

9/2/2006 16

HIA Heidelberg

TO:
MR GRAHAM FOWLER

**A HERITAGE IMPACT ASSESSMENT (HIA) OF A PORTION OF
THE FARM NOOITGEDACHT 390IR IN THE HEIDELBERG
DISTRICT OF GAUTENG**

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March 2003

EXECUTIVE SUMMARY

Mr Graham Fowler intends developing a part of his property on the farm Nootigedacht 3901R in the Heidelberg District of the Gauteng Province of South Africa (Figure 1). The study area consists of a lower, disturbed western part and an eastern mountainous part that is in pristine condition. Clay quarrying and brick manufacturing have disturbed the western level part where the development is planned.

The Heritage Impact Assessment (HIA) revealed the presence of at least seven Late Iron Age sites (c. 1700 to 1800AD) along the foot of the mountainous part of the study area. The state of preservation (condition) of the Late Iron Age sites is as follows: three settlements are in pristine condition (LIA001, LIA003, LIA007); at least one site was affected/damaged when a brick building was built in its interior (LIA002); two sites were severely affected/partly destroyed (LIA004, LIA006) by a bulldozer; while the state of preservation of one site (LIA005) could not be established with certainty as it may have been affected/damaged a long time ago (Table 1). The level of significance of all the settlements was determined using a number of criteria (Table 2).

All the Late Iron Age sites on Mr Fowler's property must be protected and conserved, even those that have been slightly affected/damaged or severely damaged in the past. If any of the Late Iron Age sites are to be affected, damaged or destroyed, for any reason what so ever, Mr Fowler has to approach SAHRA for permission in doing so.

As little archaeological research has been done on the Late Iron Age remains in the Heidelberg area, SAHRA may require that Phase II investigations be done before any of these sites, even those that have been damaged in the past are affected by any development in the future.

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1 INTRODUCTION

This report is the result of a Heritage Impact Assessment (HIA) study done for Mr Graham Fowler of the farm Nooigedacht 390IR in the Heidelberg District in the Gauteng Province of South Africa. Mr Fowler intends to establish a motor track for 4x4 vehicles on his property. However, heritage resources and sensitive remains such as graves are protected by legislation such as the National Heritage Resources Act (Act No 25 of 1999). Consequently, Mr Fowler commissioned me to undertake a Heritage Impact Assessment (HIA) study to determine whether any heritage resources or sensitive remains may be affected by the development. Mr Fowler needs to knowledge in order to ensure, by means of pro-active measures, that these remains are not affected, damaged or destroyed by the development project.

The aim of the heritage impact assessment study was three-fold, namely:

- to establish whether any significant heritage resources or graves occur on the lower western part of Mr Graham Fowler's property where he intends to undertake the development project and if so;
- to establish what the nature, the extent and the significance of these remains are; and
- to propose pro-active measures to reduce the impact of any development on the range of heritage resources and graves that may exist on Mr Graham Fowler's property.

2 METHODOLOGY

2.1 The heritage impact assessment study

This HIA study was based on a literature survey, a study of the topographical map of the area in which the study area is situated and a survey on foot.

The survey of the literature included a brief review of literature on the pre-history and history of the Heidelberg area in general (see Bibliography, Part 7). The 1:50 000 topographical map of Heidelberg (2628CB) provided general background to the location and the topographical nature and features of the study area.

The heritage resources discovered on Mr Graham Fowler's property were mapped and tabulated (Figure 1; Table 1).

2.2 Assumptions and limitations

It must be kept in mind that surveys may not detect all heritage resources in any given study area. While certain remains may simply be missed during surveys (observations), others may occur below the surface of the earth and may only be exposed once development commences.

Isolated graves in particular may exist on small pockets of land that have not been disturbed in the past. The position of smaller cemeteries and single graves can be problematic with regard to a number of issues. Graves are not always clearly marked. Some markings merely consist of stone edgings or a few stones placed on a grave. Graves that are unattended may have become covered by soil or vegetation and markings on graves may have been disturbed.

Mitigation measures that consider all ranges of heritage resources are therefore outlined in Table 2, as some of these resources may only be uncovered during Mr Fowler's development of his piece of land (see Table 2).

2.3 Some remarks on terminology

The cultural heritage assessment referred to in the title of this report included a survey of heritage resources as outlined in the National Heritage Resources Act (Act No 25 of 1999).

