
Phase 1 Archaeological Impact Assessment -

**PORTIONS OF ERF 1, DOUGLAS,
HERBERT DISTRICT, NORTHERN CAPE, SOUTH AFRICA**

DATE: 2007-06-22



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1) TERMS OF REFERENCE

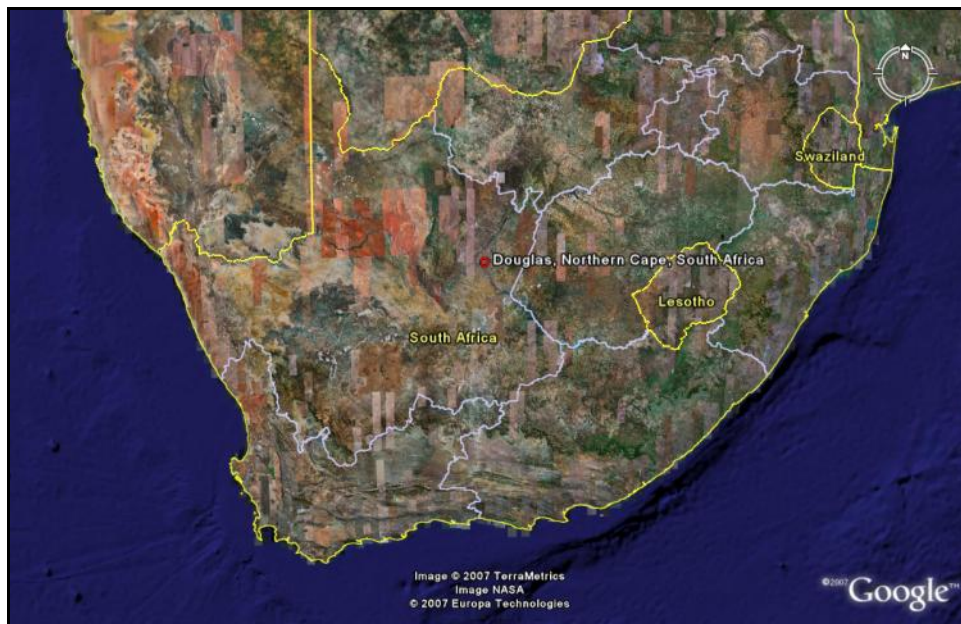
1.1) LEGISLATIVE COMPLIANCE

ArchaeoMaps was contracted by the developer, Dansil H. Jants, to conduct a Phase 1 Archaeological Impact Assessment (AIA). The Phase 1 AIA was requested in compliance with the Mineral and Petroleum Resources Development Act, No 28 of 2002 (MPRDA 2002), represented by the Department of Minerals and Energy (DME), in accordance with referenced natural and cultural environmental requirements as prescribed in the National Environmental Management Act, No 107 of 1998 (NEMA 1998), represented by the Department of Environmental Affairs and Tourism (DEAT) and the National Heritage Resources Act, No 25 of 1999 (NHRA 1999), represented by the South African Heritage Resources Agency (SAHRA).

1.2) DEVELOPMENT LOCATION AND IMPACT

The Phase 1 AIA focused on three proposed open cast diamond mining development areas to be situated on two portions of the property Erf 1, Douglas, Herbert District, Northern Cape, South Africa (1:50:000 map ref: 2923 BB Douglas). The three proposed developments (under mining application permits 1191, 1192 and an as yet un-issued mining application number) are situated on two localities namely Area 1 and Area 2. Area 1 (mining application permit 1191) will comprise of a 1.5ha area. Area 2 (mining application permit 1192 and the as yet un-issued mining application number) will comprise of two, immediately adjacent 1.5 ha development areas totaling a 3ha development area. Both developments areas are situated within Douglas and immediately north of the Vaal River.

The open cast mining method impact on archaeological and cultural heritage resources, as defined and protected by the NHRA (1999), will be total; resulting in the entire loss of archaeological and cultural heritage resources and their associated contexts.



