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PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

**SUBDIVISION AND RESIDENTIAL DEVELOPMENTS,  
FARM 724/7, KWELERA,  
EAST LONDON, EASTERN CAPE, SOUTH AFRICA**

DATE: 2009-04-27

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## 1) TERMS OF REFERENCE

Biotechnology & Environmental Specialist Consultancy (BESC) has been appointed as independent environmental consultant by the developer, Le Retainer Walls cc, to prepare the Environmental Impact Assessment (EIA) for the proposed subdivision of, and residential developments on, Farm 724/7 (Portion 7 of Farm 724), Kwelera, East London, Eastern Cape (BESC 2009). ArchaeoMaps Archaeological Consultancy has been appointed by BESC to conduct the Phase 1 Archaeological Impact Assessment (AIA) as specialist sub-section to the EIA.

### 1.1) *Development Location, Details & Impact*

The proposed study site, Farm 724/7, Kwelera, is located approximately 30km north east (NE) of the East London city centre (1:50,000 map reference - 3228CA). Kwelera falls in the area of jurisdiction of the Great Kei Municipality. According to the Great Kei Municipality Spatial Development Framework (SDF), the study site falls outside the 'urban edge' where 'the concept of an urban edge is commonly used to identify the outer limits of areas where the Municipality would prefer to see an urban level of development' (BESC 2009)

Farm 724/7 comprises an approximate 10ha area, currently zoned as 'Resort Zone'. The majority of the property is vacant with limited portions used for residential purposes. Agricultural and vacant land is found to the north (N), south (S) and east (E), with the Kwelera River being the western (W) border of the site (BESC 2009).

The proposed development includes the subdivision and low density residential development of Farm 724/7. The owner of the property wishes to increase the value of the property by means of subdivision. The current resort zoning will remain. At present Farm 724/7 consist of 4 portions (Portions 25, 26, 27 and Remainder Portion 7 of Farm 724); it is proposed to further subdivide the property into a total of 9 portions (BESC 2009). Development will be limited to a single residential unit per subdivided portion, excluding Portion 1 on which the existing residential unit is located and the destruction / demolition of the workers residence on Portion 9 *in lieu* of the development of a new residence.

BESC will submit the application for environmental authorization to the Department of Economic Development and Environmental Affairs (DEDEA) and the land development application, under the Development Facilitation Act, No 67 of 1995 (DFA 1995), to the Eastern Cape Department of Local and Provincial Government (BESC 2009).

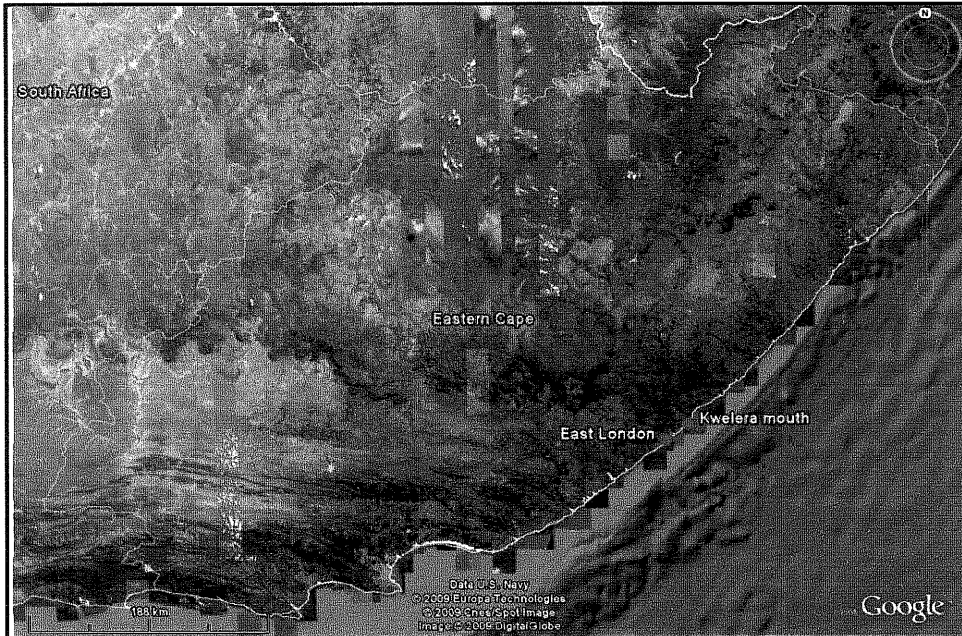
Development impact (subdivision and low density residential development) will be limited; resulting in very localized impact on surface and sub-surface heritage sites / features present at the study site.