Cultural heritage (or cultural resources) includes all human-made phenomena and intangible products that are the result of the human mind. Natural, technological or industrial features may also be part of heritage resources, as may places that made an

outstanding contribution to the cultures, traditions and lifestyles of the people or⁷ groups of people of South Africa.

The term 'pre-historic' generally refers to the time before any historical documents were written or any written language developed in a particular area or region of the world. The historical period and historical remains refer, for the Heidelberg area, to the first appearance or use of 'modern' Western writing brought to this area by the first Colonists who settled in this area c. 1850.

The term 'relatively recent past' refers to the 20th century. Remains from this period are not necessarily older than sixty years and therefore may not qualify as archaeological or historical remains. Some of these remains, however, may be close to sixty years of age and may, in the near future, qualify as heritage resources.

It is not always possible, based on observations alone, to distinguish clearly between archaeological remains and historical remains, or between historical remains and remains from the relatively recent past. Although certain criteria may help to make this distinction possible, these criteria are not always present, or, when they are present, they are not always clear enough to interpret with great accuracy. Criteria such as square floor plans (a historical feature) may serve as a guideline. However, circular and square floors may occur together on the same site.

The term 'sensitive remains' is sometimes used to distinguish graves and cemeteries as well as ideologically significant features such as holy mountains, initiation sites or other sacred places. Graves in particular are not necessarily heritage resources if they date from the recent past and do not have tombstones that are older than sixty years.

The term Stone Age refers to the prehistoric past, although Late Stone Age peoples lived in the area well into the historical period. The Stone Age is divided into an Earlier Stone Age (3 million years to 150 000 thousand years ago) the Middle Stone Age (150 000 years to 20 000 years ago) and the Late Stone Age (20 000 years to 200 years ago).

The term 'Late Iron Age' refers to the period between the 17th century and the 19th century and can therefore include the historical period.

Phase I studies refer to surveys using various sources of data in order to establish the presence of all possible types of heritage resources in any given area.

Phase II studies include in-depth cultural heritage studies such as archaeological mapping and excavating, the documenting of rock art/engraving sites or of dwellings or

other architectural features and structures, the sampling of archaeological sites or⁸ shipwrecks, the exhumation and reburial of human remains, etc. Phase II work requires the co-operation and approval of SAHRA.

Archaeological context refers to archaeological remains (sites, features, structures and tools) that have been disturbed and which do not occur in their original three-dimensional location any more.

3 THE HERITAGE IMPACT ASSESSMENT STUDY

3.1 Location of the study area

The study area is located approximately 5 km to the south of the town of Heidelberg on the farm Nooitgedacht 390IR in the Heidelberg District of the Gauteng Province (Heidelberg 2628CB). The study area is an elongated piece of land running from a mountain range in the east to level ground in the west, covering a distance of approximately 1,5 kilometre. The average distance between the northern and southern boundaries of the study area is approximately 0,75 kilometre. However, the study area narrows from the east towards the west; its broader eastern boundary is approximately 1,0 kilometre and its narrower western boundary is approximately 0,5 kilometre (Figure 1).

3.2 Historical context

Very few HIA studies (archaeological and cultural-historical surveys in particular) have been done in the Heidelberg area. However, the area is rich in pre-historical, historical, industrial and other remains that reflect the cultural significance of this town, which was strategically located between the Transvaal, Orange Free State and Natal during the early 20th century.

The earliest remains recorded in the area are those of numerous stone walled settlements located in the mountainous areas in and around the town. These ruins were once built and occupied by Late Iron Age Sotho people. A substantial number of these stone walled sites have been recorded in the Suikerbosstrand Nature Reserve. Stone walled sites were occupied from either the 17th century or the 18th century well into the 19th century.

The town of Heidelberg was established when H.J. Uckerman built a trading station at the foot of the rocky Suikerbosstrand (ridge of sugar bushes) in 1862. In 1865 he planned a town around the store and named the place after his old university in Germany. The store stood at the junction of the main wagon trails entering the Transvaal from Natal and the Orange Free State. Here, wagon trails converged as highways that linked far-flung settlements with each other. Transport riders, ivory hunters, prospectors, politicians and soldiers passed this way, on horseback, in ox wagons, cape carts, buggies, hansom cabs and stagecoaches. After the last rail of Paul Kruger's Zuid Oosterlijn to Natal was coupled at Heidelberg in 1895, the whistle of steam locomotives was added to the chorus of clapping hooves and rattling

wheels, heralding the age of rail travel in the Transvaal. A station building was¹⁰ established along the railway line.

