

**Heritage impact assessment for the
PROPOSED EXPANSION OF THE TAILINGS DAM, FAIRVIEW GOLD
MINE, BARBERTON REGION, MPUMALANGA**



THE PROJECT:

Development of a tailings dam

THIS REPORT:

HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED EXPANSION OF THE TAILINGS DAM, FAIRVIEW GOLD MINE, BARBERTON REGION, MPUMALANGA

Report No: 2009/JvS/048
Status: Final
Revision No: 0
Date: July 2009

Prepared for:
SYNERGISTICS ENVIRONMENTAL SERVICES
Representative: Mr D van der Merwe

Postal Address: PO Box 1822, Rivonia, 2128
Tel: 011 807 8225
E-mail: divan@synergistics.co.za

Prepared by:
J van Schalkwyk (D Litt et Phil), Heritage Consultant
ASAPA Registration No.: 168
Principal Investigator: Iron Age, Colonial Period, Industrial Heritage

Postal Address: 62 Coetzer Avenue, Monument Park, 0181
Mobile: 076 790 6777
Fax: 012 347 7270
E-mail: jvschalkwyk@mweb.co.za

EXECUTIVE SUMMARY

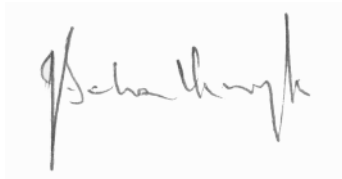
HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED EXPANSION OF THE TAILINGS DAM, FAIRVIEW GOLD MINE, BARBERTON REGION, MPUMALANGA

Barberton Mines need to expand the existing tailings dam of their Fairview Gold Mine north of Barberton, Mpumalanga Province. The property is approximately 15 hectares in extent, but not all of it would be subjected to the development activities.

In accordance with Section 38 of the National Heritage Resources Act (NHRA), No. 25 of 1999, an independent heritage consultant was appointed by **Synergistics Environmental Services** to conduct a Heritage Impact Assessment (HIA) to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the tailings dam.

- As no heritage sites occur in the study area, there would be no impact resulting from the proposed development of the mining activities.

Therefore, from a heritage point of view we recommend that the proposed development can continue. However, we request that if archaeological sites or graves are exposed during construction work, it should immediately be reported to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made.



J A van Schalkwyk
Heritage Consultant
July 2009

TECHNICAL SUMMARY

Property details						
Province	Mpumalanga					
Magisterial district	Barberton					
Topo-cadastral map	2531CA					
Closest town	Barberton					
Farm name	Bickenhall 346JU					
Portions/Holdings	Various					
Coordinates	Centre point					
	No	Latitude	Longitude	No	Latitude	Longitude
	1	S 25.73077	E 31.06872			

Development criteria in terms of Section 38(1) of the NHR Act	Yes/No
Construction of road, wall, power line, pipeline, canal or other linear form of development or barrier exceeding 300m in length	
Construction of bridge or similar structure exceeding 50m in length	
Development exceeding 5000 sq m	Yes
Development involving three or more existing erven or subdivisions	Yes
Development involving three or more erven or divisions that have been consolidated within past five years	
Rezoning of site exceeding 10 000 sq m	Yes
Any other development category, public open space, squares, parks, recreation grounds	

Development	
Description	Development of a tailings dam
Project name	Fairview Mine Tailings Dam

Land use	
Previous land use	Vacant
Current land use	Vacant

Heritage sites assessment		
<i>Site type</i>	<i>Site significance</i>	<i>Site grading (Section 7 of NHRA)</i>
None		
Impact assessment		
<i>Impact</i>	<i>Mitigation</i>	<i>Permits required</i>
None		