### 1.2) *The Natural Environment*

The general area of Farm 724/7 has been classified by the STEP as forming part of the *Step Corridor*, a 'system of natural pathways for plants and animals, which if safeguarded, will ensure not only their current existence, but also their future survival and the provision of associated ecosystem services to

society' - only minimal loss of natural area through disturbance and developments are recommended (BESC 2009).

Vegetation at the study site consists predominantly of grassland type vegetation at the upper portions of the site and thicket type vegetation along the steeper slopes and on areas bordering the Kwelera River. Portions of the site are characterized by disturbed vegetation due to residential housing and human activities, including 2 manmade dams (BESC 2009).



**Figure 1:** *Kwelera mouth in relation to East London, Eastern Cape, South Africa*



**Figure 2:** *Locality of Farm 724/7 in relation to Kwelera mouth, Eastern Cape*



Figure 3: Locality of the Farm 724/7 development area, Eastern Cape



Figure 4: Proposed subdivision of Farm 724/7 into 9 portions. The proposal includes the development of a single residential unit on proposed Portions 2-9

## 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 was requested as specialist sub-section to the Environmental Impact Assessment (EIA) in compliance with requirements of the National Environmental Management Act, No 107 of 1998 (NEMA 1998) and associated regulations (2006), and the NHRA 1999 and associated regulations (2000).

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, sites of cultural significance associated with oral histories, 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.

### 2.2) *Methodology*

The Phase 1 AIA was conducted over a 1 day period (2009-04-16) 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 K10D 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 and mitigation recommendations

### 2.3) Coverage and Gap Analysis

The Phase 1 AIA covered the approximate 10ha comprising the proposed Farm 724/7, Kwelera, development area.

Access to the study site is via an existing network of tarmac and gravel roads; no additional roads (outside the development area) will need to be constructed in order to facilitate the development.

Visibility ranged from fair to poor, a direct result of vegetation cover. Visibility was best in the central and eastern (E) parts of the study site, largely associated with disturbance. The area immediately east (E) of the half circular access road proved virtually impenetrable due to in tact thicket vegetation. (Access and) visibility again increased west (W) of the access road towards the Kwelera River. However, in general the area was characterized by thick vegetation with surface visibility best in disturbed areas associated with grassland vegetation. Thicket vegetation, characterizing the slopes and areas adjacent to the Kwelera River resulted in limited visibility, in places not accessible and often limited to small open patches, scraped road surfaces etc.

### 2.4) Phase 1 AIA Assessment findings

No archaeological or cultural heritage resources as defined and protected under the NHRA 1999 were encountered during the Phase 1 surface assessment of the proposed approximate 10ha Farm 724/7 study site, Kwelera, East London.