At the height of the Witwatersrand gold rush there were 18 hotels in Heidelberg. Although those boom days have passed, the town remains a busy point on the modern road and main railway line to the Witwatersrand and further north. The railway station, built with sandstone, has been restored and today serves as the Heidelberg Motor Museum. The museum traces the history of transport from the days of four-footed travel to the dawn of the mechanised age.

A monument commemorates P. Kruger, M. Pretorius and P. Joubert, who headed the struggle to build a trading station for independence. For three months during the Anglo Boer War (c.1899 to 1902) Heidelberg was the seat of the Boer provincial government.

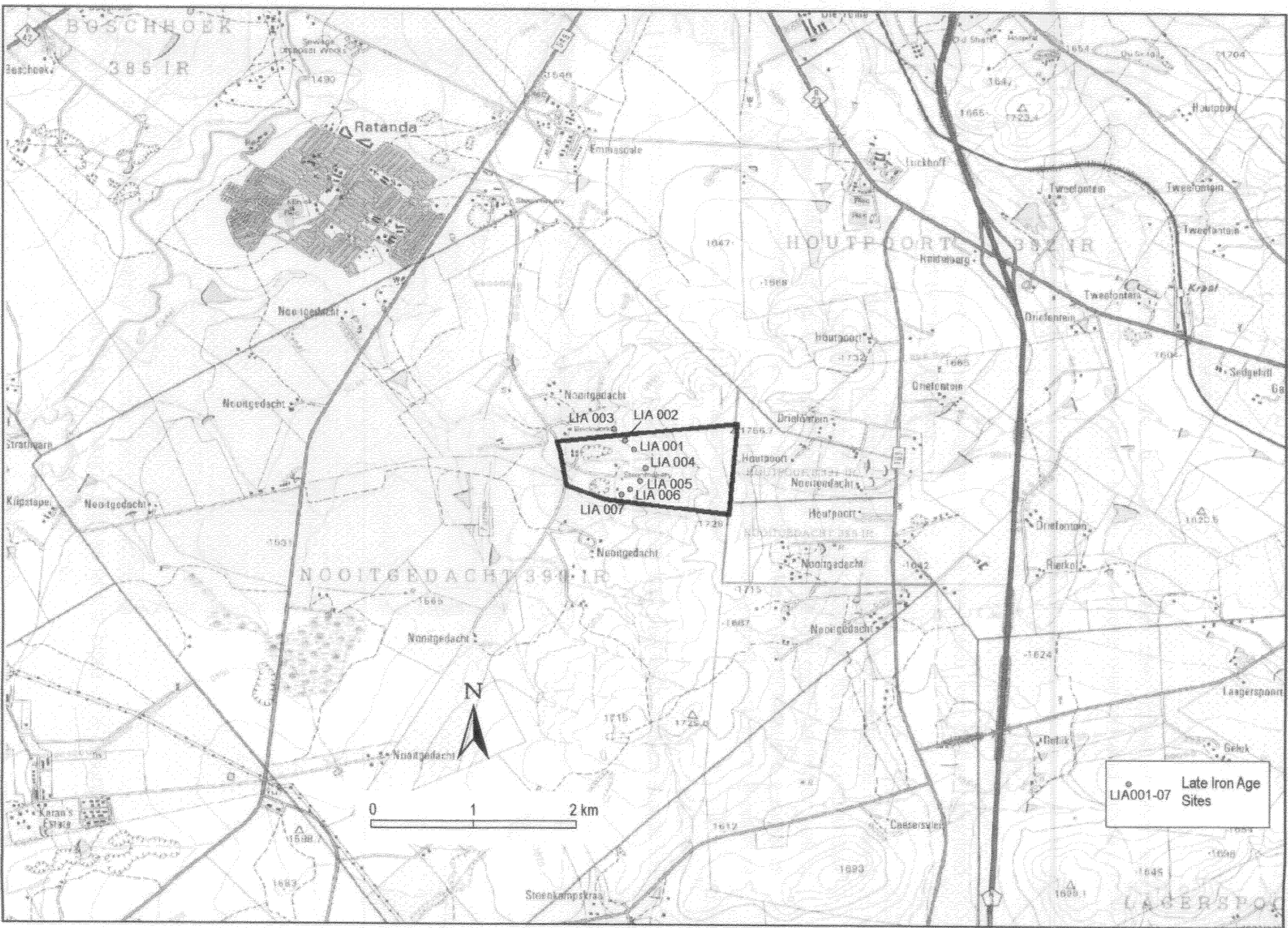
3.3 The altered state of the study area

Mr Graham Fowler's property can be divided into a high, eastern mountainous part and a lower, level western part. The mountainous part is in a pristine condition while the lower western part has been disturbed in the past. The survey on foot focused on parts of the study area that have not been affected by development in the past, such as the lower foot slope of the mountainous area where sites were observed. As the western part has been altered by human activities in the past, a complete survey of the clearly altered areas on foot was not warranted. The higher slopes of the mountain where no development is planned were also not subjected to a survey on foot.

The lower western part of the study area was mined in the past in order to collect clay-soil that were used to manufacture bricks. Two large quarries, dirt roads, heaps of dumped soil and a compound for labourers still reflect these mining activities. This part of the study area has also been scarred by younger development activities such as the building of dirt roads, homesteads and outbuildings. Alien vegetation such as wattle has settled on scarred pieces of land.

- The foot slope and higher summit of the mountain range in the eastern part of the study area is pristine and contains clumps of indigenous trees of a considerable variety. These clumps of trees also serve as indicators of Late Iron Age sites as the trees have set root in the nutrient rich deposits associated with these sites.

Figure 1. Mr Graham Fowler's property on the farm Nootgedacht 390IR in the Heidelberg District of the Gauteng Province of South Africa. Note the presence of a number of Late Iron Age sites along the lower slope of a mountain range.



3.4 The heritage impact assessment

The survey on foot revealed the presence of Late Iron Age sites, some of who may have historical affinities, in the study area. These sites were mapped and tabulated (Figure 1; Table 1).

3.4.1 Site LIA001

