
PHASE 1 ARCHAEOLOGICAL IMPACT ASSESSMENT

**QUEENSPARK SUBSTATION AND POWERLINE,
EAST LONDON, EASTERN CAPE, SOUTH AFRICA**

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1) TERMS OF REFERENCE

Merryweather Environmental has been appointed as independent environmental consultant by the Electrical Engineering company *Ballenden and Robb*, on behalf of the *Buffalo City Municipality*, to prepare the Environmental Impact Assessment (EIA) for the proposed 'Queenspark Substation and Powerline' development, East London, Eastern Cape. *ArchaeoMaps Archaeological Consultancy* has been appointed by *Merryweather Environmental* to conduct the Phase 1 Archaeological Impact Assessment (AIA) as specialist sub-section to the EIA.

1.1) *Development Location, Details & Impact*

Electricity shortages in the lower East London city, including North End and Parkside, as well as proposed new housing developments in the area lead the *Buffalo City Municipality* to identify the need for the development of a new substation (*Merryweather Environmental* 2009).

Ballenden and Robb, the appointed electrical engineers, investigated a number of options all fed from an existing 132kV line from Woodbrook station. Three sites were considered for development during the Scoping Phase of the project, through which, based on the Public Participation Process and basic geophysical considerations the Queenspark site [1:50,000 map ref – 3327BB] was identified as the most suitable development area (*Merryweather Environmental* 2009).

The proposed Queenspark substation site, measuring approximately 2.3ha in extent, is situated off Beaconsfield Drive adjacent to the zoo, more or less between Park Avenue and Saint Johns Road in the lower East London Central Business District (CBD). From the Queenspark substation site an approximate 2km powerline will run towards Woodbrook station; along the existing railway line and the Steve Biko bridge from where it will follow a gravel road towards the point where it will cross over the Buffalo River. The powerline will be pushed as close to the railway line and the Steve Biko bridge as feasible to avoid clashing with possible future residential expansion. Electricity will be reduced from 132kV to 220/230 volts for supply to consumers. Underground cables (much of which are already existing) will deliver power to consumers (*Merryweather Environmental* 2009).

Development impact for the 'Queenspark Substation and Powerline' will be total; resulting in the complete loss of surface and sub-surface heritage sites / features present at the study site.

1.2) *The Natural Environment*

The final vegetation survey will be included in the EIA. A preliminary study suggested that no endangered species occur within the proposed substation development area or along the powerline route. The larger part of the substation site comprises of vacant land, occupied by alien vegetation with a part under thicket, heavily invaded by alien trees and shrubs. A small part is occupied by the open park (Queenspark) between the road and the zoo and the park fence (*Merryweather Environmental* 2009).