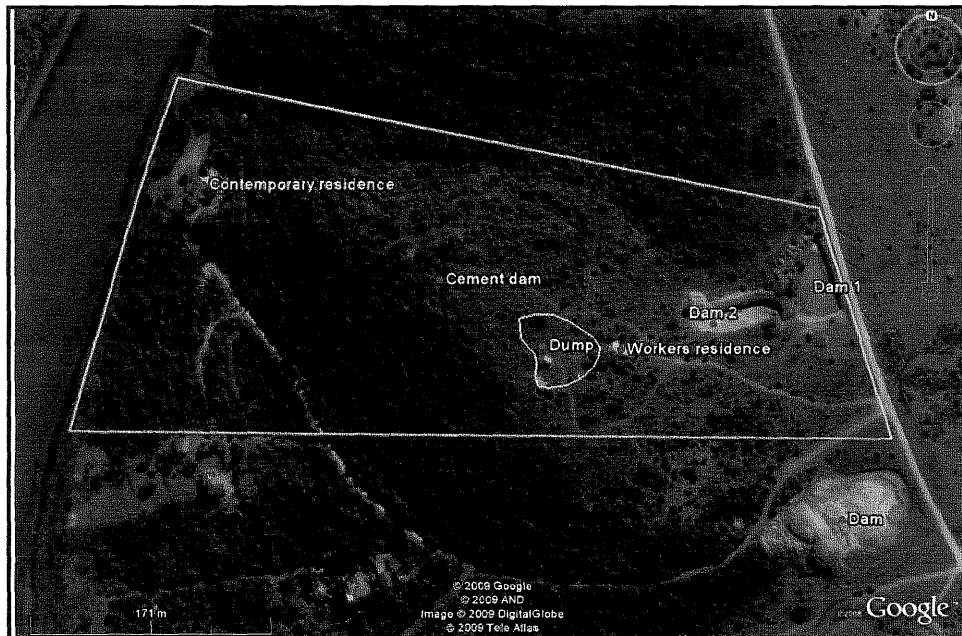


Figure 5: Phase 1 AIA assessment findings

General observations include:

1. The **central and eastern** (E) part of the development area proved most accessible with the best visibility, largely the result of previous disturbance and associated with grassland vegetation. No cultural heritage resources as defined and protected under the NHRA 1999 were identified in the area. Two dams, a small cement dam, a workers residence and a low density dump site, all of contemporary origin, were present in this portion of the study site.

Thick vegetation resulted in very limited visibility at dam sections and at Dam 2 providing for a culturally sterile section of 1.5+m in height. In addition the surrounds and sections of the large dam located immediately south east (SE) of the study site was also inspected, providing yet again for anthropically sterile sections where visible.

The workers residence post dates 60 years of age. The site is thus not formally protected under the NHRA 1999. Destruction of the site will be necessary in order to facilitate development of the proposed residence on Portion 9 of the Farm 724/7 subdivision. Destruction of the site is not subject to SAHRA application or approval.

The dump site area is characterized by a number of scattered, small informal dumps; mostly comprising of building rubble but containing limited domestic waste and other material, all of contemporary origin. In addition a Historic Period implement is at present, *ex-situ*, situated at the dump site. No associated Historic Period artefacts were present in the immediate vicinity of the find or present in layered, lensed or scattered form at the dump site. The presence of the implement at the dump site is not interpreted as an archaeological 'site', but merely as an *ex-situ* Historic Period 'artefact'; the conservation of which would be recommended at a very 'Local Level', however, based on its already disturbed context not necessarily in its present context (its current geographic position).

The area immediately east (E) of the half circular access road was characterized by thick in tact thicket vegetation with assessment basically limited to a few accessible more open areas. Section inspection along the access road with a maximum 1+m in height section yielded no cultural member.

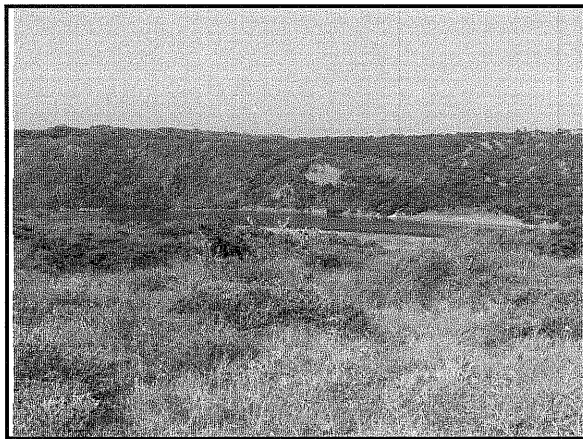
2. The **western** (W) part of the development area was again characterized by thicket vegetation, slightly more accessible than the area east (E) of the access road and the steep hill slopes. The area is characterized by the contemporary residence located in the north western (NW) part of the area, a few contemporary dump sites associated directly with the construction of the residence and linear disturbance towards the south western (SW) portion. No archaeological or cultural heritage resources as defined and protected by the NHRA 1999 were identified within this portion of the study site; the banks of the Kwelera River yielded no cultural resources and no sections allowing for a preliminary sub-surface interpretation.

The contemporary residence post dates 60 years of age. The site is thus not formally protected under the NHRA 1999. Conservation of the site forms an integral part of the proposed development - the site will not be impacted on by the proposed development.