TABLE OF CONTENTS

	Page
EXECUTIVE SUMMARY	II
TECHNICAL SUMMARY	III
TABLE OF CONTENTS.....	IV
LIST OF FIGURES.....	IV
GLOSSARY OF TERMS AND ABBREVIATIONS.....	V
1. INTRODUCTION.....	1
2. TERMS OF REFERENCE	1
3. HERITAGE RESOURCES	1
4. STUDY APPROACH AND METHODOLOGY	3
5. DESCRIPTION OF THE AFFECTED ENVIRONMENT	3
6. SITE SIGNIFICANCE AND ASSESSMENT	6
7. RECOMMENDED MANAGEMENT MEASURES.....	7
8. CONCLUSIONS.....	8
9. REFERENCES.....	9
APPENDIX 1: CONVENTIONS USED TO ASSESS THE IMPACT OF PROJECTS ON HERITAGE RESOURCES.....	10
APPENDIX 2. RELEVANT LEGISLATION	12
APPENDIX 3: SURVEY RESULTS	13
APPENDIX 4: ILLUSTRATIONS	14

LIST OF FIGURES

	Page
Fig. 1. Location of the study area (red outline) in regional context.	4
Fig. 2. Location of the study area, outlined in red.	13
Fig. 3. View of the study area looking east.	14
Fig. 4. The study area looking north.	14

GLOSSARY OF TERMS AND ABBREVIATIONS

TERMS

Study area: Refers to the entire study area as indicated by the client in the accompanying Fig. 1 - 2.

Stone Age: The first and longest part of human history is the Stone Age, which began with the appearance of early humans between 3-2 million years ago. Stone Age people were hunters, gatherers and scavengers who did not live in permanently settled communities. Their stone tools preserve well and are found in most places in South Africa and elsewhere.

Early Stone Age	2 000 000 - 150 000 Before Present
Middle Stone Age	150 000 - 30 000 BP
Late Stone Age	30 000 - until c. AD 200

Iron Age: Period covering the last 1800 years, when new people brought a new way of life to southern Africa. They established settled villages, cultivated domestic crops such as sorghum, millet and beans, and they herded cattle as well as sheep and goats. These people, according to archaeological evidence, spoke early variations of the Bantu Language. Because they produced their own iron tools, archaeologists call this the Iron Age.

Early Iron Age	AD 200 - AD 900
Middle Iron Age	AD 900 - AD 1300
Late Iron Age	AD 1300 - AD 1830

Historical Period: Since the arrival of the white settlers - c. AD 1840 - in this part of the country

ABBREVIATIONS

ADRC	Archaeological Data Recording Centre
ASAPA	Association of Southern African Professional Archaeologists
CS-G	Chief Surveyor-General
EIA	Early Iron Age
ESA	Early Stone Age
LIA	Late Iron Age
LSA	Later Stone Age
HIA	Heritage Impact Assessment
MSA	Middle Stone Age
NASA	National Archives of South Africa
NHRA	National Heritage Resources Act
PHRA	Provincial Heritage Resources Agency
SAHRA	South African Heritage Resources Agency

HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED EXPANSION OF THE TAILINGS DAM, FAIRVIEW GOLD MINE, BARBERTON REGION, MPUMALANGA

1. INTRODUCTION

Barberton Mines need to expand the existing tailings dam of their Fairview Gold Mine north of Barberton, Mpumalanga Province. The property is approximately 15 hectares in extent, but not all of it would be subjected to the development activities.

South Africa's heritage resources, also described as the 'national estate', comprise a wide range of sites, features, objects and beliefs. However, according to Section 27(18) of the National Heritage Resources Act (NHRA), No. 25 of 1999, no person may destroy, damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of any heritage site without a permit issued by the heritage resources authority responsible for the protection of such site.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Synergistics Environmental Services** to conduct a Heritage Impact Assessment (HIA) to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the tailings dam.

2. TERMS OF REFERENCE

The scope of work for this study consisted of:

- Conducting of a desk-top investigation of the area, in which all available literature, reports, databases and maps were studied;
- A visit to the proposed development area.

The objectives were to

- Identify possible archaeological, cultural and historic sites within the proposed development area;
- Evaluate the potential impacts of construction, operation and maintenance of the proposed development on archaeological, cultural and historical resources;
- Recommend mitigation measures to ameliorate any negative impacts on areas of archaeological, cultural or historical importance.