Figure 1: East London, Eastern Cape

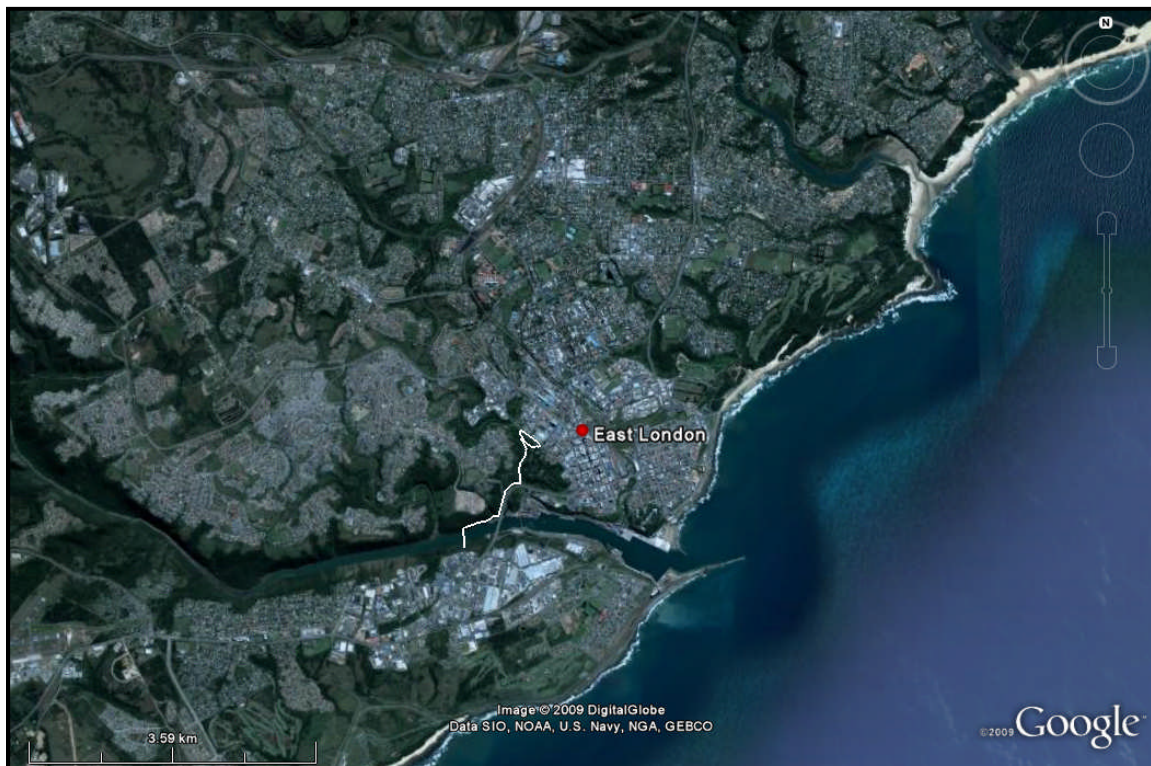


Figure 2: The proposed Queenspark Substation and Powerline study site in relation to the East London CBD



Figure 3: Close-up of the proposed Queenspark Substation and Powerline study site

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 (2009-07-09-10) by one archaeologist and 2 fieldwork assistants, Apiwe Ngcaba and Siphiwo Pipe. 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.

SAHRA ARCHAEOLOGICAL AND CULTURAL HERITAGE SITE SIGNIFICANCE ASSESSMENT			
<i>SITE SIGNIFICANCE</i>	<i>FIELD RATING</i>	<i>GRADE</i>	<i>RECOMMENDED MITIGATION</i>
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*

Archaeological and cultural heritage site significance assessment and associated mitigation recommendations were done according to the system prescribed by SAHRA (2007).

2.3) Coverage and Gap Analysis

The Phase 1 AIA covered the proposed 'Queenspark Substation and Powerline' development area. The Queenspark substation area assessment can be described as a spot assessment due to dense, often impenetrable vegetation in many areas. The powerline assessment corridor varied between 7 to approximately 15m, again a result of vegetation but more than often slope gradient. Portions of the line route were exempted from assessment due to impenetrable thicket.

