
PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

**RESIDENTIAL DEVELOPMENT,
DORPS GRONDEN 131, HARRISMITH,
FREE STATE, SOUTH AFRICA**

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REPORT TO:

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1) TERMS OF REFERENCE

Y.B. Mashalaba & Associates Consultants is intending to develop a *Residential Development* on the property Dorps Gronden 131 as part of a Harrismith township establishment in the eastern Free State, Thabo Mofutsanyane District, South Africa. ArchaeoMaps Archaeological Consultancy has been appointed directly by Y.B. Mashalaba & Associates Consultants, on behalf of the proponent, the Maluti-a-Phofung local municipality, to conduct the Phase 1 Archaeological Impact Assessment (AIA) as specialist sub-section to the Heritage Impact Assessment (HIA) as component part of the project's Environmental Impact Assessment (EIA) for purposes of an Environmental Management Plan (EMP).

1.1) *Development Details, Location & Impact*

Purpose of Development: The need has been identified to residentially expand the town of Harrismith in order to address the increasing demand for accommodation. The proposed *Residential Development* by Y.B. Mashalaba & Associates Consultants aims to address, in part, the demand for housing currently experienced in the town.

Development Location and Impact: The proposed approximate 70ha Dorps Gronden 131 study site is situated on the south western outskirts of Harrismith and north west of the Wilgepark township [1:50,000 map ref – 2829AA]. The development is centered on the construction of approximately 300 residential units on the proposed 70ha development area. Associated development will include sewage, stormwater, powerlines, pipelines, telecom facilities and an associated road network.

Impact of the proposed development is expected to be total; implying the loss of all surface and sub-surface heritage resources located at the study site.



Figure 1: Harrismith in the eastern Free State



Figure 2: Locality of the proposed Dorps Gronden 131 Residential Development area situated on the south western outskirts of Harrismith



