its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage

The potential of the cottages to yield such information is low.

d) its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects

The cottages do not demonstrate principal characteristics of a particular class of labourers cottage.

e) its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group

The cottages are of low aesthetic significance and not important in exhibiting particular aesthetic characteristics.

f) its importance in demonstrating a high degree of creative or technical achievement at a particular period

The cottages do not demonstrate a high degree of creative or technical achievement at a particular period.

g) its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons

No such ties could be found and the cottages are of low social, cultural and spiritual significance.

h) its strong or special association with the life or work of a person, group or organization of importance in the history of South Africa;

No strong or special association could be found.

i) sites of significance relating to the history of slavery in South Africa

The cottages do not relate to the history of slavery in South Africa.

Significance of the Cottages

The cottages are of medium aesthetic, architectural, historical, scientific, social, spiritual, linguist or technological value or significance and its recommended grading is Generally Protected B. Minimally the cottages should be recorded before destruction. HWC may require more detailed recording than given in this Phase 1 Archaeological Assessment. The cottages are in ruined condition and fall wholly within the road reserve for the extension of the Jip de Jager Drive on the edge of the property.

9. Recommendations

Wetland area

This area is of low significance and its recommended grading is Generally Protected C. The wetland area requires no recording and development could go ahead without applying for a permit.

Cottages

Both cottages are older than 60 years and thus protected by the National Heritage Resources Act of 1999. The cottages are of medium significance (Generally Protected B). This means that they may be altered/demolished only after they have been adequately recorded and after a permit or a letter of permission from Heritage Western Cape has been obtained. The application for permits needs to be made before the cottages are disturbed in any way.

The developer needs to be aware that *in situ* archaeological remains may be encountered sub-surface in the process of development. In this event the NHRA (1999) requires that the developer should immediately cease development in the area and report the find to the consulting archaeologist and/or SAHRA.

- No objections to development

- If human remains/burials...
- Refer to BECOM for assessment of Cottages

10. Bibliography

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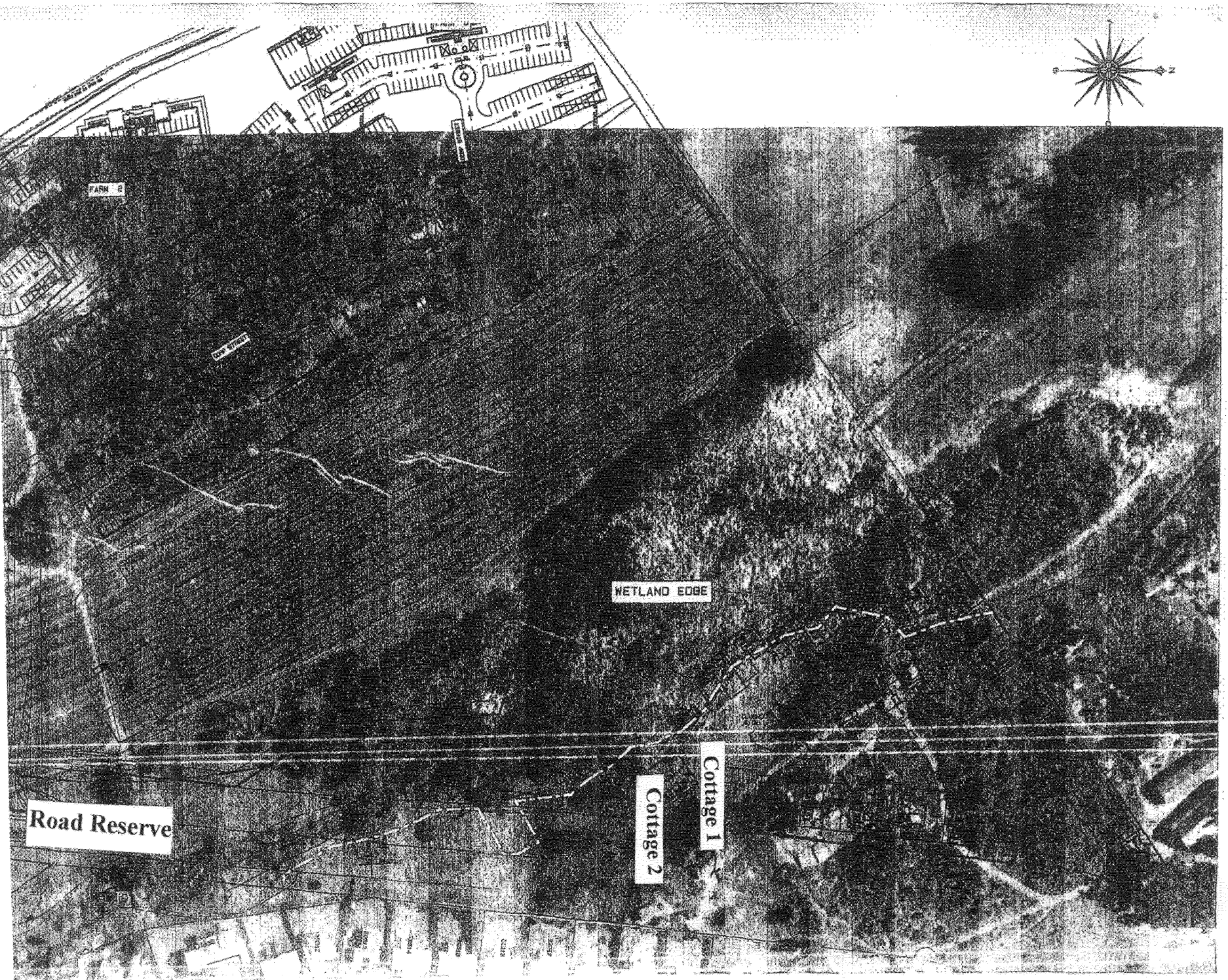
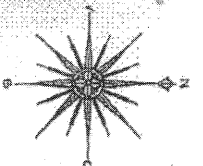