3. HERITAGE RESOURCES

3.1 The National Estate

The NHRA (No. 25 of 1999) defines the heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations that must be considered part of the national estate to include:

- places, buildings, structures and equipment of cultural significance;

- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- graves and burial grounds, including-
 - ancestral graves;
 - royal graves and graves of traditional leaders;
 - graves of victims of conflict;
 - graves of individuals designated by the Minister by notice in the Gazette;
 - historical graves and cemeteries; and
 - other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including-
 - objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - objects to which oral traditions are attached or which are associated with living heritage;
 - ethnographic art and objects;
 - military objects;
 - objects of decorative or fine art;
 - objects of scientific or technological interest; and
 - 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).

3.2 Cultural significance

In the NHRA, Section 2 (vi), it is stated that “cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. This is determined in relation to a site or feature’s uniqueness, condition of preservation and research potential.

According to Section 3(3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of

- its importance in the community, or pattern of South Africa's history;
- its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and
- sites of significance relating to the history of slavery in South Africa.

4. STUDY APPROACH AND METHODOLOGY

4.1 Extent of the Study

This survey and impact assessment covers the area as presented in Section 5 and as illustrated in Figures 1 - 2.

4.2 Methodology

4.2.1 Preliminary investigation

4.2.1.1 Survey of the literature

A survey of the relevant literature was conducted with the aim of reviewing the previous research done and determining the potential of the area. In this regard, various anthropological, archaeological and historical sources were consulted.

- Very few publications deal with the larger region and none with the study area specifically. Some information was obtained on the gold mining in the region, e.g. Praagh (1906), Barnard (1975) and Coetzee (1976), whereas Myburg (1949) deals with early occupation of the region.

4.2.1.2 Data bases

The *Heritage Atlas Database*, the *Environmental Potential Atlas*, the *Chief Surveyor General* and the *National Archives of South Africa* were consulted.

- Database surveys produced a number of sites located in the region of the proposed development.
- No relevant information on the property could be found in the records of either the Chief Surveyor-General or the National Archives of South Africa.

4.2.1.3 Other sources

Aerial photographs and topocadastral and other maps were also studied - see the list of references below.

- Information of a very general nature were obtained from these sources

4.2.2 Field survey

The area that had to be investigated was identified by **Synergistics Environmental Services** by means of maps. The site was surveyed by walking a number of parallel transects over it.

4.2 Limitations

In some sections, the survey was affected by tall grass that limited archaeological visibility to some extent.

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location and description

The site is an irregular piece of land located west of the Fairview Mine, which is located a few kilometres northeast of the town of Barberton (Fig. 1). For more information, please see the Technical Summary presented above.

The geology is made up of granite and the original vegetation is classified as Sour Lowveld Bushveld, but has been changed due to mining activities on the site. No hills, outcrops or rock shelters that usually drew people to settle in its vicinity occur in the study area.

A few trenches were excavated on the site and has to do with the management of water deriving from the current tailings dam (Fig. 3).