**Figure 6:** *General view of the eastern (E) and central part of the study site with the workers residence in the background*



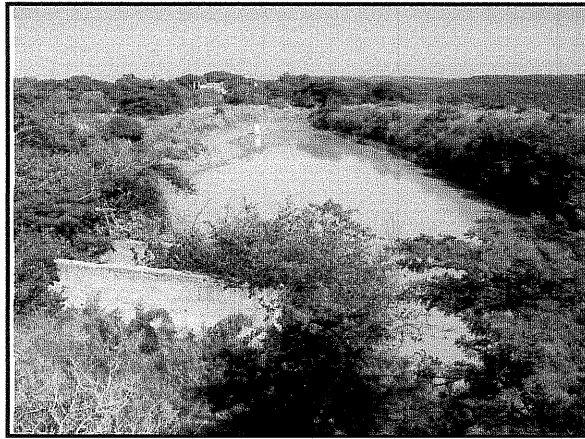
**Figure 7:** *General view towards the Kwelera River and the western (W) part of the development area*



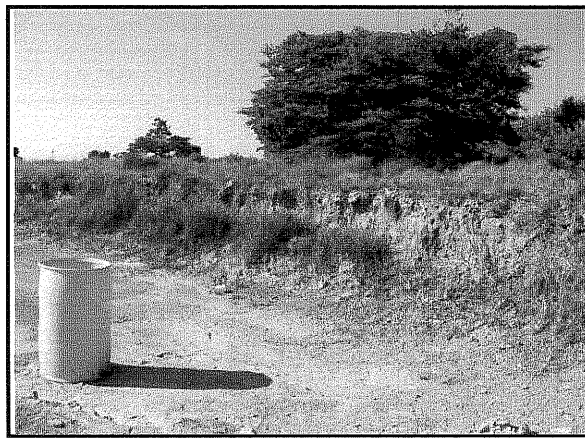
**Figure 8:** *Thicket vegetation along the slopes and the banks of the Kwelera River*



**Figure 9:** *General view of Dam 1*



**Figure 10:** *General view of Dam 2*



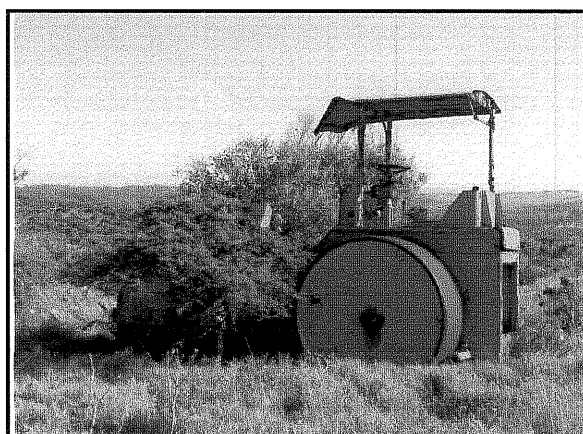
**Figure 11:** *Culturally sterile sections at Dam 2*



**Figure 12:** *Culturally sterile sections at the dam located south east of the study site*



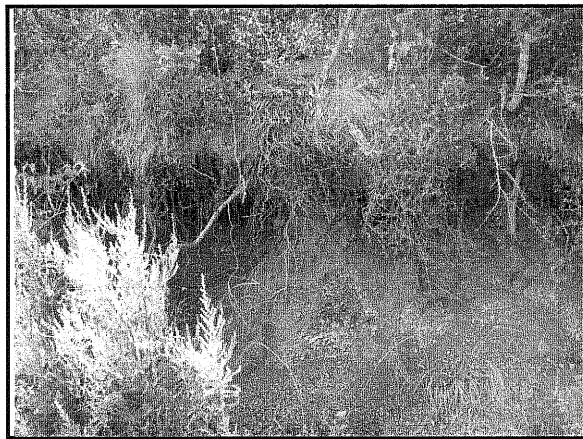
**Figure 13:** *The contemporary workers residence*