Figure 1. Aerial map showing the proposed development, road reserve and ruins of cottages



Figure 2: Extract of 1:50 000 map: 3318DC Bellville

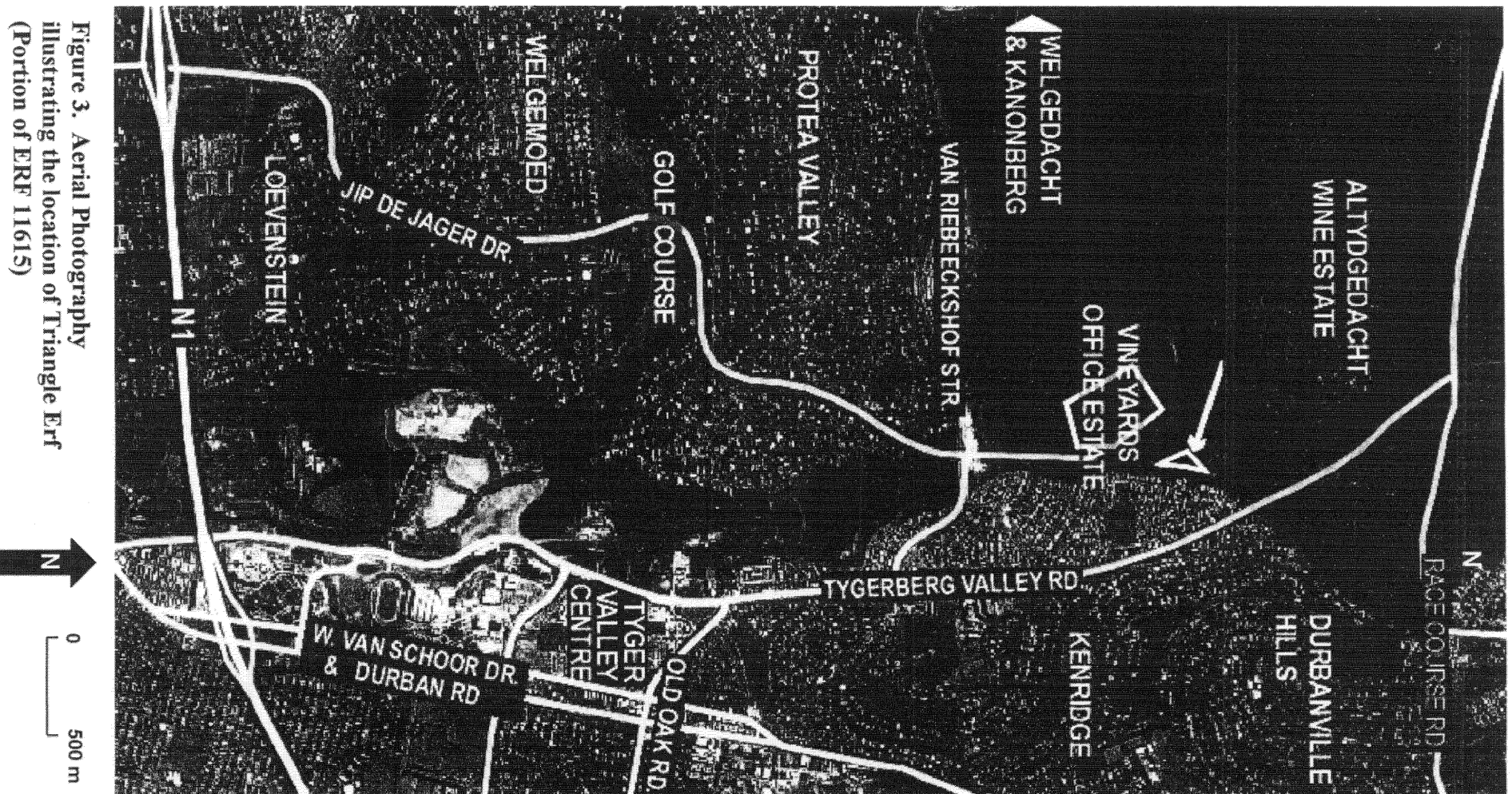


Figure 3. Aerial Photography illustrating the location of Triangle Erf (Portion of ERF 11615)