MAP 1: Douglas, Northern Cape, South Africa

2) THE PHASE 1 ARHAEOLOGICAL IMPACT ASSESSMENT



MAP 2: The 2 areas proposed for diamond mining development situated on a portion of Erf 1, Douglas



MAP 3: Tilted satellite image of the 2 areas proposed for diamond mining development, portion of Erf 1, Douglas

2.1) METHODOLOGY

The one day assessment (2007-06-14) was conducted by one archaeologist. The assessment was done by foot and limited to a Phase 1 surface survey; no excavation or sub-surface testing was done since a permit from SAHRA is required to do so. GPS co-ordinates were taken with a Garmin Quest GPS. Photographic documentation was done

with a Casio X-S2 Exilim camera. A combination of Garmap and Google Earth software was used in the display of spatial information.

Archaeological and cultural heritage site significance assessment and associated mitigation recommendations were done according to the system prescribed by SAHRA (2005).

FIELD RATING	GRADE	SITE SIGNIFICANCE	RECOMMENDED MITIGATION
National Significance	Grade 1	High Significance	Site conservation / Site development
Provincial Significance	Grade 2	High Significance	Site conservation / Site development
Local significance	Grade 3A	High Significance	Site preservation or extensive mitigation before development destruction
Local significance	Grade 3B	High Significance	Site preservation or extensive mitigation before development destruction
Generally Protected A	-	High / Medium Significance	Site preservation or mitigation before development destruction
Generally Protected B	-	Medium Significance	Site preservation or mitigation / test excavation / systematic sampling before development destruction
Generally Protected C	-	Low Significance	No archaeological mitigation required – Site destruction

TABLE 1: Archaeological and cultural heritage site significance and mitigation recommendations

2.2) COVERAGE AND GAP ANALYSIS

The Phase 1 AIA covered:

- 1) Proposed diamond mining development Area 1 (1.5ha) and Area 2 (3ha); and
- 2) Existing access roads to the proposed development areas.

2.3) PHASE 1 AIA FINDINGS

The Phase 1 AIA focused on an approximate 4.5ha area incorporating proposed diamond mining development Area 1 (1.5ha) and Area 2 (3ha) and the immediate surrounds.

2.3.1) DIAMOND MINING DEVELOPMENT AREA 1

The proposed 1.5ha diamond mining development Area 1 is situated approximately 800m north of the Vaal River. Area 1 is bordered to the north by a residential area, to the west by the Weslaan High School, to the south by an existing tarmac road and to the east by a current open cast diamond mine. The total of proposed development Area 1 and the immediate surrounds comprise primarily of a community football field.

No archaeological or cultural heritage resources were identified on the proposed development area (football field) or the immediate surface surrounds of the football field. To the east the area is bordered by an existing open cast diamond mine. Inspection of existing open sections of the mine yielded no archaeological or cultural heritage resources. One inspected open mining section is situated immediately adjacent to the proposed development area. The section is approximately 1.5m high. Geologically the section yielded relatively large fine grained gravel, no

anthropic material were identified in the gravels. It can thus be inferred that the proposed development area may well be situated too far from the river, or that the particular area was not used by hominids / humans of the past. In addition to the surface anthropic sterility of the proposed area, evidence of sub-surface anthropic sterility does make a contribution to the current understanding of the Vaal River gravels.

(The developer intends to relocate the existing community football field to a portion of the rehabilitated area currently used by the adjacent open cast mine prior to development of the area.)

Access to proposed development Area 1 will be via existing access gravel roads to the school, neighboring residential area and associated infrastructure. Existing access gravel roads does not impact on any identified archaeological or cultural heritage resources.

Assessment of proposed development Area 1 yielded no archaeological or cultural heritage resources as defined and protected by the NHRA 1999. It is recommended that development in proposed development Area 1 proceed as applied for.