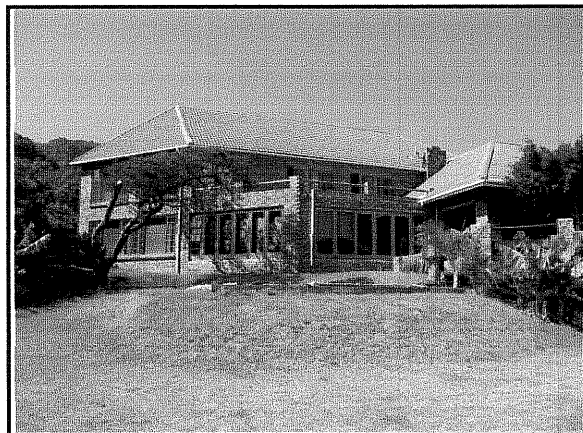
**Figure 14:** *The Historic Period artefact at the dump site*



*Figure 15: View of the half circular access road*



*Figure 16: Anthropically sterile sections at the half circular access road*



*Figure 17: The contemporary residence (Portion 1 of Farm 724/7)*



**Figure 18:** *General view of the banks of the Kwelera River*



**Figure 19:** *Banks of the Kwelera River*



**Figure 20:** *Contemporary disturbance at the western portion of the study site*

## 2.5) Conclusion and Recommendations

Surface assessment of the approximate 10ha study site for the proposed subdivision of, and low density residential development at Farm 724/7, Kwelera, East London, Eastern Cape, yielded no archaeological or cultural heritage resources as defined and protected under the NHRA 1999. (A single *ex-situ* Historic Period artefact is located on the property.)



### Recommendations:

It is recommended that, with reference to cultural heritage compliance as per the requirements of the NHRA 1999, the proposed subdivision of, and subsequent low density residential development (construction of 8 residential units on Portions 2-9) at Farm 724/7, Kwelera, proceeds as applied for provided the developer complies with the following requirement:

1. Conservation of the Historic Period artefact located at the dump area. Due to the already *ex-situ* position of the artefact (not in its original context), it is recommended that the artefact be conserved on Farm 724/7. Should conservation require relocation of the artefact for purposes of construction of the Portion 9 of Farm 724/7 residential unit it is recommended that the artefact be moved to an appropriate locality to ensure the safe, 'Local Level' preservation of the object.

(Visibility across the study site ranged from fair to poor, surface and sub-surface artefact / sites / resources may be encountered once clearance of the site for residential and associated linear development starts. The developer is advised to take extra caution of the concluding note.)

SUBDIVISION AND RESIDENTIAL DEVELOPMENTS, KWELERA, EAST LONDON, EASTERN CAPE, SOUTH AFRICA					
FARM 724/7 (PORTION 7 OF FARM 724)					
MAP CODE	SITE	TYPE / PERIOD	DESCRIPTION	CO-ORDINATES	PRELIMINARY RECOMMENDATIONS
<b>DEVELOPMENT AREA</b>					
A	-	-	-	S32°53'51.7"; E28°04'14.2"	N/A
B	-	-	-	S32°53'49.1"; E28°03'56.5"	N/A
C	-	-	-	S32°53'51.8"; E28°03'55.4"	N/A
D	-	-	-	S32°53'54.5"; E28°03'54.6"	N/A
E	-	-	-	S32°53'57.3"; E28°03'53.7"	N/A
F	-	-	-	S32°53'57.0"; E28°04'16.3"	N/A
-	Dam 1	Contemporary	Dam	S32°53'53.6"; E28°04'13.9"	N/A
-	Dam 2	Contemporary	Dam	S32°53'54.5"; E28°04'11.3"	N/A
-	Cement dam	Contemporary	Dam	S32°53'53.6"; E28°04'03.8"	N/A
-	Contemporary residence	Contemporary	Residence	S32°53'51.6"; E28°03'57.2"	N/A
-	Workers residence	Contemporary	Residence	S32°53'55.1"; E28°04'08.8"	N/A
-	Dump	Contemporary	Dump	S32°53'55.1"; E28°04'06.7"	N/A

**No archaeological or cultural heritage sites / resources were discovered during the Phase 1 AIA of the Farm 724/7 study site, Kwelera, East London**