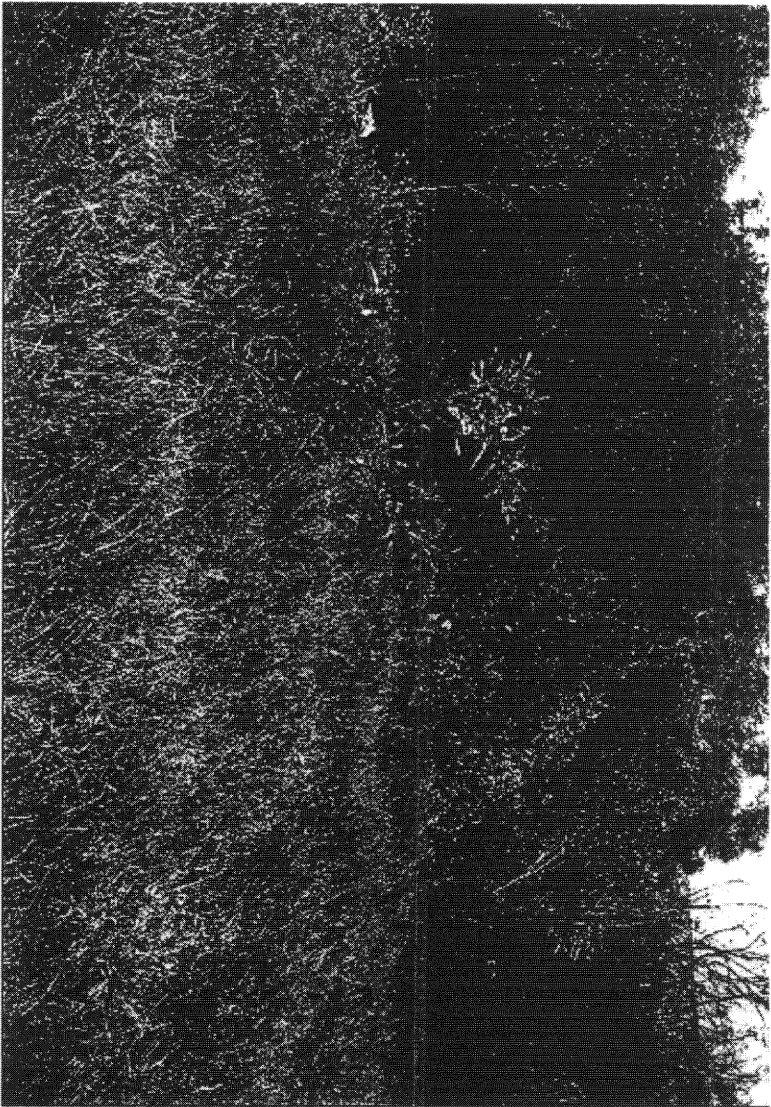


Figure 4. A View of the wetland area showing the thick grass cover