Site LIA001 is situated next to a small ravine, against the lower foot of the mountain range in the eastern part of the study area.

The site is composed of an outer circular wall and central inner enclosures. It has a circular ground plan and is approximately 60 meters in diameter. Its outer circular wall contains a few half-circular walls or scallops. It is clear that the outer perimeter wall of the site housed dwellings, such as huts, while the central inner enclosures served as enclosures where stock such as cattle, sheep and possibly goat were kept. A court or (*kgotla*) may be part of the centrally located enclosures.

This site probably date from the late 18th century and was probably occupied until the early 19th century.

Site LIA001 is still in an excellent condition (Figure 2).



Figure 2. Site LIA001 is covered by a clump of trees at the base of a mountain. Site LIA004 is located in the clump of trees in the background.

3.4.2 Site LIA002

Site LIA002 is situated slightly to the north-west of Site LIA001 and is considerably larger in diameter than Site LIA001.

Site LIA002's spatial composition is similar to that of Site LIA001; namely an outer circular wall that encloses several linked enclosures in the central part of the site.

A square brick building was built inside Site LIA002, against its outer circular wall (Figure 3). This structure is largely demolished and is associated with a large midden, also located in the interior of Site LIA002. The brick building dates from a more recent period than Site LIA002. A stone cairn is situated near the brick dwelling but is not part of this structure but can be associated with the stone walled site (Figure 4).

Site LIA002 is contemporary with Site LIA001 and therefore also probably dates from the late 18th century to the early 19th century.

Site LIA002 was affected when the brick structure was built inside Site LIA002. The archaeological deposits (or surface) on which the dwelling was erected were destroyed when the dwelling was built. However, the larger part of Site LIA002's surface (and therefore its archaeological deposits) are still intact.

Figure 3. Remains of the brick dwelling (in the background) and bricks (in the foreground) in Site LIA002. This building dates from the relatively recent past and is younger than Site LIA002 which dates from the Late Iron Age.



Figure 4. The stone cairn inside Site LIA002. It is possible that this pile of stones may cover a grave.¹⁴



3.4.3 Site LIA003

Site LIA003 is situated close to the border fence between Mr Fowler and his neighbour, but on the premises of Mr Fowler's neighbour. The site is very small, perhaps eight meters in diameter and covered with trees and shrubs. It may be composed of a single circular enclosure, such as a byre for small stock such as goats.