IMAGE 1: Proposed development Area 1, comprising primarily of an existing football field



IMAGE 2: View from the immediate surrounds towards development Area 1



IMAGE 3: View from the immediate surrounds towards development Aea1, with adjacent open cast diamond mining activities in the background



IMAGE 4: View from the existing diamond mine towards proposed development Area 1



IMAGE 5: The existing open cast diamond mine, situated immediately adjacent to proposed development Area 1



IMAGE 6: Developer Dansil H. Jants and Roshaun Morolong at existing, anthropically sterile, open cast diamond mining sections

2.3.2) DIAMOND MINING DEVELOPMENT AREA 2

The proposed 3ha diamond mining development Area 2 is situated approximately 200m from the Vaal River in the south. The R385 is situated west of the area and a gravel road borders the proposed mining Area 2 to the north. To the east the proposed development area is bordered by agricultural land.

Proposed development area 2 has been disturbed by former mining, impacting primarily on the eastern side of the area. Here varying sized mine dumps and pits attest to former mining activities. Inspection of exposed sections yielded no archaeological material, however overgrown and largely deteriorated sections may well have added to a biased view of the sub-surface anthropic component. Inspection of mine dumps yielded no archaeological material, the outer layers of larger mine dumps are however from geological layers expected well below anthropic layers.

A palaeo-stream, identified by white flowstone deposits, cross-cuts the proposed development area. No archaeological material was found in association with, or in sections of the stream. The stream may well predate anthropic activity in the area.

2.3.2.1) SITE S1 - HISTORICAL HOUSE RUINS (S29°02'49.2"; E23°46'08.9")

Site S1 comprise of a scatter of mud-bricks, approximately 4x3m in size. The site is interpreted as the collapsed remains of a mud-brick house. Besides the mud-bricks no associated artefacts such as porcelain or metal were present. The site may thus well have been formally abandoned prior to collapse and may date to the early 1970 municipal removal of people settling immediately adjacent to the river to the location of the current Breipaal residential area. The house ruins thus post-dates 60 years of age and is not protected by the NHRA 1999.

✂ Site Significance and Recommendations: Site S1, the historical mud-brick house ruins, is assigned a Low Significance and a Generally Protected C field rating. The house ruin post-dates 60 years of age and is not

protected by the NHRA 1999. It is recommended that the site be destroyed without further archaeological mitigation requirements and without the developer having to apply for a destruction permit from SAHRA prior to destruction of the site.

2.3.2.2) SITE S2 - LOW DENSITY STONE AGE DEPOSITS (29°02'45.1"; E23°46'09.5")

Site S2 is characterized by a low density scatter of Stone Age material. The scatter is approximately 15x20m in size and continues north of the gravel road. Artefact ratios (artefacts: m²) approximates $\leq 3:1$. Artefacts were primarily produced from fine grained dolomite, quartzite and other local raw material. Types are representative of the later Middle Stone Age (MSA) or Later Stone Age (LSA), represented by flake, blade and scraper type tools. The artefact occurrence may well have a sub-surface component, however little prior disturbance and associated open sections did not allow a sub-surface interpretation.

✂ Site Significance and Recommendations: Site S2, the low-density Stone Age scatter, is assigned a Low Significance and a Generally Protected C field rating. It is recommended that the site be destroyed without further archaeological mitigation requirements and without the developer having to apply for a destruction permit from SAHRA prior to destruction of the site.

(Should more prominent Stone Age deposits however be discovered sub-surface, during the course of development, the developer should report the find to SAHRA or an ASAPA accredited CRM archaeologist and arrange for an archaeological site inspection.)