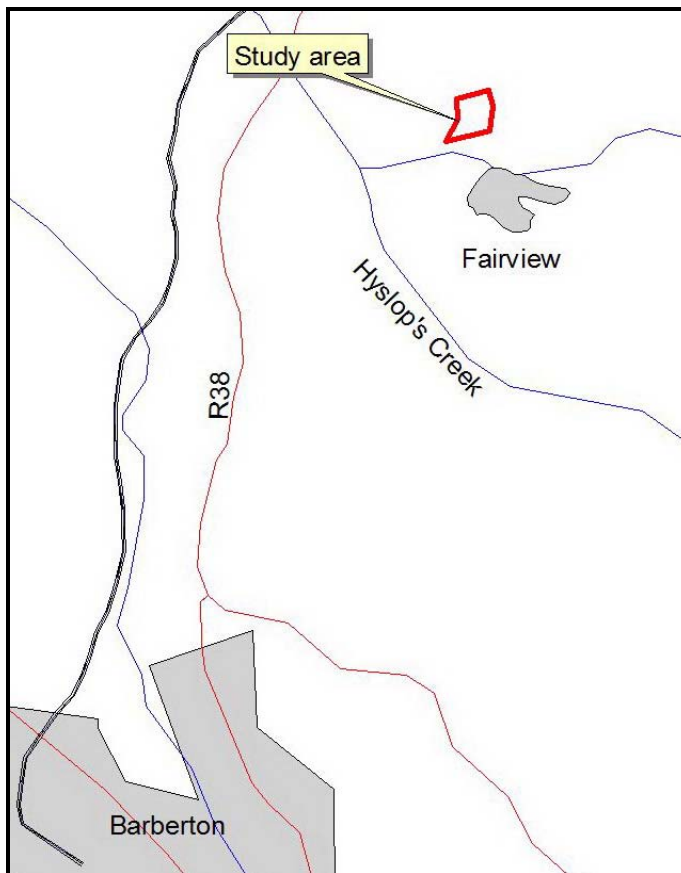


Fig. 1. Location of the study area (red outline) in regional context.

5.2 Regional overview

5.2.1 Stone Age

The region has been inhabited by humans since Early Stone Age (ESA) times. Tools dating to this period are mostly, although not exclusively, found in the vicinity of watercourses.

During Middle Stone Age (MSA) times (c. 150 000 – 30 000 BP), people became more mobile, occupying areas formerly avoided. Open sites were still preferred near watercourses. As a result, tools belonging to this period also mostly occur in the open or in erosion dongas. Similar to the ESA material, artefacts from these surface collections are viewed not to be in a primary context and have little or no significance.

Late Stone Age (LSA) people had even more advanced technology than the MSA people and therefore succeeded in occupying even more diverse habitats. Also, for the first time we now get evidence of people's activities derived from material other than stone tools. Ostrich eggshell beads, ground bone arrowheads, small bored stones and wood fragments with incised markings are traditionally linked with the LSA.

LSA people preferred, though not exclusively, to occupy rock shelters and caves and it is this type of sealed context that make it possible for us to learn much more about them than is the case with earlier periods.

5.2.2 Iron Age

Iron Age people started to settle in southern Africa c. AD 300, with one of the oldest known sites at Broederstroom south of Hartebeespoort Dam dating to AD 470. Having only had cereals (sorghum, millet) that need summer rainfall, Early Iron Age (EIA) people did not move outside this rainfall zone, and neither did they occupy the central interior highveld area. Because of their specific technology and economy, Iron Age people preferred to settle on the alluvial soils near rivers for agricultural purposes, but also for firewood and water.

The occupation of the larger geographical area did not start much before the 1500s. By the 16th century things changed again, with the climate becoming warmer and wetter, creating condition that allowed Late Iron Age (LIA) farmers to occupy areas previously unsuitable, for example the Witwatersrand and the treeless, wind swept plains of the Free State.

As a result of this troubled period, Sotho-Tswana people concentrated into large towns for defensive purposes. Because of the lack of trees they built their settlements in stone. These stone-walled villages were almost always located near cultivatable soil and a source of water.

5.2.3 Historic period

In 1725 Jan van de Capelle, in charge of the Dutch fortification and trading post *Fort Lijdzaamheid* at Delagoa Bay (Maputo), sent an expedition to explore an inland route to the fabled land of Monomotapa. It was a military expedition of 31 men, commanded by Francois de Kuiper. On 5 July 1725 Sergeant Johannes Monna and 6 men reconnoitred a route through the Komatipoort to reach Iron Age communities to the west. They were the first Europeans to enter the present-day Mpumalanga Province.

The tropical climate, as well as malaria, bilharzia, nagana, sleeping-sickness and other human and animal diseases, prevented widespread colonial occupation. The rinderpest outbreak of the 1890s (which decimated large numbers of wild animals and cut down the distribution of tsetse flies), the advent of the railways, planned land settlement of white farmers, the development of agriculture and the establishment of nature conservation areas changed this situation and resulted in increasing numbers of colonists settling in the lowveld region.

