
Phase 1 Archaeological Impact Assessment -

**UPGRADING OF THE CALEDON WATER SCHEME TO SMITHFIELD,
MOHOKARE LOCAL MUNICIPAL DISTRICT, SMITHFIELD,
FREE STATE, SOUTH AFRICA**

DATE: 2007-05-25



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1) PROJECT BRIEF

ArchaeoMaps was contracted to conduct a Phase 1 Archaeological Impact Assessment (AIA) for the proposed Upgrading of the Caledon Water Scheme to Smithfield development, Smithfield, Free State. The project proponent is the Mohokare Local Municipality. Phethogo Consulting will be the appointed consultancy responsible for the development (consulting contractors). NSVT Consulting is the appointed environmental consultancy for the project.

The Phase 1 AIA was requested in compliance with the National Environmental Management Act (NEMA), No 107 of 1998, represented by the Department of Environmental Affairs and Tourism (DEAT) and the National Heritage Resources Act (NHRA), No 25 of 1999, represented by the South African Heritage Resources Agency (SAHRA) and associated regulations.

This document reports on the findings of the Phase 1 AIA.

1.1) PURPOSE OF THE DEVELOPMENT

The proposed Upgrading of the Caledon Water Scheme to Smithfield development aims to increase the existing water supply to Smithfield and Mofulatshepe Township, where water shortages are currently experienced every September, October and November (Pers comm: Nthejane).

1.2) PROPERTY DESCRIPTION

The approximate 1km Upgrading of the Caledon Water Scheme to Smithfield development will be situated west of the N6 in close proximity to the N6 / R701 intersection, approximately 2km south east of the Smithfield Dam and 1km north of central Smithfield along the R701 on the municipal owned Klipplaatfontein property (1:50,000 map reference 3026BA).