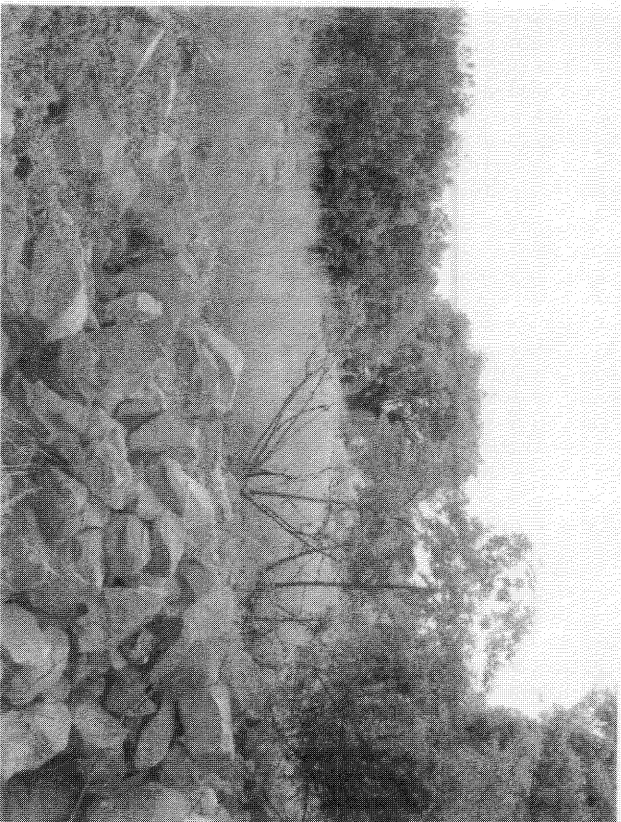
Site LIA003 is contemporary with Site LIA001 and with Site LIA002 and is in a pristine condition.

3.4.4 Site LIA004

Site LIA004 is situated near a structure built by Eskom. This site used to cover a large surface and was composed of several settlement units. However, a large part of this site was destroyed with a bulldozer (Figures 2 & 5).

Site LIA004 also dates from the late 18th century to the early 19th century. It is possible that Site LIA004 may have been the main village in the area, considering its size.

Figure 5. A bulldozer destroyed the central part of Site LIA004. A substantial part of¹⁵ this site, which was composed of several smaller sites, is still intact.



3.4.5 Site LIA005

Site LIA005 is situated on slight slope and merely consists of a single stone wall running in a straight line. It is unclear whether this wall was part of a larger site that was partly destroyed or that it merely served as a retaining wall to level the slope. An area paved with bricks occurs close to the wall. The paved area is younger than the stone wall which dates from the Late Iron Age (18th century to the 19th century).

The purpose of the stone wall is not clear.

3.4.6 Site LIA006

Site LIA006 is situated directly to the west of Site LIA005 and also dates from the Late Iron Age. A bulldozer also largely destroyed this site. Consequently, little can be said about this settlement, except that it may have looked similar in spatial composition than the other sites that are still intact (Figure 6).