During the 1840s until the 1880s, the area was visited sporadically by prospectors, scientists, hunters and other explorers, most notably St Vincent Whitshed Erskine (1868 and 1871) and Karl Mauch (1870). Gold was discovered in the Barberton region in 1884 and was quickly followed by other discoveries (Praagh 1906, Barnard 1975).

5.3 Identified sites

The following cultural heritage resources are known to exist or are expected to exist in the study area:

5.3.1 Stone Age

- **No sites, features or objects dating to the Stone Age were identified in the study area.**

5.3.2 Iron Age

- **No sites, features or objects dating to the Iron Age were identified in the study area.**

5.3.3 Historic period

- **No sites, features or objects dating to the historic period were identified in the study area.**

6. SITE SIGNIFICANCE AND ASSESSMENT

6.1 Heritage assessment criteria and grading

The NHRA stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act:

- **Grade I:** Heritage resources with qualities so exceptional that they are of special national significance;
- **Grade II:** Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and
- **Grade III:** Other heritage resources worthy of conservation, on a local authority level.

The occurrence of sites with a Grade I significance will demand that the development activities be drastically altered in order to retain these sites in their original state. For Grade II and Grade III sites, the application of mitigation measures would allow the development activities to continue.

6.2 Statement of significance

In terms of Section 7 of the NHRA, all the sites currently known or which are expected to occur in the study area are evaluated to have a

- **Grade III significance.**

6.3 Impact assessment

Impact analysis of cultural heritage resources under threat of the proposed development, are based on the present understanding of the development.

- As no heritage sites occur in the study area, there would be no impact resulting from the proposed development of the mining activities.

7. RECOMMENDED MANAGEMENT MEASURES

Heritage sites are fixed features in the environment, occurring within specific spatial confines. Any impact upon them is permanent and non-reversible. Those resources that cannot be avoided and that are directly impacted by the development can be excavated/recorded and a management plan can be developed for future action. Those sites that are not impacted on can be written into the management plan, whence they can be avoided or cared for in the future.

7.1 Objectives

- Protection of archaeological, historical and any other site or land considered being of cultural value within the project boundary against vandalism, destruction and theft.
- The preservation and appropriate management of new discoveries in accordance with the NHRA, should these be discovered during construction.

The following shall apply:

- Known sites should be clearly marked in order that they can be avoided during construction activities.
- The contractors and workers should be notified that archaeological sites might be exposed during the construction work.
- Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer shall be notified as soon as possible;
- All discoveries shall be reported immediately to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the Environmental Control Officer will advise the necessary actions to be taken;
- Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site; and
- Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or palaeontological artefacts, as set out in the National Heritage Resources Act (Act No. 25 of 1999), Section 51. (1).

7.2 Control

In order to achieve this, the following should be in place:

- A person or entity, e.g. the Environmental Control Officer, should be tasked to take responsibility for the heritage sites and should be held accountable for any damage.
- Known sites should be located and isolated, e.g. by fencing them off. All residents and their visitors should be informed that these are no-go areas, unless accompanied by the individual or persons representing the Environmental Control Officer as identified above.
- In areas where the vegetation is threatening the heritage sites, e.g. growing trees pushing walls over, it should be removed, but only after permission for the methods proposed has been granted by SAHRA. A heritage official should be part of the team executing these measures.

8. CONCLUSIONS

The aim of the survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area in which it is proposed to develop a tailings dam for a gold mine.

- As no heritage sites occur in the study area, there would be no impact resulting from the proposed development of the tailings dam.

Therefore, from a heritage point of view we recommend that the proposed development can continue. However, we request that if archaeological sites or graves are exposed during construction work, it should immediately be reported to a museum, preferably one at which an archaeologist is available, so that an investigation and evaluation of the finds can be made.

9. REFERENCES

9.1 Data bases

Chief Surveyor General

Environmental Potential Atlas, Department of Environmental Affairs and Tourism.

Heritage Atlas Database, Pretoria.

National Archives of South Africa

9.2 Literature

Acocks, J.P.H. 1975. *Veld Types of South Africa*. Memoirs of the Botanical Survey of South Africa, No. 40. Pretoria: Botanical Research Institute.