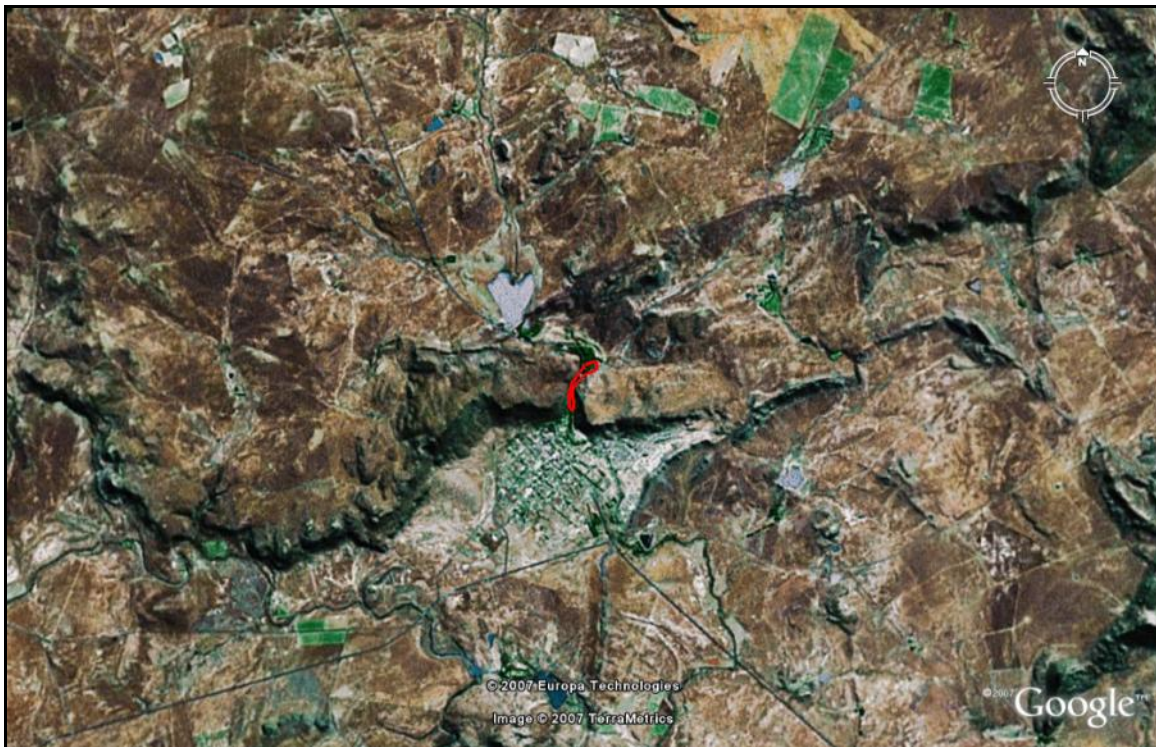
1.3) DEVELOPMENT DESCRIPTION & IMPACT

The development will focus on the installation of a new approximate 1km long pipeline. The new pipeline will join the existing main pipe transmitting water from the purification works in the area south of the Smithfield Golf Course (Point 1: Map 3, 4 & 5) to the existing pipeline coming from the old reservoir (Point 2: Map 3, 4 & 5). The northern portion of the proposed pipeline may run either north or south of the R701, crossing the R701 either in the vicinity of Point 1 or east of the bridge before the intersection with the N6. The southern portion of the pipeline will run alongside an existing gravel road situated east of the stream carrying overflow water from the Smithfield Dam (Pers comm: Nthejane).

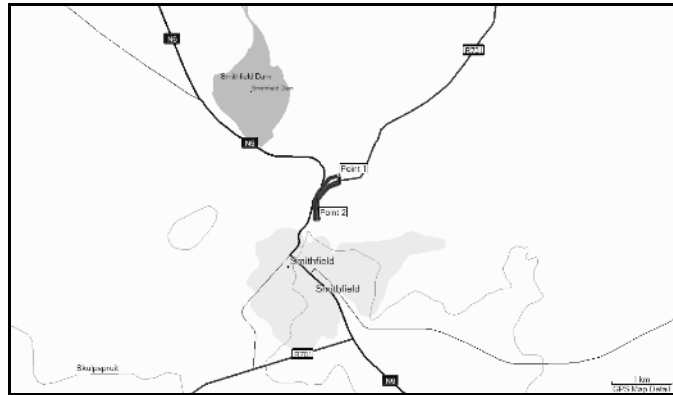
Mechanized equipment (excavators, back-actors and dump trucks) will be used to install the sub-surface pipeline. Based on the geological context of the area an approximate 70% chance exists that development will require blasting. Controlled blasting impact will be limited to sub-surface levels. Sub-surface impact is expected to reach a depth of approximately 1m. Surface impact is expected to affect an approximate 4m width along the 1km pipeline route.