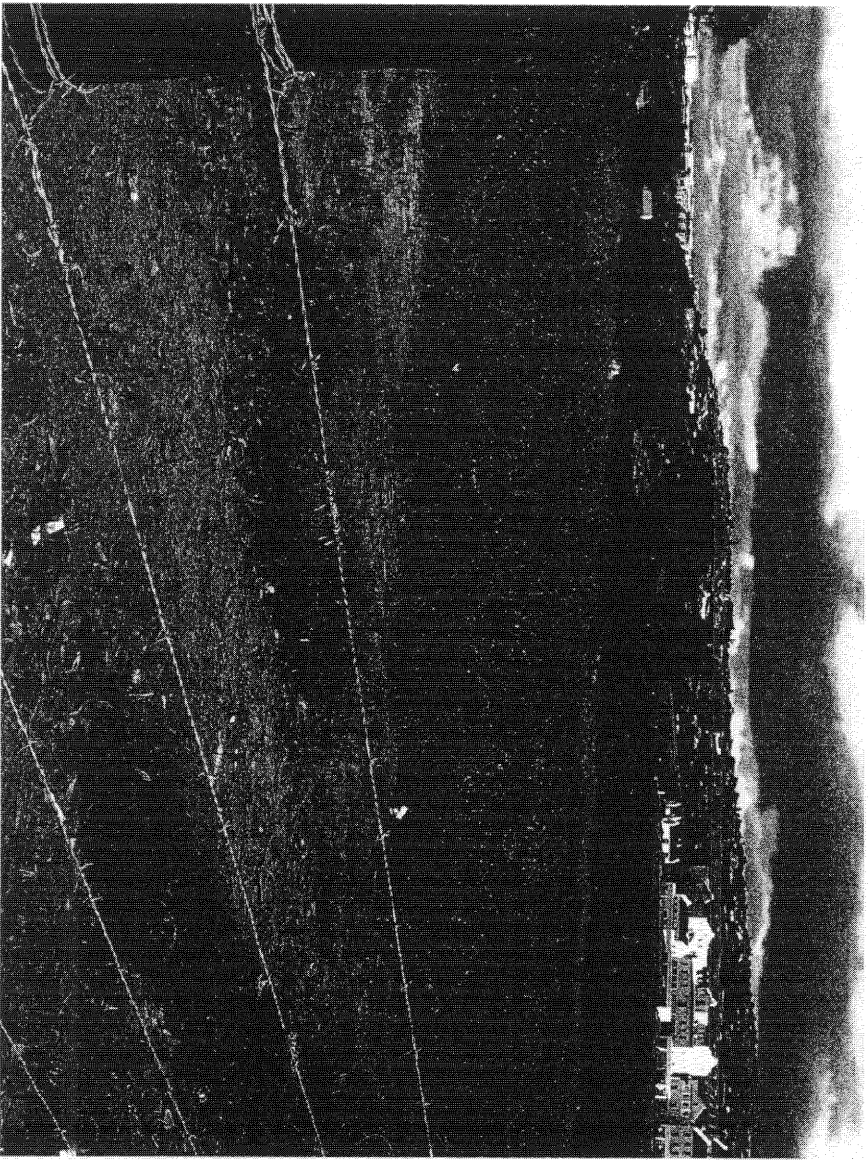


Figure 5: A view from the The Valley Primary School, northern boundary of the site