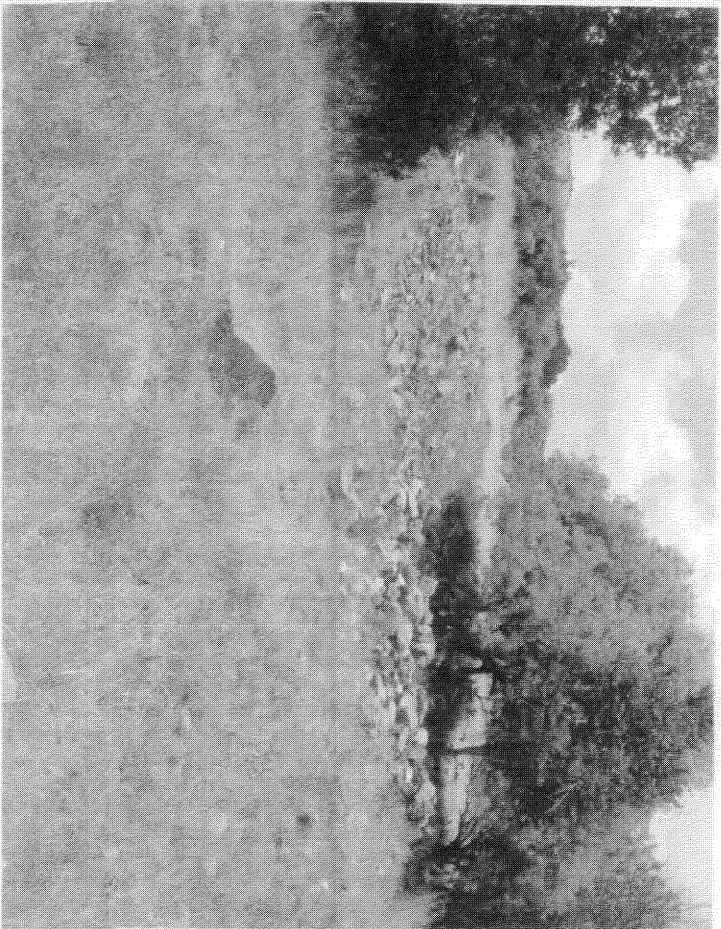


Figure 6. Bulldozing activities destroyed site LIA006. Little has remained of this site.



Figure 7. Site LIA007 is situated in a clump of trees on the level part of the study area. This site is in pristine condition but has low walls making it not easy recognisable.

3.4.7 Site LIA007

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Site LIA007 is situated in a clump of trees further to the west of Site LIA006. This site is also composed of an outer circular wall that encircles a number of centrally located enclosures. However, this site has low walls. These features are not clearly recognizable (Figure 7).

Site LIA007 also dates from the Late Iron Age.

4 HERITAGE RESOURCES IN THE STUDY AREA

4.1 Ranges and types of heritage resources

The heritage impact assessment study revealed the presence of at least seven Late Iron Age sites on the lower foot slope of a mountain running across the eastern part of the study area. The higher slope of the mountain was not surveyed. This part of the study area is in pristine condition and will not be affected by the proposed new development. It is possible that Late Iron Age sites may exist on plateaus, on higher elevated parts of the mountain. The western level part of the study area was disturbed by quarrying activities in the more recent past and is no longer a pristine piece of land anymore.

4.2 State of preservation (condition)

The state of preservation (condition) of the Late Iron Age sites in the study area can be described as:

- three settlements are in pristine condition (LIA001, LIA003, LIA007);
- one site was affected/damaged when a brick building was built in its interior (LIA002);
- two sites were severely affected/partly destroyed (LIA004, LIA006) by a bulldozer; while
- the state of preservation of one site (LIA005) could not be established with certainty as it may have been affected/damaged a long time ago (Table 1).

4.3 Significance of the Late Iron Age remains

All heritage resources and sensitive remains listed in the National Heritage Resources Act (Act No 25 of 1999) are protected by legislation. The types and ranges listed include the types (Late Iron Age sites) on Mr Graham Fowler's property.

A rating scheme was devised to determine the significance of the Late Iron Age sites. Several criteria were used in order to establish different levels of significance for the Late Iron Age sites. The values accorded to each of these categories varied between 1 (low significance), 2 (medium significance) and 3 (high significance). This scheme considers criteria such as the following (Table 2):

Ideological (symbolic) significance

This category of significance refers to sites, structures or features that may have symbolic or ideological significance, e.g. cattle kraals that may have been used as burial grounds, or stone cairns in initiation schools that symbolise the regiments (of men) moulded during these puberty ceremonies, etc.

Burial grounds, individual graves, cemeteries and sites that are venerated would also score high on ideological significance.

Aesthetic significance

This category of significance refers to the beauty, craftsmanship or workmanship evident in sites, structures or features of historical and pre-historical sites. In this regard, one thinks of the spatial composition and layout of settlements, the spatial location of settlements on majestic or impressive mountains or kopjes, etc.

Other aesthetic aspects include architectural style and building features such as stone walls, stone platforms, the shape and size of enclosures, etc.

Unique(ness)

The uniqueness of sites, structures and features refers to the fact that such sites and the structures or features of these sites may be scarce and may not be repeated in other sites or at other places.

Cultural historical significance

The cultural historical significance of sites refers primarily to the age and the cultural affiliation of sites. However, these criteria may include the aesthetics or appearance of sites, the uniqueness of sites and the association of sites with peoples (as well as individuals) and with important events in the past.