Figure 3: The proposed Dorps Gronden 131 Residential Development area

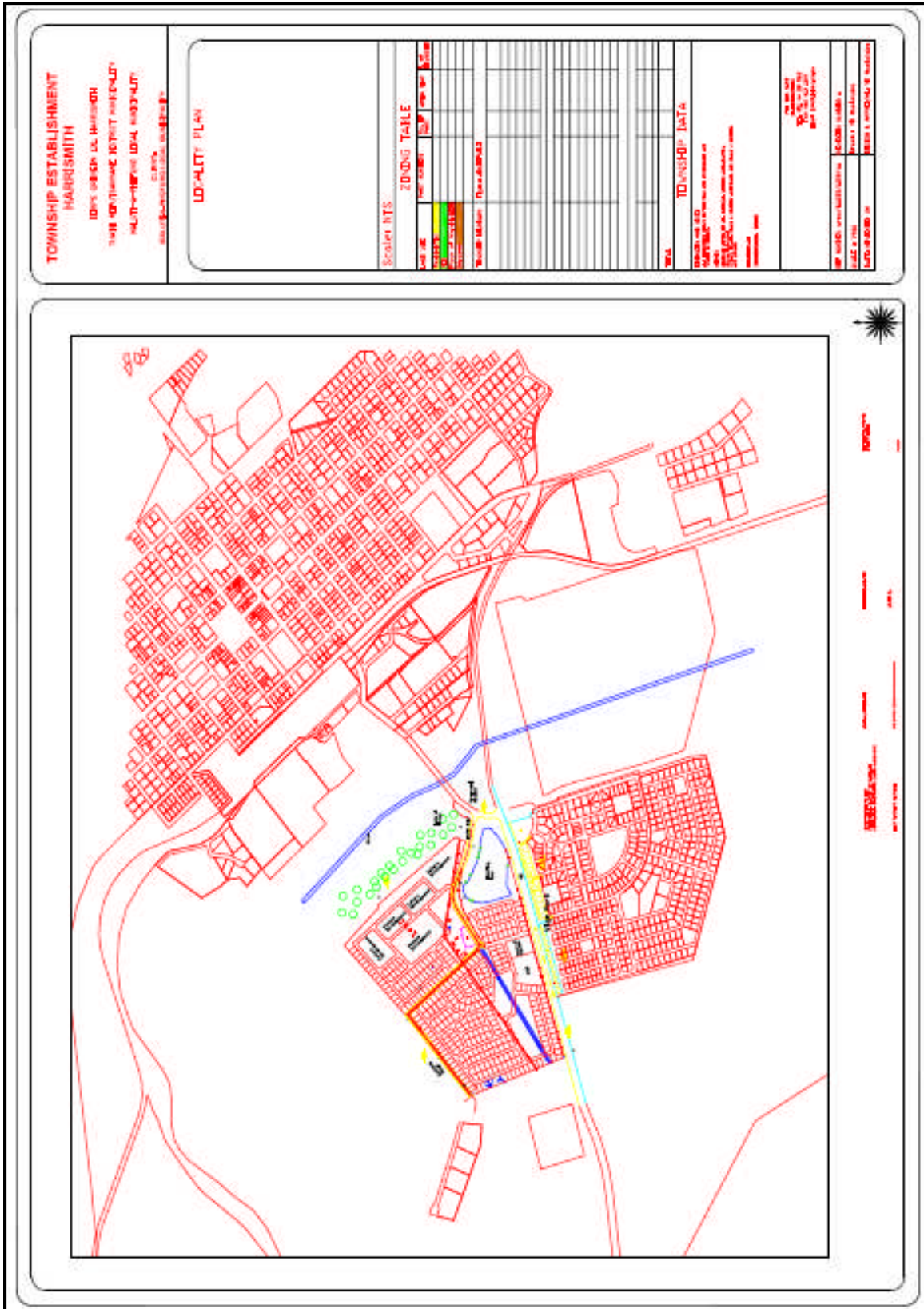


Figure 4: Spatial development layout of the proposed Dorps Gronden 131 Residential Development

2) THE PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

2.1) *Archaeological Legislative Compliance*

The Phase 1 Archaeological Impact Assessment (AIA) was requested by the South African Heritage Resources Agency (SAHRA) mandatory responsible for the National Heritage Resources Act, Act No 25 of 1999 (NHRA 1999). The Phase 1 AIA comprises one of three parts of the Heritage Impact Assessment (HIA) for purposes of development compliance to requirements set out in the NHRA 1999, being:

- 1) The Palaeontological Impact Assessment (PIA);
- 2) The Archaeological Impact Assessment (AIA); and
- 3) The Socio-cultural Impact Assessment (SCIA).

The Phase 1 AIA was requested as specialist sub-section to the HIA for the developments' Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) in compliance with requirements of the National Environmental Management Act, No 107 of 1998 (NEMA 1998), the NEMA 2nd Amendment Act, No 62 of 2008 (NEMA 2008) and the NEMA Regulations (2006), and the NHRA 1999 and NHRA Regulations (2000 & 2002).

The Phase 1 AIA aimed to locate, identify and assess the significance of cultural heritage resources, inclusive of archaeological deposits / sites, built structures older than 60 years, burial grounds and graves, graves of victims of conflict and cultural landscapes or views as defined and protected by the NHRA 1999, that may be affected by the proposed development.

- Palaeontological deposits / sites as defined and protected by the NHRA 1999 are not included as subject to this report.
- No socio-cultural consultation was conducted with the aim to identify intangible heritage resources or sites of cultural significance associated with oral histories.

2.2) *Methodology*

The Phase 1 AIA was conducted over a 1 day period (2010-03-04) 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. GPS co-ordinates were taken with a Garmin GPSmap 60CSx GPS (Datum: WGS84). Photographic documentation was done with a Pentax K20D 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 (2007).

SAHRA ARCHAEOLOGICAL AND CULTURAL HERITAGE SITE SIGNIFICANCE ASSESSMENT			
SITE SIGNIFICANCE	FIELD RATING	GRADE	RECOMMENDED MITIGATION
High Significance	National Significance	Grade 1	Site conservation / Site development
High Significance	Provincial Significance	Grade 2	Site conservation / Site development
High Significance	Local Significance	Grade 3A / 3B	Site conservation or extensive mitigation prior to development / destruction
High / Medium Significance	Generally Protected A	-	Site conservation or mitigation prior to development / destruction
Medium Significance	Generally Protected B	-	Site conservation or mitigation / test excavation / systematic sampling / monitoring prior to or during development / destruction
Low Significance	Generally Protected C	-	On-site sampling, monitoring or no archaeological mitigation required prior to or during development / destruction

Table 1: SAHRA archaeological and cultural heritage site significance assessment

2.3) Coverage and Gap Analysis

The Phase 1 AIA covered the approximate 70ha proposed *Residential Development* area Dorps Gronden 131, Harrismith, inclusive of existing internal roads. Primary access to the study site is via the existing N5 National Road.