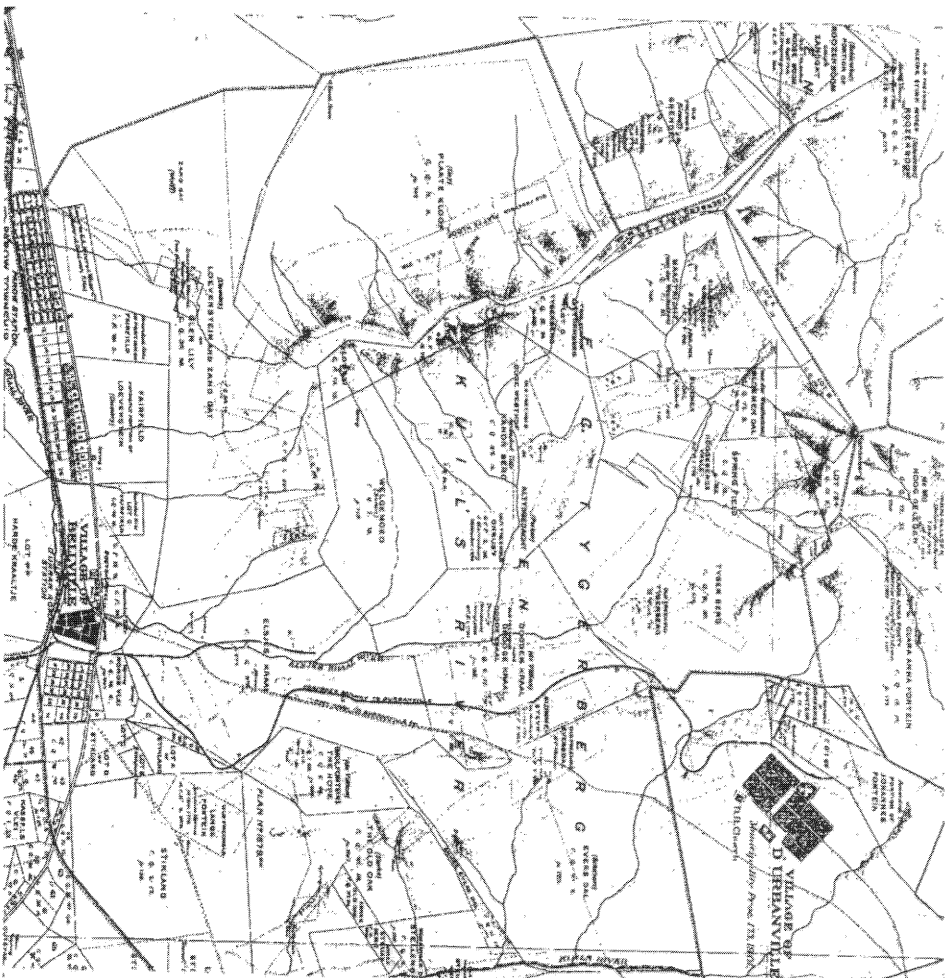


Figure 6: Early 20th century map of the farms in the Tygerberg area (Duminy 1979)