State of preservation

The state of preservation of sites, structures and features refers to the condition of remains that may be affected by development activities. Sites may be badly damaged or may still be in a pristine condition.

Research value

The research value of sites, structures and features refers to the knowledge that can be derived from these remains, through documentation, excavation or research of these remains.

Research has little value if the results are not published for specialist or general attention.

Table 1. Late Iron Age sites, some with possible historical affinities, on the farm Nootgedacht 3901R in the Heidelberg District in the Gauteng Province of South Africa.

LATE IRON AGE SITES (SOME WITH POSSIBLE HISTORICAL AFFINITIES)	CO-ORDINATES LOCATION	OR STATE OF PRESERVATION
SITE LIA001	26° 35' 07" S; 28° 21' 33" E	Excellent
SITE LIA002	26° 35' 01" S; 28° 21' 32" E	Affected/damaged
SITE LIA003		Excellent, on neighbour's property
SITE LIA004	26° 34' 56" S; 28° 21' 16" E	Severely affected/partly destroyed
SITE LIA005	26° 35' 11" S; 28° 21' 28" E	Not sure whether affected
SITE LIA006	26° 35' 24" S; 28° 21' 31" E	Severely affected/partly destroyed
SITE LIA007	26° 35' 26" S; 28° 21' 23" E	Excellent

Table 2. Different levels of significance distinguished for the Late Iron Age sites on Mr Graham Fowler's property.

HERITAGE RESOURCES: SITES, STRUCTURES, FEATURES AND THEIR CO-ORDINATES	Ideological/symbolic significance	Aesthetic significance	Uniqueness	Cultural Historical significance	State of preservation	Research value
Site LIA001	3 (if cattle enclosures were used as burial sites)	3	3	3	3	3
Site LIA002	3 (if cattle enclosures were used as burial sites)	3 (although affected)	3	3 (damaged)	3 (affected/slightly damaged)	3 (damaged)
Site LIA003	1	1	3	3	3	3
Site LIA004	3 (if cattle enclosures were used as burial sites)	1 (partly destroyed)	3	3	1 (severely affected)	3
Site LIA005	?	?	?	3	2	3
Site LIA006	?	? (partly destroyed)	?	3	1 (severely affected)	1
Site LIA007	3 (if cattle enclosures were used as burial sites)	3	3	3	3	3

1= low significance

2= medium significance

3= high significance

5 LEGISLATION, MITIGATION AND HERITAGE RESOURCES

The *status quo* of the Late Iron Age sites located on Mr Graham Fowler's property is determined by cultural heritage legislation. A synopsis of all legislation relevant to the mitigation of the heritage resources and graves is outlined below. Mitigation measures also have to be implemented whenever hitherto undiscovered heritage resources or graves are (accidentally) discovered during any development programme. Consequently, mitigation measures have been spelled out with regard to all types of heritage resources that may be discovered during any development project on Mr Graham Fowler's property (Table 2).

5.1 The National Heritage Resources Act (Act No 25 of 1999)

The National Heritage Resources Act (Act No 25 of 1999) requires all developers (including engineers, farmers [agriculturists] and mines, previously excluded from the bill) to undertake impact assessment studies whenever any development activities are undertaken. The law also provides guidelines for impact assessment studies to be done whenever cultural resources may be destroyed by development activities. Permits must be acquired from the South African Heritage Resources Agency (SAHRA) before a heritage site can be affected or destroyed during the course of development activities.

Archaeological impact assessment studies have therefore become a common procedure for all development activities, even if such development may be exempted in terms of the Environment Conservation Act.

The new law stipulates the types of remains that qualify as heritage resources (heritage). These cultural resources are classified into national, provincial and other cultural heritage resources. The law stipulates general principles for heritage resources management and involves all three levels of government in the management of the country's cultural heritage. The law also requires community participation in the protection of living heritage resources.

SAHRA establishes and maintains a national policy, strategy plans and standards for heritage resources management and monitors the system as a whole. Heritage authorities assist and co-operate with individuals and organisations concerned with the study, the conservation and the promotion and utilisation of national heritage resources. A newly established National Heritage Resources Fund provides financial assistance for heritage projects.