Barnard, C (red.). 1975. *Die Transvaalse Laeveld: kamee van 'n kontrei*. Kaapstad: Tafelberg.

Bergh, J.S. (red.). 1998. *Geskiedenisatlas van Suid-Afrika: die vier noordelike provinsies*. Pretoria: J.L. Schaik.

Coetzee, C.B. (ed.) 1976. Mineral resources of the Republic of South Africa. Handbook 7, Geological Survey. Pretoria: Government Printer.

Holm, S.E. 1966. *Bibliography of South African Pre- and Protohistoric archaeology*. Pretoria: J.L. van Schaik.

Myburg, A.C. 1949. *The tribes of Barberton district*. Ethnological Publications No. 25. Pretoria: Department of Native Affairs.

Praagh, L.V. (ed.) 1906. *The Transvaal and its mines*. London: Praagh & Lloyd.

Van Schalkwyk, J.A. 2002. *Archaeological survey of the Secunda-Mozambique gas pipeline, Mpumalanga*. Unpublished report. Pretoria: National Cultural History Museum.

Van Schalkwyk, J.A. 2006. *Heritage impact assessment for a number of bridges on the Nelspruit-Barberton section of the R40 Route, Mpumalanga*. Unpublished report 2006KH130. Pretoria: National Cultural History Museum.

9.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2531CA

Google Earth

APPENDIX 1: CONVENTIONS USED TO ASSESS THE IMPACT OF PROJECTS ON HERITAGE RESOURCES

Significance

According to the NHRA, Section 2(vi) the **significance** of heritage sites and artefacts is determined by its aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technical value in relation to the uniqueness, condition of preservation and research potential. It must be kept in mind that the various aspects are not mutually exclusive, and that the evaluation of any site is done with reference to any number of these.

Matrix used for assessing the significance of each identified site/feature

1. Historic value					
Is it important in the community, or pattern of history					
Does it have strong or special association with the life or work of a person, group or organisation of importance in history					
Does it have significance relating to the history of slavery					
2. Aesthetic value					
It is important in exhibiting particular aesthetic characteristics valued by a community or cultural group					
3. Scientific value					
Does it have potential to yield information that will contribute to an understanding of natural or cultural heritage					
Is it important in demonstrating a high degree of creative or technical achievement at a particular period					
4. Social value					
Does it have strong or special association with a particular community or cultural group for social, cultural or spiritual reasons					
5. Rarity					
Does it possess uncommon, rare or endangered aspects of natural or cultural heritage					
6. Representivity					
Is it important in demonstrating the principal characteristics of a particular class of natural or cultural places or objects					
Importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class					
Importance in demonstrating the principal characteristics of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province, region or locality.					
7. Sphere of Significance			High	Medium	Low
International					
National					
Provincial					
Regional					
Local					
Specific community					
8. Significance rating of feature					
1.	Low				
2.	Medium				
3.	High				

Significance of impact:

- low where the impact will not have an influence on or require to be significantly accommodated in the project design
- medium where the impact could have an influence which will require modification of the project design or alternative mitigation
- high where it would have a “no-go” implication on the project regardless of any mitigation

Certainty of prediction:

- Definite: More than 90% sure of a particular fact. Substantial supportive data to verify assessment
- Probable: More than 70% sure of a particular fact, or of the likelihood of that impact occurring
- Possible: Only more than 40% sure of a particular fact, or of the likelihood of an impact occurring
- Unsure: Less than 40% sure of a particular fact, or the likelihood of an impact occurring

Recommended management action:

For each impact, the recommended practically attainable mitigation actions which would result in a measurable reduction of the impact, must be identified. This is expressed according to the following:

- 1 = no further investigation/action necessary
- 2 = controlled sampling and/or mapping of the site necessary
- 3 = preserve site if possible, otherwise extensive salvage excavation and/or mapping necessary
- 4 = preserve site at all costs
- 5 = retain graves

Legal requirements:

Identify and list the specific legislation and permit requirements which potentially could be infringed upon by the proposed project, if mitigation is necessary.