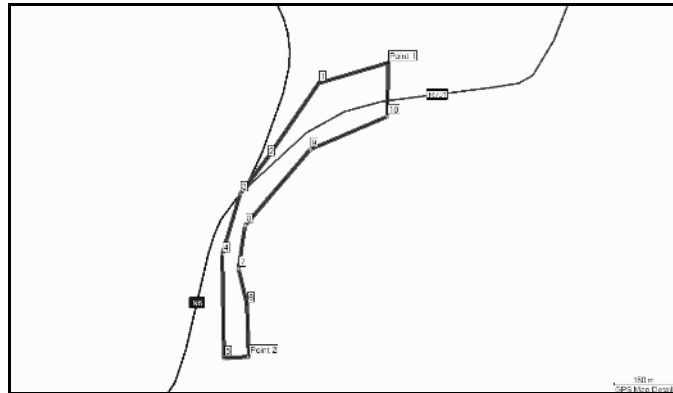
MAP 1: Smithfield, Free State



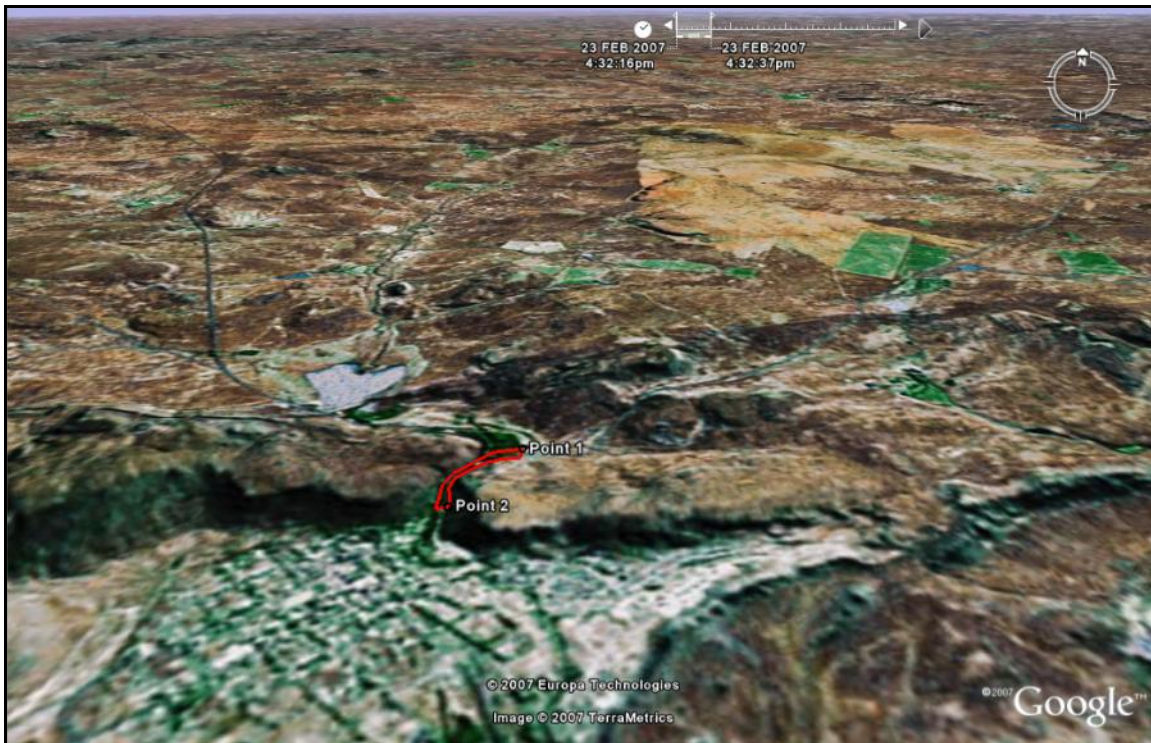
MAP 2: General view: the proposed Upgrading of the Caledon Water Scheme to Smithfield development area, Smithfield



MAP 3: General view: the proposed Upgrading of the Caledon Water Scheme to Smithfield development area, Smithfield



MAP 4: Close-up of the proposed Upgrading of the Caledon Water Scheme to Smithfield development area



MAP 5: Tilted satellite image of the proposed Upgrading of the Caledon Water Scheme to Smithfield development area

2) THE PHASE 1 ARHAEOLOGICAL IMPACT ASSESSMENT

2.1) METHODOLOGY

The one day assessment (2007-02-19) 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 e-Trex Vista GPS (datum – WGS84). 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:

- i. The 6.5ha proposed Upgrading of the Caledon Water Scheme to Smithfield development area (Point 1; 1; 2; 3; 4; 5; Point 2; 6; 7; 8; 9; 10: Map 4)

Access to the development area is via existing tarmac roads (N6 and tarmac portion of R701). Access to Point 2 is via an existing gravel road, included in the assessment area.

2.3) PHASE 1 AIA FINDINGS

The Later Stone Age (LSA) Smithfield Industrial Complex, named after the place of first discovery, the small town of Smithfield in the Free State, immediately called for caution in the development area.