IMAGE 7: View towards the Vaal River and the R385 from proposed development Area 2



IMAGE 8: View towards the Vaal River from proposed development Area 2. The area is also currently used to pump water from the river



IMAGE 9: Earlier mining disturbance characterizing large portions of proposed development Area 2



IMAGE 10: General view of proposed development Area 2



IMAGE 11: Flowstone, inferred to indicate the position of a palaeo-stream, situated within propose development Area 2



IMAGE 12: Developer Dansil H. Jants and Roshaun Morolong at a pile of former mining rubble in the development area



IMAGE 13: Exposed sections within the development area proved to be anthropically sterile



IMAGE 14: View onto the proposed development area from a former mine dump situated within the development area



IMAGE 15: Site S1 situated within the proposed development area



IMAGE 16: Scattered mud-brick comprising the only artefact type present at site S1



IMAGE 17: General view from the gravel road north of the development area, the general area displayed a low density of Stone Age artefacts (S2)



IMAGE 18: The S2 area yielded a low density of Stone Age artefacts

DEVELOPMENT AREA	ARCHAEOLOGICAL SITES, FIND PLACES AND FEATURES	IMAGE NR	CO-ORDINATES	
			SOUTH	EAST
Portions of Erf 1, Douglas, Northern Cape				
Development Area 1				
A	-	Image 1-6	S29° 02' 54.2"	E23° 45' 27.5"
B	-		S29° 02' 48.3"	E23° 45' 27.5"
C	-		S29° 02' 48.2"	E23° 45' 31.8"
D	-		S29° 02' 53.6"	E23° 45' 32.8"
Development Area 2				
A		Image 7-14	S29° 02' 51.3"	E23° 46' 06.0"
B			S29° 02' 49.6"	E23° 46' 06.3"
C			S29° 02' 43.9"	E23° 46' 08.9"
D			S29° 02' 43.4"	E23° 46' 13.1"
E			S29° 02' 49.7"	E23° 46' 13.8"
-	S1 – Historic House Ruins	Image 15-16	S29° 02' 49.2"	E23° 46' 08.9"
-	S2 –Low density Stone Age scatter	Image 17-18	S29° 02' 45.1"	E23° 46' 09.5"

TABLE 2: GPS co-ordinates of the proposed development area, identified and associated sites and features

Assessment of proposed development Area 2 yielded two archaeological and cultural heritage resources namely Site 1, a historical house ruin and Site 2, a low density lithic artefact scatter. The house ruin is of Low Significance, it further post-dates 60 years of age and is thus not protected by the NHRA 1999. The low density Stone Age scatter yielded relatively low densities of Stone Age artefacts across a wide area, extending beyond the proposed development area. The low density artefact scatter is of Low Significance and no mitigation prior to development is recommended.



MAP 4: Proposed development Areas 1 and 2 and identified site localities S1 and S2

3) CONCLUSION AND RECOMMENDATIONS

Proposed open cast diamond mining development on portions of the property Erf 1, Douglas, will impact on two areas namely Area 1 (1.5ha under mining application permit 1191) and Area 2 (comprising of two adjacent 1.5ha areas totaling a 3ha area, under mining application permit 1192 and an as yet un-issued mining application permit number).

Archaeological assessment of Area 1 proved the proposed development area, comprising primarily of a community football field, to be archaeologically sterile. Surface anthropic sterility was reflected in sub-surface mining sections situated immediately adjacent to proposed development Area 1.

The eastern part of proposed assessment Area 2 was heavily impacted on by former mining activities having resulted in large dumps and some open sections. Assessment of mining debris, including degenerate open sections, did not, based on the proximity of the proposed development area to the Vaal River, yield expected surface and sub-surface archaeological material.

Two archaeological and cultural heritage sites were identified within the western part of proposed development Area 2.