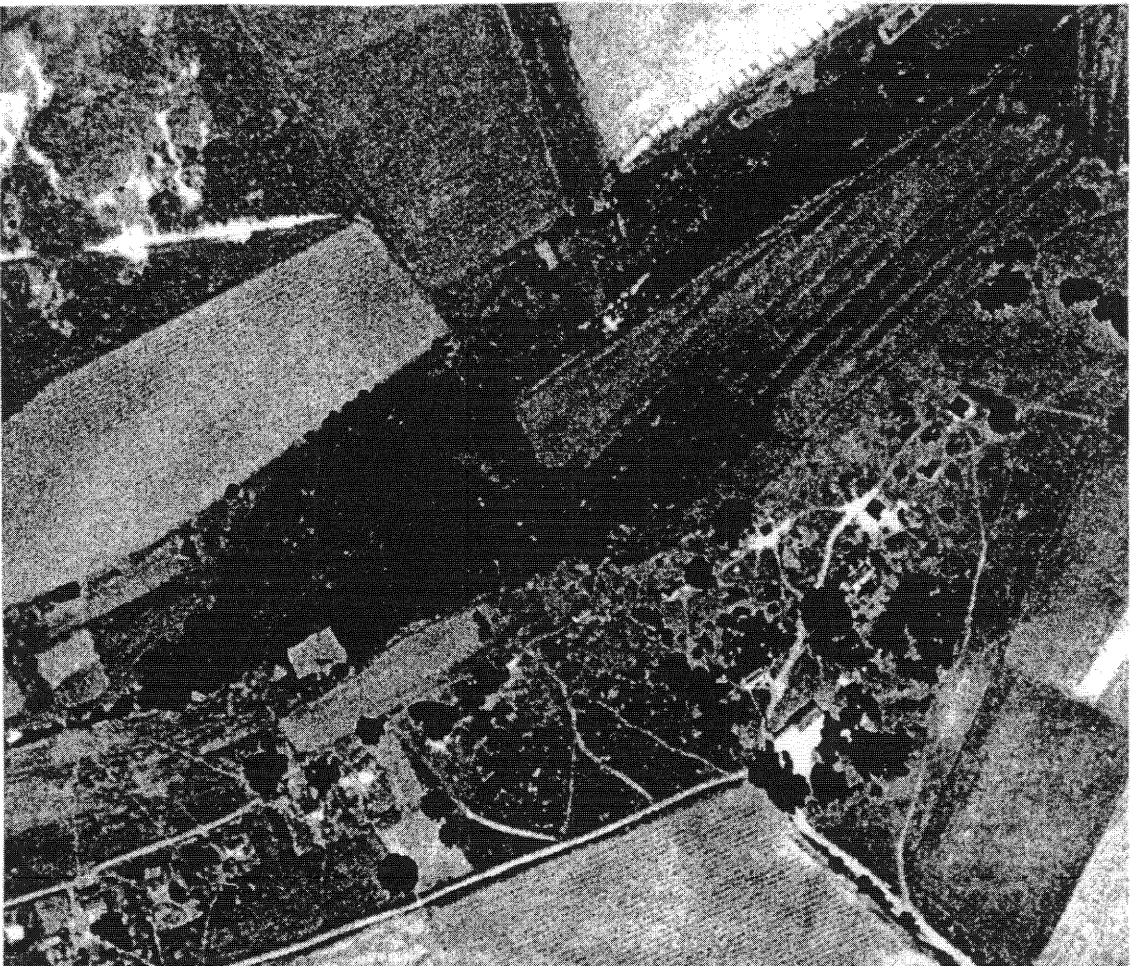


Figure 8: Aerial map of the study area, 1967

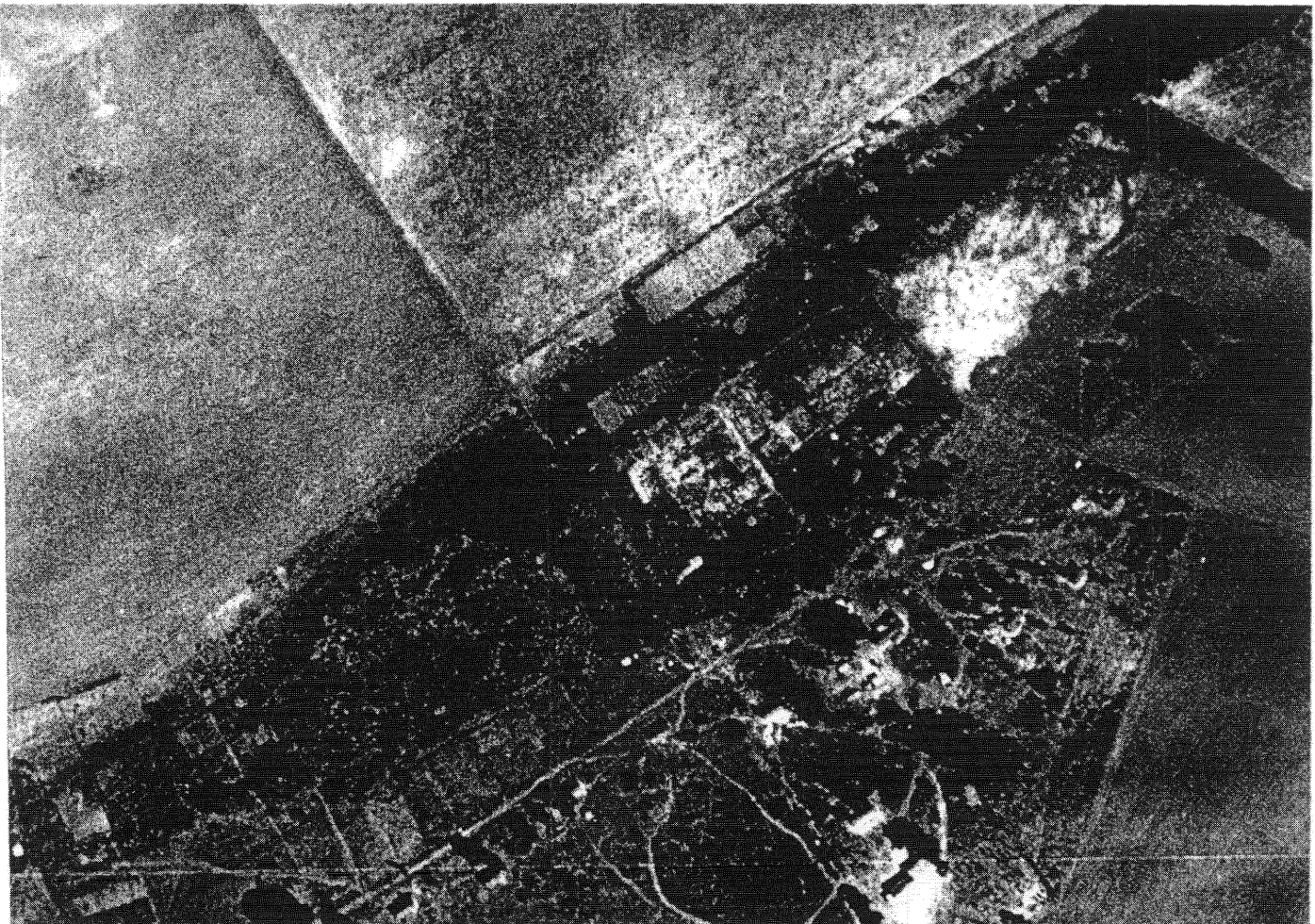


Figure 7: Aerial map of the study area, 1944

Appendix 2: Extracts from the National Heritage Resources Act (No 25 of 1999)

DEFINITIONS

Section 2

In this Act, unless the context requires otherwise:

ii. "Archaeological" means –

- a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
- b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10 m of such representation;
- c) wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic.... and any cargo, debris, or artefacts found or associated therewith, which is older than 50 years or which SAHRPA considers to be worthy of conservation.

viii. "Development" means any physical intervention, excavation or action, other than those caused by natural forces, which may in the opinion of a heritage authority in any way result in a change to the nature, appearance or physical nature of a place, or influence its stability and future well-being, including –

- a) construction, alteration, demolition, removal or change of use of a place or structure at a place;
- b) carrying out any works on or over or under a place;
- c) subdivision or consolidation of land comprising a place, including the structures or airspace of a place;
- d) constructing or putting up for display signs or hoardings;
- e) any change to the natural or existing condition or topography of land; and
- f) any removal or destruction of trees, or removal of vegetation or topsoil;

xiii. "Grave" means a place of interment and includes the contents, headstone or other marker of such a place, and any other structure on or associated with such place;

xxi. "Living heritage" means the intangible aspects of inherited culture, and may include –

- a) cultural tradition;
- b) oral history;
- c) performance;
- d) ritual;
- e) popular memory;
- f) skills and techniques;
- g) indigenous knowledge systems; and
- h) the holistic approach to nature, society and social relationships.

xxxi. "Palaeontological" means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trances;

xli. "Site" means any area of land, including land covered by water, and including any structures or objects thereon;

xliv. "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;

NATIONAL ESTATE

Section 3

1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.

2) Without limiting the generality of subsection 1), the national estate may include –

- 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 natural features of cultural significance;
- e) geological sites of scientific or cultural importance
- f) archaeological and palaeontological sites;
- g) graves and burial grounds, including –
 - i. ancestral graves;
 - ii. royal graves and graves of traditional leaders;
 - iii. graves of victims of conflict
 - iv. graves of individuals designated by the Minister by notice in the Gazette;
 - v. historical graves and cemeteries; and

- vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No 65 of 1983)
- j) sites of significance relating to the history of slavery in South Africa;
- h) movable objects, including –
 - i. objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - ii. objects to which oral traditions are attached or which are associated with living heritage;
 - iii. ethnographic art and objects;
 - iv. military objects;
 - v. objects of decorative or fine art;
 - vi. objects of scientific or technological interest; and
 - vii. 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).