APPENDIX 2. RELEVANT LEGISLATION

All archaeological and palaeontological sites, and meteorites are protected by the National Heritage Resources Act (Act no 25 of 1999) as stated in Section 35:

(1) Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority: Provided that the protection of any wreck in the territorial waters and the maritime cultural zone shall be the responsibility of SAHRA.

(2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collection policy acceptable to the heritage resources authority and may in so doing establish such terms and conditions as it sees fit for the conservation of such objects.

(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 assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

In terms of cemeteries and graves the following (Section 36):

(1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.

(2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated with the grave referred to in subsection (1), and must maintain such memorials.

(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 or damage of any burial ground or grave referred to in subsection (3)(a) 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.

APPENDIX 3: SURVEY RESULTS

See Appendix 1 for an explanation of the conventions used in assessing the significance of the cultural remains.

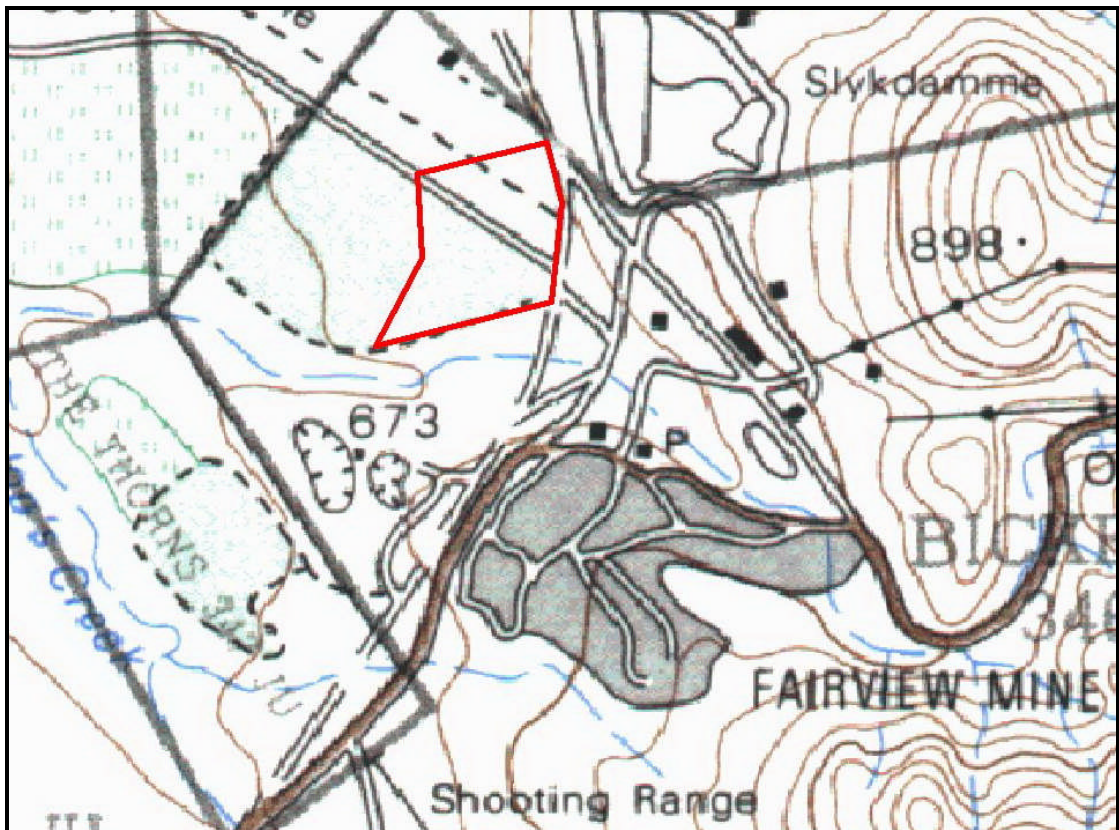


Fig. 2. Location of the study area, outlined in red.
(Map 2531CA: Chief Surveyor-General).

Sites identified: Nil

APPENDIX 4: ILLUSTRATIONS



Fig. 3. View of the study area looking east.



Fig. 4. The study area looking north.