The character of the LSA was first defined in the 1920's by Goodwin and Van Riet Lowe (1929). Based on the culture stratigraphic sequence Goodwin and Van Riet Lowe subdivided the LSA into 2 main Industrial Complexes namely the Wilton and Smithfield. The latter was further subdivided into the Smithfield A, thought to have been the oldest, the Smithfield B, post-dating the Smithfield A and the Smithfield C, primarily found in cave contexts. Later the Smithfield N was discovered in Natal, the Smithfield P in Pondoland and the coastal Smithfield in the southern and western Cape (Deacon 1984).

In 1974 Sampson proposed a new classification scheme for the LSA in Southern Africa. Sampson's scheme was based on time successive Complexes and included the Oakhurst Complex (formerly the Smithfield A), the Wilton Complex (formerly the Smithfield C and Wilton), the Smithfield Complex (formerly the Smithfield B), and an informally defined Strandloper and Coastal Complex.

Sampson's (1974) scheme still forms the basis for LSA classification in Southern Africa today. The wealth of more recently excavated sites have however slightly altered the scheme, primarily pointing to the fact that southern African LSA classification is more complicated than either of the early proposed schemes.

Despite intricacies involved in LSA classification and the associated importance of the originally identified Smithfield Industrial Complex, first recognized at Smithfield, no representative artefacts were identified at the proposed Upgrading of the Caledon Water Scheme to Smithfield development area. Further discussion of the proposed development area will briefly be divided into the northern and southern portion of the development area.

2.3.1) THE NORTHERN PORTION OF THE DEVELOPMENT AREA



IMAGE 1: General view of the northern portion of the development area



IMAGE 2: Non-indigenous riverine vegetation north-west of the R701



IMAGE 3: Surface sandstone geological layers south east of the R701



IMAGE 4: Surface sandstone geological layers south east of the R701, note the shallow topsoil layer

Pipeline installation may either follow a route north-west of the R701 or south-east of the R701. The Phase 1 AIA assessment area covered both possibilities despite the fact that other environmental criteria, specifically flood-line requirements, would make the south-eastern option more preferable. No archaeological or cultural heritage resources were identified. The shallow sandstone geological member, implying limited topsoil and by implication possible archaeological context, characterized the south-eastern development area option.

2.3.2) THE SOUTHERN PORTION OF THE DEVELOPMENT AREA

The southern portion of the development area comprise of an existing scraped gravel road, with the Smithfield Dam overflow stream running immediately west of the road. To the east the road is bordered by a relatively steep cliff-face. No archaeological material was identified in the scraped surface of the road. Piles of scraped road rubble were also inspected, reflecting the archaeological sterility of the proposed development area.

The cliff face displayed a series of rock art (situated between 7-8: Map 4) ranging from early western pecked and painted graffiti, dating perhaps to as early as the 1940's, but dominated by contemporary religious art associated with the Jehovah's Witness faith.

Early western graffiti are situated more than 5m above the surface; contemporary religious art are situated 7m or higher above the ground surface. Contemporary religious artwork was executed in a range of colors and with a basic PVA as the inferred medium.

✂ The paneled cliff-face rock art do constitute a cultural heritage site. However, the recent dates attached to the art would rather denote a Living Heritage Significance than an Archaeological Significance to the site. A Medium Significance with a Generally Protected B field rating is ascribed to the site: The site should be conserved. Alternatively the site should be mitigated (recorded) before destruction. Local consultation is imperative before destruction.



IMAGE 5: General view of the southern portion of the development area



IMAGE 6: Early western pecked graffiti, dating to the 1940's



IMAGE 7: Western painted graffiti



IMAGE 8: Western painted graffiti



IMAGE 9: Contemporary religious rock art: Praying hands



IMAGE 10: Contemporary religious rock art directly associated with the Jehovah's Witness faith