5.2 Graves, the exhumation and relocation of human remains

Different legislation applies to different categories of graves, namely:

5.2.1 Graves younger than 60 years

Section 2(1) of the Removal of Graves and Dead Bodies Ordinance (Ordinance no 7 of 1925) as well as the Human Tissues Act (Act 65 of 1983) protects graves younger than 60 years. These graves fall under the jurisdiction of the National Department of Health and the relevant Provincial Department of Health. Approval for the removal of graves and bodies must be directed to the Office of the relevant Provincial Minister. (This function is usually delegated to the Provincial MEC for Local Government and Planning, or, in some cases, the MEC for Housing and Welfare). Authorisation for exhumation and re-interment must also be obtained from the relevant local or regional council where the grave is situated, as well as the relevant local or regional council to where the grave is being relocated. All local and regional provisions, laws and by-laws must be adhered to. In order to handle and transport human remains, the institution conducting the relocation must have authorisation under Section 24 of Act 65 of 1983 (the Human Tissues Act).

5.2.2 Graves older than 60 years

Graves older than 60 years but younger than 100 years fall under Section 36 of Act 25 of 1999 (the National Heritage Resources Act) as well as the Human Tissues Act (Act 65 of 1983) and under the jurisdiction of the South African Heritage Resources Agency (SAHRA). The Procedure for Consultation Regarding Burial Grounds and Graves (Section 36[5] of Act 25 of 1999, National Heritage Resources Act) is applicable to graves older than 60 years which are situated outside a formal cemetery administered by a local authority. Graves in this category located inside a formal cemetery administered by a local authority also require the same authorisation as set out for graves younger than 60 years, over and above SAHRA authorisation. If the grave is not situated inside a formal cemetery but is to be relocated to one, permission from the local authority is required and all regulations, laws and by-laws set by the cemetery authorities must be adhered to. In order to handle and to transport human remains, the institution conducting the relocation needs authorisation under Section 24 of Act 65 of 1983 (the Human Tissues Act). Any alteration to a grave in this category or the relocation thereof must be supervised by an archaeologist accredited by SAHRA and the Cultural Resource Management Section of the South African Association for Archaeologists.

5.2.3 Graves older than 100 years

All graves older than 100 years are legislated as being archaeological and therefore protected under Act 25 of 1999 (the National Heritage Resources Act). SAHRA authorisation is required for all graves in this category, regardless of where they are located. Any alteration to a grave in this category or the relocation thereof must be supervised by an archaeologist accredited by SAHRA and the Cultural Resources Management Section of the South African Association of Archaeologists. If the grave is situated in a cemetery administered by a local authority, the authorisation as set out for graves younger than 60 years are also applicable, over and above SAHRA authorisation. At the discretion of SAHRA, the Procedure for Consulting Regarding Burial Grounds and Graves (Section 36[5] of the National Heritage Resources Act) might also be required. In order to handle and transport human remains, the institution conducting the relocation must have authorisation under Section 24 of Act 65 of 1983 (the Human Tissues Act).

5.2.4 Graves of victims of conflict

All graves of victims of conflict, regardless of how old they are or where they are situated, are protected by Act 25 of 1999 (the National Heritage Resources Act). SAHRA authorisation is required for all graves in this category. Any alteration to a grave in this category or the relocation thereof must be supervised by an archaeologist accredited by SAHRA and the Cultural Resources Management Section of the South African Association for Archaeologists. If the grave is situated in a cemetery administered by a local authority, the authorisation as set out for graves younger than 60 years is also applicable, over and above SAHRA regulations. On the discretion of SAHRA, the Procedure for Consulting Regarding Burial Grounds and Graves (Section 36[5] of the Act 25 of 1999, the National Heritage Resources Act) might also be required. In order to handle and transport human remains, the institution conducting the relocation must have authorisation under Section 24 of Act 65 of 1983 (the Human Tissues Act).

6 CONCLUSION

All the Late Iron Age sites on Mr Fowler's property must be protected and conserved, even those that have been slightly affected/damaged or severely damaged in the past. If any of the Late Iron Age sites are to be affected, damaged or destroyed, for any reason what so ever, Mr Fowler has to approach SAHRA for permission in doing so.

As little archaeological research has been done on the Late Iron Age remains in the Heidelberg area, SAHRA may require that Phase II investigations be done before any of these sites, even those that have been damaged in the past are affected by any development project in the future.


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