- 1) Site S1, the identified historical house ruins (S29°02'49.2"; E23°46'08.9"), is characterized by mud-brick deposits in an approximate 3x4m area. The site is interpreted as the collapsed remains of a mud-brick house. Besides the mud-bricks no associated artefacts (including porcelain or metal) were identified. The site may thus well have been formally abandoned prior to collapse and is interpreted to date to the early 1970's municipal removal of people settling immediately adjacent to the river to the location of the current Breipaal residential area. The site is assigned a Low Significance and a Generally Protected C field rating. The house ruin post-dates 60 years of age and is not protected by the NHRA 1999. It is recommended that the site be destroyed without further archaeological mitigation requirements and without the developer having to apply for a destruction permit from SAHRA prior to destruction of the site.
- 2) Site 2, a low density of Stone Age lithic deposits (29°02'45.1"; E23°46'09.5"), was identified in an approximate 15x20m area within development Area 2, continuing to the north of the gravel road. Recorded artefact ratios (artefacts: m²) approximated ≤3:1. Artefacts were primarily produced from fine grained dolorite, quartzite and other local raw material. Artefact types are representative of the later Middle Stone Age (MSA) or Later Stone Age (LSA) types including flake, blade and scraper type tools. The artefact occurrence may well have a sub-surface component, however little prior disturbance and associated open sections did not allow a sub-surface interpretation. Site 2 is assigned a Low Significance and a Generally Protected C field rating. It is recommended that the site be destroyed without further archaeological mitigation requirements and without the developer having to apply for a destruction permit from SAHRA prior to destruction of the site.

(Should more prominent Stone Age deposits however be discovered sub-surface, during the course of development, the developer should report the find to SAHRA or an ASAPA accredited CRM archaeologist and arrange for an archaeological site inspection.)

Besides the recorded lithic archaeological deposits and the relatively recent historic house ruins no other cultural heritage resources inclusive of palaeontological deposits, built structures older than 60 years, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict and cultural landscapes or viewsapes, as defined and protected by the NHRA (1999) were identified during assessment of the approximate 6.8ha portion of Erf 314, Douglas, Northern Cape.

3.1) RECOMMENDATIONS

It is recommended that the three proposed open cast diamond mining developments, under mining application permits 1191, 1192 and an as yet un-issued mining application permit number, to be situated on a total 4.5ha (Area 1 -1.5ha; Area 2 – 3ha) portion of Erf 1, Douglas, Northern Cape, proceed as applied for.

Two identified archaeological and cultural heritage resources were located within the proposed development Area 2, namely:

- 1) Site S1, the identified historical house ruins (S29°02'49.2"; E23°46'08.9"). The site is assigned a Low Significance and a Generally Protected C field rating. The house ruin post-dates 60 years of age and is not protected by the NHRA 1999. It is recommended that the site be destroyed without further archaeological mitigation requirements and without the developer having to apply for a destruction permit from SAHRA prior to destruction of the site.
- 2) Site 2, a low density of Stone Age lithic deposits (29°02'45.1"; E23°46'09.5"). The occurrence is assigned a Low Significance and a Generally Protected C field rating. It is recommended that the site be destroyed without further archaeological mitigation requirements and without the developer having to apply for a destruction permit from SAHRA prior to destruction of the site.