IMAGE 11: Contemporary religious rock art: Scriptures



IMAGE 12: Piles of rubble from road scrapings

DEVELOPMENT AREA	ARCHAEOLOGICAL SITES, FIND PLACES AND FEATURES	IMAGE NR	CO-ORDINATES	
			SOUTH	EAST
Upgrading of the Caledon Water Scheme to Smithfield, Smithfield				
Point 1	-	-	S30° 11' 58.9"	E26° 32' 21.0"
1	-	-	S30° 12' 00.6"	E26° 32' 14.5"
2	-	-	S30° 12' 06.6"	E26° 32' 09.7"
3	-	-	S30° 12' 09.4"	E26° 32' 07.2"
4	-	-	S30° 12' 14.3"	E26° 32' 05.5"
5	-	-	S30° 12' 22.7"	E26° 32' 05.7"
Point 2	-	-	S30° 12' 22.6"	E26° 32' 08.0"
6	-	-	S30° 12' 18.3"	E26° 32' 07.8"
7	-	-	S30° 12' 15.5"	E26° 32' 07.1"
8	-	-	S30° 12' 12.0"	E26° 32' 07.7"
9	-	-	S30° 12' 05.9"	E26° 32' 13.7"
10	-	-	S30° 12' 03.2"	E26° 32' 20.9"
7-8	Living heritage site	Image 6-11	-	-

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

3) CONCLUSION AND RECOMMENDATIONS

3.1) CONCLUSION

The Phase 1 AIA of the 6.5ha area comprising the proposed Upgrading of the Caledon Water Scheme to Smithfield development area resulted in no archaeological finds despite the known LSA archaeological significance and related general archaeological sensitivity of the greater Smithfield area. A single Living Heritage site, comprising of western pecked and painted graffiti, but dominated by contemporary religious art falls within the proposed development area. The art is situated on the eastern cliff-face bordering the southern portion of the development area at approximately 5-7m and higher above the surface, making the art relatively safe against human and development impact. The Living Heritage site was assigned a Medium Significance and a Generally Protected B field rating. It is recommended that the site be either conserved or that destruction thereof be preceded by scientific recording and local consultation. A conservation concern for the site has been expressed (Pers comm: Biggs). Development impact will be restricted to an approximate 4m in width area (primarily impacting on the existing gravel road) along the approximate 1km pipeline route. Sub-surface impact will affect geological layers to a level of approximately 1m deep through the use of both mechanized equipment and controlled blasting. The development is not envisioned to affect the cliff-face. Blasting will be limited to the surface area immediately adjacent to the road and by implication thus conserving the Living Heritage site.

Besides the above mentioned Living Heritage site, no heritage resources as defined and protected by the NHRA 1999, inclusive of palaeontological and archaeological 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 were identified.

3.2) RECOMMENDATIONS

The proposed Upgrading of the Caledon Water Scheme to Smithfield development will not negatively impact on any identified archaeological or cultural heritage resources. It is recommended that development proceed as applied for.

A single Living Heritage site, primarily comprising of contemporary religious art, is cited on the eastern cliff-face of the southern portion of the development area. Development is not expected to impact on the site; the site will thus be conserved. However should development at any point in time be observed to impact on the site the developer should immediately report the observance to SAHRA and arrange for the art to be scientifically documented before development commence.