2.4) Phase 1 AIA Assessment Findings

A single archaeological and cultural heritage resource as defined and protected by the NHRA 1999 was located during the course of the Phase 1 AIA. The resource, SITE 1, comprises of a built structure pre-dating 60 years of age. A pump station of similar age is located nearby the site but sited immediately outside the confines of the study area. In addition 2 contemporary cultural resources (C1 and C2), located on the property, are worth mention for purposes of the Phase 1 AIA.

General observations include:

- Surface visibility across the Dorps Gronden 131 development area proved to be quite good. Despite relatively thick grass cover, grass were grazed and mowed short and investigation across the total surface of the study site was possible. Sections of the dam adjoining the development area to the south east as well as shallower exposed sections within the assessment area, including road cuttings, on average not exceeding 1m in depth, complimented surface findings.
- Aside from the SITE 1 resource, no other archaeological or tangible cultural heritage resources, as defined and protected by the NHRA 1999, were located on the surface or within exposed sub-surface sections of the slightly undulated Dorps Gronden 131 study site.
- Two contemporary cultural heritage resources were located during the Phase 1 AIA. Both resources post-date 60 years of age and are by implication not formally protected under the NHRA 1999. Development required destruction thereof or impact thereon is not subject to SAHRA application / approval. The resources can briefly be described as:

1. *Contemporary Site 1 (C1) – S28°16'54.0"; E29°06'34.7"*

The site comprises of a fenced informal settlement area. The dwellings, largely constructed from corrugated iron and other scrap metal post-dates 60 years of age.

2. *Contemporary Site 2 (C2) – S28°16'51.0"; E29°06'39.8"*

The site comprises of a brick and cement water trough, small dam and related farming infrastructural remains post dating 60 years of age.



Figure 5: Phase 1 AIA findings



Figure 6: General view of the Dorps Gronden 131 development area from the south west with a view onto Harrismith



Figure 7: General view of the eastern boundary of the Dorps Gronden 131 development area bordered by the lane of trees demarcating the floodplain of the Wilge River



Figure 8: General view over the north central part of the Dorps Gronden 131 development area



Figure 9: Shallow sub-surface sections along the southern boundary of the development area



Figure 10: Exposed anthropic sterile sub-surface sections near an internal road



Figure 11: Large exposed sections along the eastern boundary of the development area with SITE 1 in the background



Figure 12: The C1 informal residential area



Figure 13: Close-up of the C1 informal residential area



Figure 14: General view of the C2 contemporary site with the C1 informal residential area in the background



Figure 15: Close-up of the C2 structures (water trough and dam remains)

2.4.2.1) SITE 1 – HISTORIC PERIOD – STRUCTURE – S31°18'28.7"; E28°46'24.1"

The SITE 1 Historic period structure, located at S31°18'28.7"; E28°46'24.1" in the astern corner of the Dorps Gronden 131 development area, pre-dates 60 years of age and is by implication formally protected by the NHRA 1999. The heritage significance of the site is radically diminished by more recent alterations, dating to the 1980's and later, thereto. The site is at present fenced and may well still be in at least periodic use.

Approximately 50m north of SITE 1 is a small outbuilding (pump station), located at S28°16'51.8"; E29°06'54.1". The outbuilding, at present in a state of decay and evidently no longer in use, is temporally related to the original SITE 1 structure. The outbuilding is situated immediately adjacent to the proposed *Residential Development* area and within the region filled by a rough lane of trees demarcating also the floodplain of the Wilge River as eastern boundary to the study site.

- **Site Significance and Recommendations:** The SITE 1 Historic Period structure pre-dates 60 years of age and is formally protected by the NHRA 1999. The structure, with evident later additions thereto, radically diminishing the heritage and architectural value thereof, is ascribed a SAHRA *Low Significance* and a *Generally Protected C* field rating. It is recommended that the site be either conserved or destroyed under a Free State PHRA *Site Destruction Permit*.

1. Minimum Conservation Requirements would include:

That the site be conserved *in situ*, implying no development encroaching closer than the existing fence surrounding the site.