STRUCTURES

Section 34

- 1) No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

ARCHAEOLOGY, PALAEOLOGY AND METEORITES

Section 35

- 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 assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.
- 5) When the responsible heritage resources authority has reasonable cause to believe that any activity or development which will destroy, damage or alter any archaeological or palaeontological site is under way, and where no application for a permit has been submitted and no heritage resources management procedure in terms of section 38 has been followed, it may –
 - a) serve on the owner or occupier of the site or on the person undertaking such development an order for the development to cease immediately for such period as is specified in the order;
 - b) carry out an investigation for the purpose of obtaining information on whether or not an archaeological or palaeontological site exists and whether mitigation is necessary;
 - c) if mitigation is deemed by the heritage resources authority to be necessary, assist the person on whom the order has been served under paragraph a) to apply for a permit as required in subsection 4); and
 - d) recover the costs of such investigation from the owner or occupier of the land on which it is believed an archaeological or palaeontological site is located or from the person proposing to undertake the development if no application for a permit is received within two weeks of the order being served.
- 6) The responsible heritage resources authority may, after consultation with the owner of the land on which an archaeological or palaeontological site or meteorite is situated, serve a notice on the owner or any other controlling authority, to prevent activities within a specified distance from such site or meteorite.

BURIAL GROUNDS AND GRAVES

Section 36

- 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 of any burial ground or grave referred to in subsection 3a) 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.
- 5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection 3b) unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority –
 - a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and
 - b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.
 - 6) Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority –
 - a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and
 - b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.

HERITAGE RESOURCES MANAGEMENT

Section 38

- 1) Subject to the provisions of subsections 7, 8) and 9), any person who intends to undertake a development categorised as –
 - a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300 m in length;
 - b) the construction of a bridge or similar structure exceeding 50 m in length;
 - c) any development or other activity which will change the character of a site –
 - i. exceeding 5 000 m² in extent; or
 - ii. involving three or more existing erven or subdivisions thereof; or
 - iii. involving three or more erven or subdivisions thereof which have been consolidated within the past five years; or
 - iv. the costs which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - d) the rezoning of a site exceeding 10 000 m² in extent; or
 - e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority;

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

 - 2) The responsible heritage resources authority must, within 14 days of receipt of a notification in terms of subsection 1) –
 - a) if there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact assessment report. Such report must be compiled at the cost of the person proposing the development, by a person or persons approved by the responsible heritage resources authority with relevant qualifications and experience and professional standing in heritage resources management; or
 - b) notify the person concerned that this section does not apply.
 - 3) The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection 2a) ...
 - 4) The report must be considered timeously by the responsible heritage resources authority which must, after consultation with the person proposing the development decide –
 - a) whether or not the development may proceed;
 - b) any limitations or conditions to be applied to the development;
 - c) what general protections in terms of this Act apply, and what formal protections may be applied, to such heritage resources;
 - d) whether compensatory action is required in respect of any heritage resources damaged or destroyed as a result of the development; and
 - e) whether the appointment of specialists is required as a condition of approval of the proposal.

APPOINTMENT AND POWERS OF HERITAGE INSPECTORS

Section 50

- 7) Subject to the provision of any other law, a heritage inspector or any other person authorised by a heritage resources authority in writing, may at all reasonable times enter upon any land or premises for the purpose of inspecting any heritage resource protected in terms of the provisions of this Act, or any other property in respect of which the heritage resources authority is exercising its functions and powers in terms of this Act, and may take photographs, make measurements and sketches and use any other means of recording information necessary for the purposes of this Act.

- 8) A heritage inspector may at any time inspect work being done under a permit issued in terms of this Act and may for that purpose at all reasonable times enter any place protected in terms of this Act.
 - 9) Where a heritage inspector has reasonable grounds to suspect that an offence in terms of this Act has been, is being, or is about to be committed, the heritage inspector may with such assistance as he or she thinks necessary --
 - a) enter and search any place, premises, vehicle, vessel or craft, and for that purpose stop and detain any vehicle, vessel or craft, in or on which the heritage inspector believes, on reasonable grounds, there is evidence related to that offence;
 - b) confiscate and detain any heritage resource or evidence concerned with the commission of the offence pending any further order from the responsible heritage resources authority; and
 - c) take such action as is reasonably necessary to prevent the commission of an offence in terms of this Act.
- A heritage inspector may, if there is reason to believe that any work is being done or any action is being taken in contravention of this Act or the conditions of a permit issued in terms of this Act, order the immediate cessation of such work or action pending any further order from the re