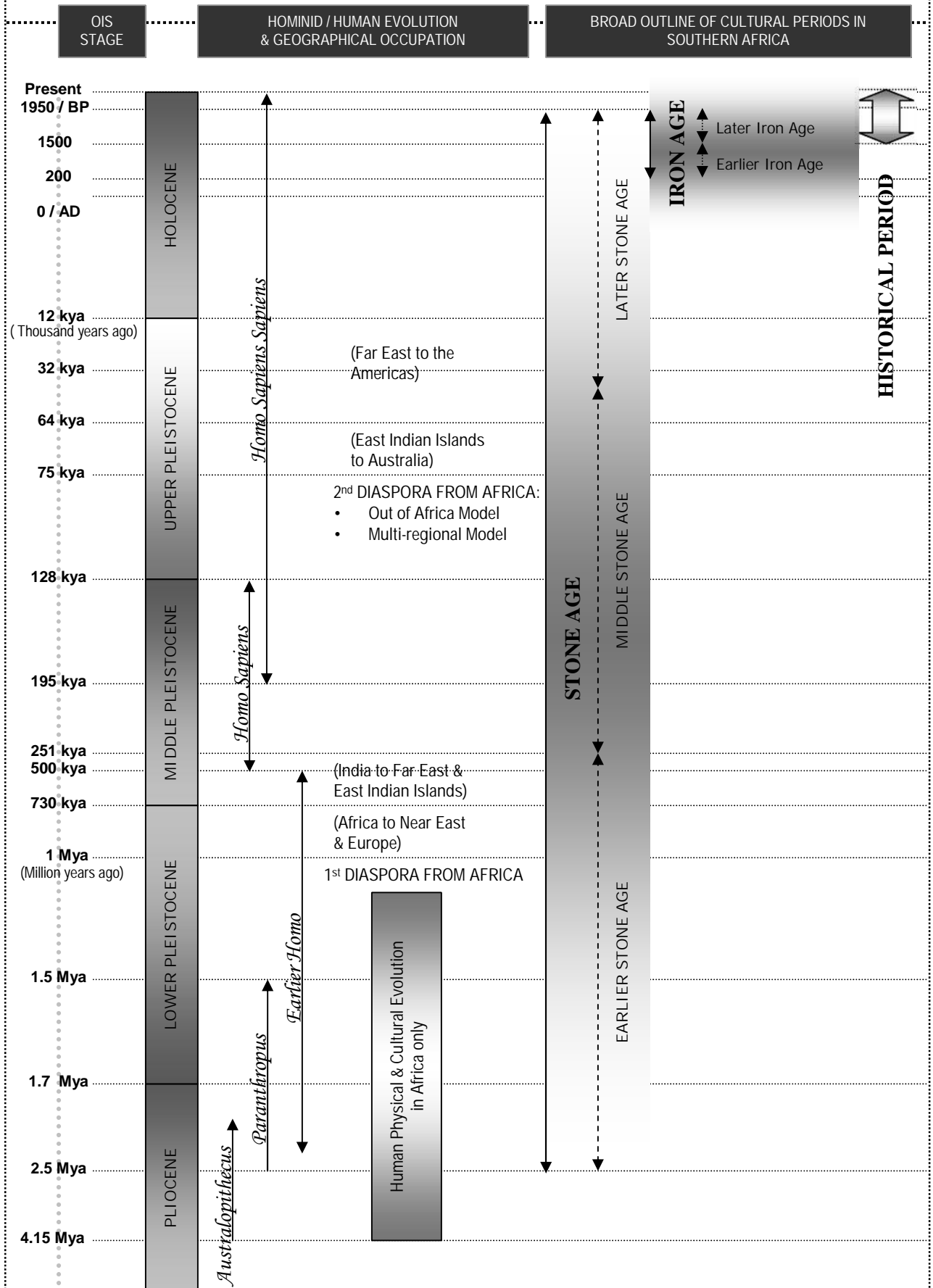
4) ACKNOWLEDGEMENTS

I would like to thank Dansil H. Jants and Roshaun Morolong for accompanying me to the site and providing on site and development information.

5) REFERENCES CITED

- i. South African Government. (No 107) of 1998. National Environmental Management Act.
- ii. South African Government. (No 25) of 1999. National Heritage Resources Act.
- iii. South African Government. (No 28) of 2002. Mineral and Petroleum Resources Development Act.
- iv. South African Heritage Resources Agency. 2005. Minimum standards for the archaeological and heritage components of impact assessments. Unpublished guidelines.

Schematic Outline of the Pre-historic and Historic Periods



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 60 years or which SAHRA 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 trace;
- 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)
 - h) sites of significance relating to the history of slavery in South Africa;
 - i) 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, PALAEONTOLOGY 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 –
- destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
 - destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
 - 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
 - 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 –
- 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;
 - 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;
 - 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
 - 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 –
- 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;
 - 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
 - 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 –
- made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and
 - 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 –
- 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
 - 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.
- 10) 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 responsible heritage resources authority