2. Minimum Site Destruction Requirements would include:

That the developer applies to the Free State PHRA for a *Site Destruction Permit*. Upon the issue of a permit by the Free State PHRA committee the site may be legally destroyed and development may continue across the site locale. The Free State PHRA can be contacted at:

Contact Person : Jeanne Nel
Tel : 051 410 4750
E-mail : nelj@sac.fs.gov.za

(A copy of this report should be submitted as background information together with the Free State PHRA *Site Destruction Permit* application.)



Figure 16: General view of the SITE 1 Historic Period structure



Figure 17: View of the SITE 1 structure



Figure 18: The outbuilding (pump station) temporarily associated with the original SITE 1 structure and located immediately adjacent to the study site

3) CONCLUSION AND RECOMMENDATIONS

It is recommended that the proposed approximate 70ha *Residential Development* to be located on the property Dorps Gronden 131, Harrismith, proceed as applied for with reference to the AIA component of the HIA, in compliance with requirements of the NHRA 1999, provided the developer complies with the following recommendations:

- It is recommended that the SITE 1 Historic period structure (S31°18'28.7"; E28°46'24.1") be either conserved or destroyed under a Free State PHRA *Site Destruction Permit*.
 1. Minimum Conservation Requirements would include:
That the site be conserved *in situ*, implying no development encroaching closer than the existing fence surrounding the site.
 2. Minimum Site Destruction Requirements would include:
That the developer applies to the Free State PHRA for a *Site Destruction Permit*. Upon the issue of a permit by the Free State PHRA committee the site may be legally destroyed and development may continue across the site locale.

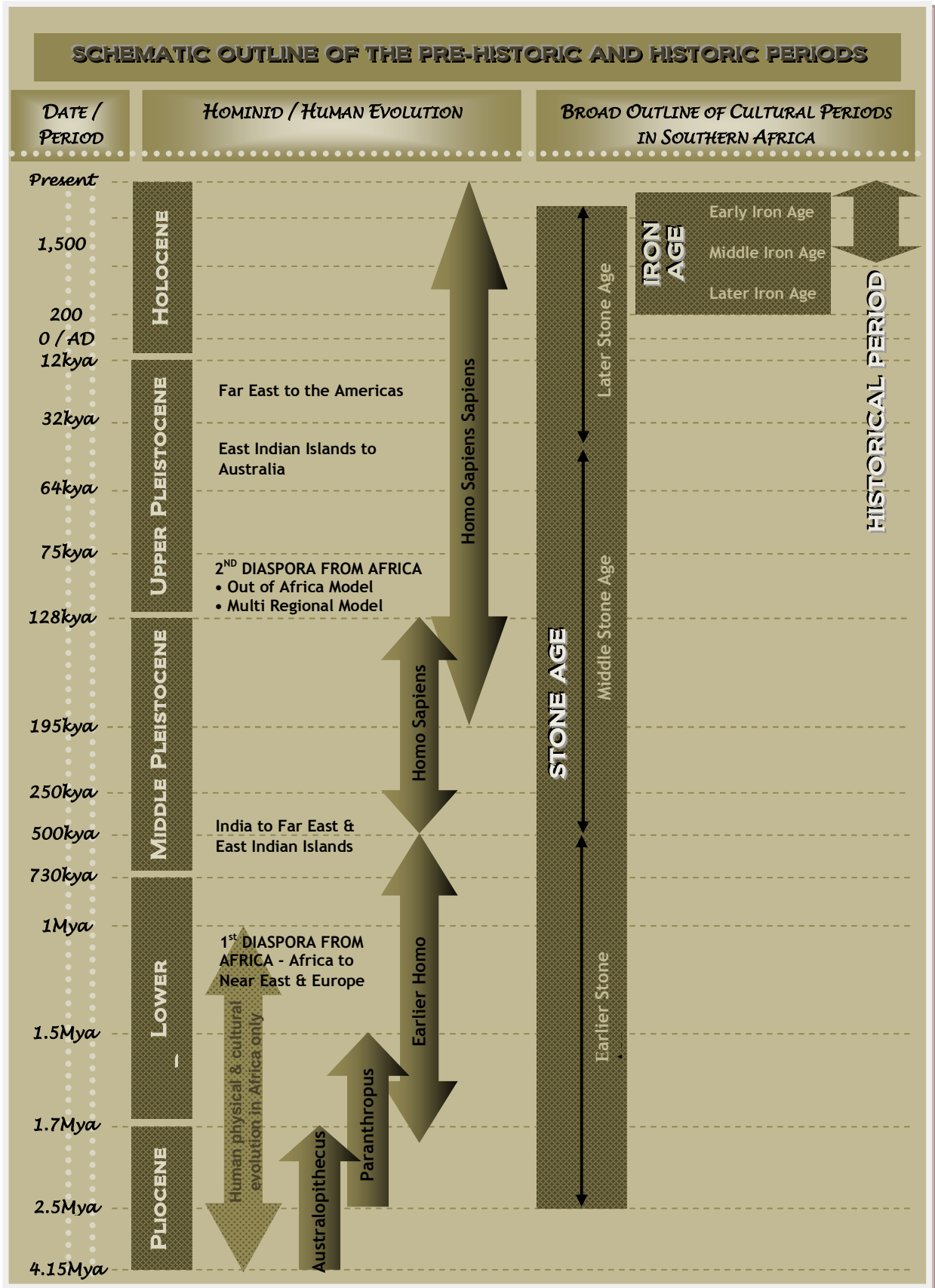
RESIDENTIAL DEVELOPMENT					
DORPS GRONDEN 131, HARRISMITH, FREE STATE					
MAP CODE	SITE	TYPE / PERIOD	DESCRIPTION	CO-ORDINATES	PRELIMINARY RECOMMENDATIONS
DEVELOPMENT AREA					
1	-	-	-	S28°16'34.3"; E29°06'34.9"	N/A
2	-	-	-	S28°16'54.9"; E29°06'56.6"	N/A
3	-	-	-	S28°16'54.4"; E29°06'52.2"	N/A
4	-	-	-	S28°16'51.9"; E29°06'45.6"	N/A
5	-	-	-	S28°16'51.9"; E29°06'43.4"	N/A
6	-	-	-	S28°16'53.2"; E29°06'40.9"	N/A
7	-	-	-	S28°17'02.1"; E29°06'44.0"	N/A
8	-	-	-	S28°17'09.1"; E29°06'15.7"	N/A
9	-	-	-	S28°16'55.0"; E29°06'08.6"	N/A
10	-	-	-	S28°16'44.9"; E29°06'23.2"	N/A
Contemporary sites not protected by the NHRA 1999					
C1	C1	Contemporary	Informal residences	S28°16'54.0"; E29°06'34.7"	N/A
C2	C2	Contemporary	Farming infrastructure	S28°16'51.0"; E29°06'39.8"	N/A
One (1) archaeological and cultural heritage site as defined and protected by the NHRA 1999 were identified during the Phase 1 AIA					
Site 1	SITE 1	Historic Period	Structure	S28°16'53.5"; E29°06'53.8"	Formal Conservation: No development within the currently fenced area of SITE 1 OR Site Destruction: Legal destruction of SITE 1 under a Free State PHRA <i>Site Destruction Permit</i> issued to the developer (after which development may proceed as applied for)