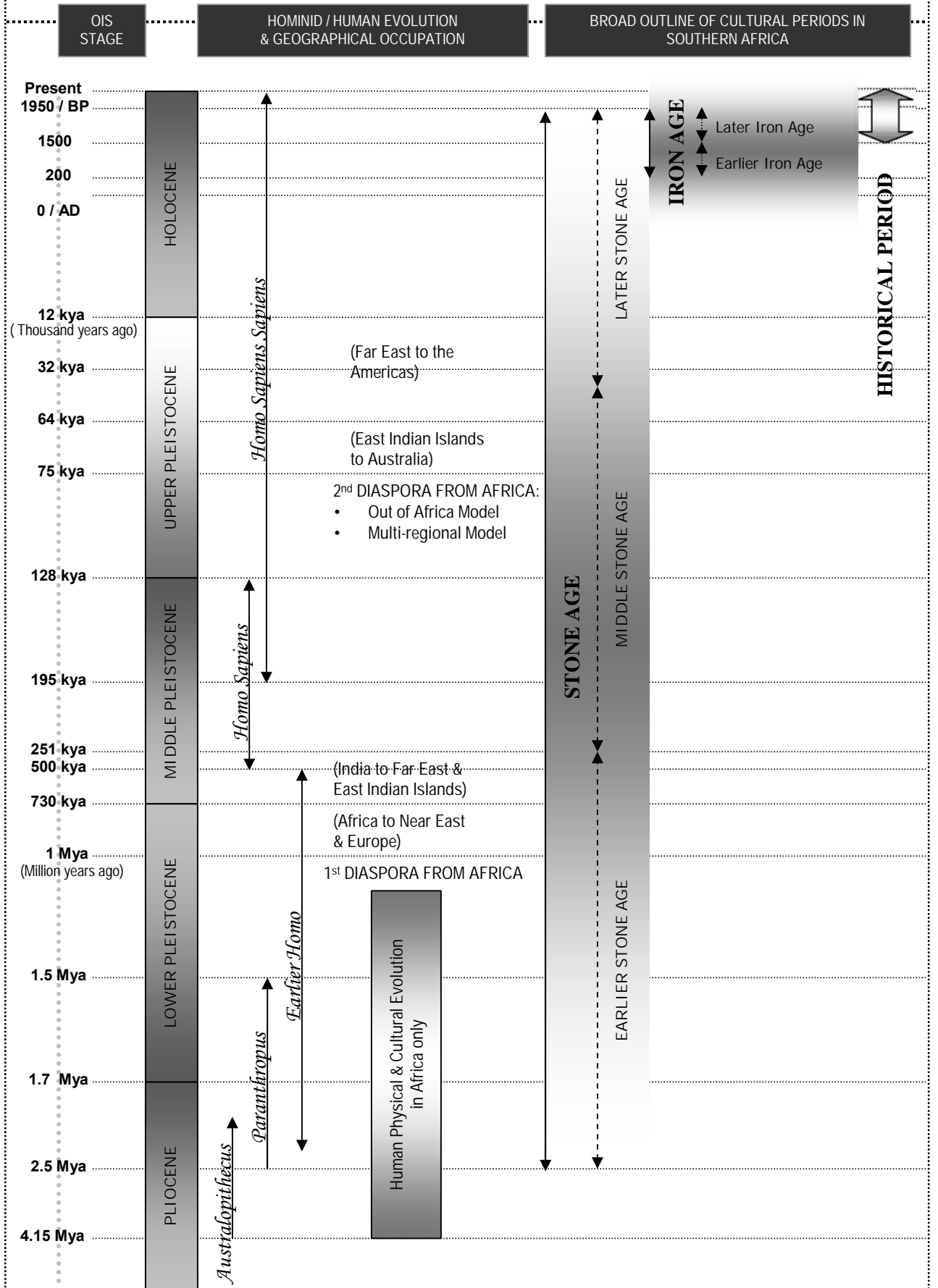
4) ACKNOWLEDGEMENTS

I would like to thank Cedric Nelson, Chrisiaan Vermaak and Maboe Nthejane (NSVT Consultants) for accompanying me to the site. A further word of thanks specifically to Maboe Nthejane and Lluwellyn Biggs (Phethogo Consulting) for supplying development information.

5) REFERENCES CITED

- i. Deacon, J. 1984. Later Stone Age peoples and their descendants in southern Africa. In Klein, R.G. (ed) Southern African prehistory and paleoenvironments. A.A Balkema: Rotterdam
- ii. Goodwin, A.J.H. & Van Riet Lowe, C. 1929. The Stone Age cultures of South Africa. Annals of the South African Museum 27: 1-289
- iii. Sampson, C.G. 1974. The Stone Age archaeology of southern Africa. Academia Press: New York
- iv. South African Government. (No 107) of 1998. National Environmental Management Act.
- v. South African Government. (No 25) of 1999. National Heritage Resources Act.
- vi. 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 traces;
- 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, 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.
- 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