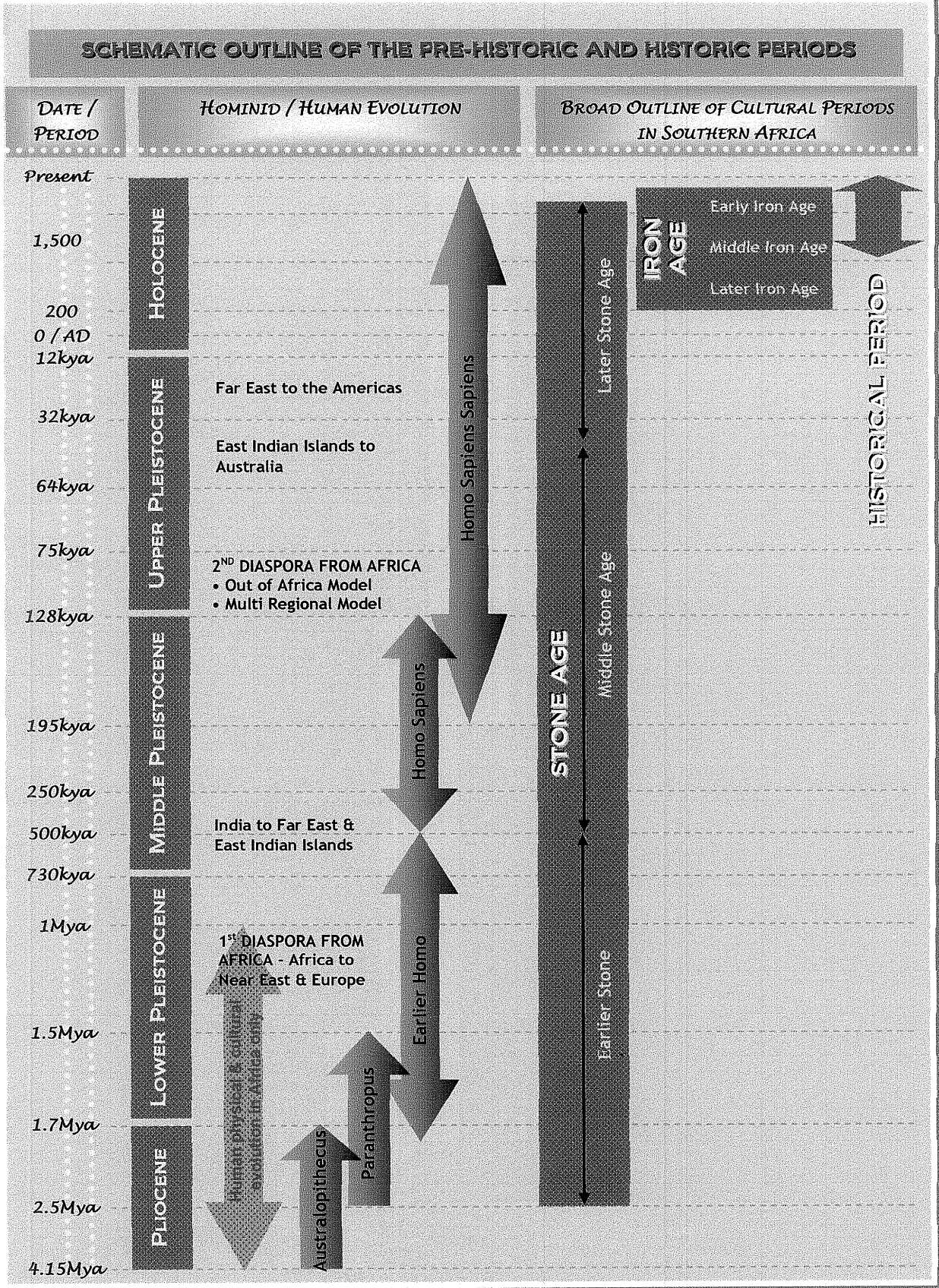
**Table 2:** Phase 1 AIA assessment findings - co-ordinate details

**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.

### 3) REFERENCES CITED

1. BESC. 2009. Background information document: The proposed subdivision of Farm 724/7, Kwelera. Unpublished report.
2. South African Government. (No 67) of 1995. *Development Facilitation Act*.
3. South African Government. (No. 107) of 1998. *National Environmental Management Act*.
4. South African Government. (No. 25) of 1999. *National Heritage Resources Act*.
5. 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.
- xxxii. *"Palaeontological"* means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trace;
- xlii. *"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 m<sup>2</sup> 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 m<sup>2</sup> 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.