Table 2: Phase 1 AIA assessment findings – co-ordinate details

NOTE: Should any archaeological or cultural heritage resources as defined and protected by the NHRA 1999 and not reported on in this report be identified during the course of development the developer should immediately cease operation in the vicinity of the find and report the site to SAHRA.

4) REFERENCES CITED

1. South African Government. (No. 107) of 1998. *National Environmental Management Act*.
2. South African Government. (No. 25) of 1999. *National Heritage Resources Act*.
3. South African Government. (No. 62) of 2008. *National Environmental Management Second Amendment Act*.
4. South African Heritage Resources Agency. 2007. *Minimum standards for the archaeological and heritage components of impact assessments*. Unpublished guidelines.



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 trances;
- xli. *"Site"* means any area of land, including land covered by water, and including any structures or objects thereon;
- xliv. *"Structure"* means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith;

NATIONAL ESTATE

Section 3

- 1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.
- 2) Without limiting the generality of subsection 1), the national estate may include –
 - a) places, buildings, structures and equipment of cultural significance;
 - b) places to which oral traditions are attached or which are associated with living heritage;
 - c) historical settlements and townscapes;
 - d) landscapes and natural features of cultural significance;
 - e) geological sites of scientific or cultural importance;
 - f) archaeological and palaeontological sites;
 - g) graves and burial grounds, including –
 - i. ancestral graves;
 - ii. royal graves and graves of traditional leaders;
 - iii. graves of victims of conflict;
 - iv. graves of individuals designated by the Minister by notice in the Gazette;
 - v. historical graves and cemeteries; and
 - vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No 65 of 1983)
 - 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;
 - 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.