2.4) Phase 1 AIA Assessment findings

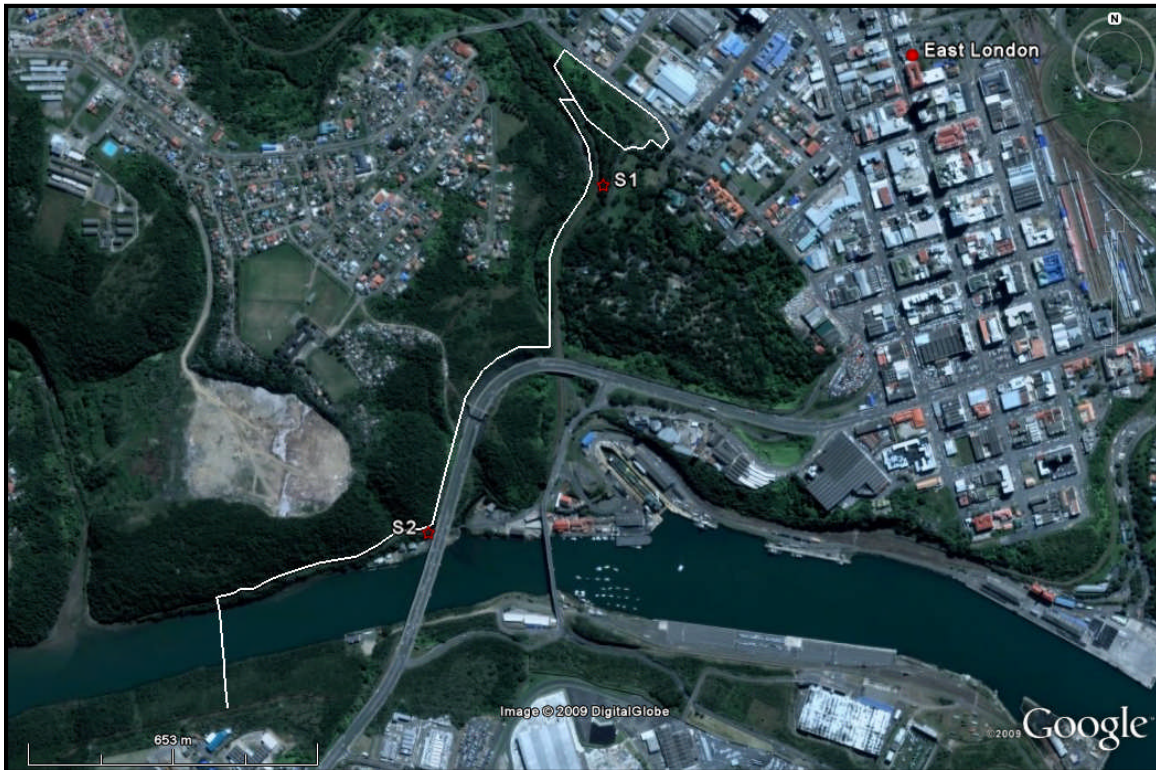


Figure 4: Phase 1 AIA assessment findings

2.4.1) Queenspark Substation

No archaeological or cultural heritage resources, as defined and protected by the NHRA 1999, were identified during the Phase 1 AIA assessment of the proposed Queenspark substation.

The north western (NW) part of the development area was characterized by a recent building rubble layer overlain by dense vegetation. The rubble layer decreased in density towards the south eastern (SE) portion of the assessment area and being absent in the remaining portion of Queenspark, with its formal park like setting. Despite the fact that no archaeological resources were identified on the surface of the development area, the cultural overlay evidently may have obscured resources and sites may well be encountered once development starts and vegetation and the rubble layer is cleared.

Historic Period finds were restricted to a number of manholes in the area; representing 'features' rather than 'sites' as defined and protected by the NHRA 1999; a SAHRA Site Significance Assessment is not applicable. Manholes signify the Historic Period origin of the city infrastructure and their presence is indicative of ongoing use of early development. Historic Period features may well be accommodated in the greater planning of the substation, particularly those still in use or those that may again be of use within the terms of planned residential developments in the surrounding area.

A number of small streambed and erosion sections were present in the area. Inspection of sub-surface sections in no case yielded a cultural stratigraphic layer; indicative of a relative degree of sub-surface anthropic sterility across the development area.



Figure 5: General view of the proposed Queenspark substation study site



Figure 6: Dense vegetation at the study site resulted in spot assessment of the area



Figure 7: *Contemporary waste characterizing the north eastern development area*



Figure 8: *Anthropogenic sterile exposed sections at the substation study site*



Figure 9: *Contemporary building rubble and an obscured manhole overlain by dense vegetation*



Figure 10: *General view of the south western development area*

2.4.2) Queenspark Powerline

Two archaeological and cultural heritage resources as defined and protected by the NHRA 1999 were identified during assessment of the proposed Queenspark powerline. The 2 sites, Site S1 comprising of Historic period infrastructure and Site S2 designating a small shell midden, will not be directly affected by the development; proximity to the proposed line route however warrant further discussion of the sites.

The general line route is characterized by changing landscapes and contemporary features:

1. The **line route portion along the railway line** is typified by exposed sections accommodating the railway line. Geological stratigraphy displayed no anthropic member. Stone Age artefacts were encountered in low densities within the ballast (built-up section) of the railway line, indicative of the fact that the quarry from which they were brought represented at minimum a low density macrolithic Later Stone Age (LSA) to Middle Stone Age (MSA) site. Their presence does not denote a Stone Age heritage from the immediate area. Due to the known secondary context of the lithic artefacts a SAHRA Site Significance Assessment would be inappropriate.



Figure 11: *General view of the line route portion along the railway line.*



Figure 12: View of the railway line portion of the powerline route with the Steve Biko bridge in the background. Low densities of lithic artefacts were observed in the ballast of the railway line - indicative of the heritage sensitivity of the site from which the material have been quarried and thus not relevant to the proposed development

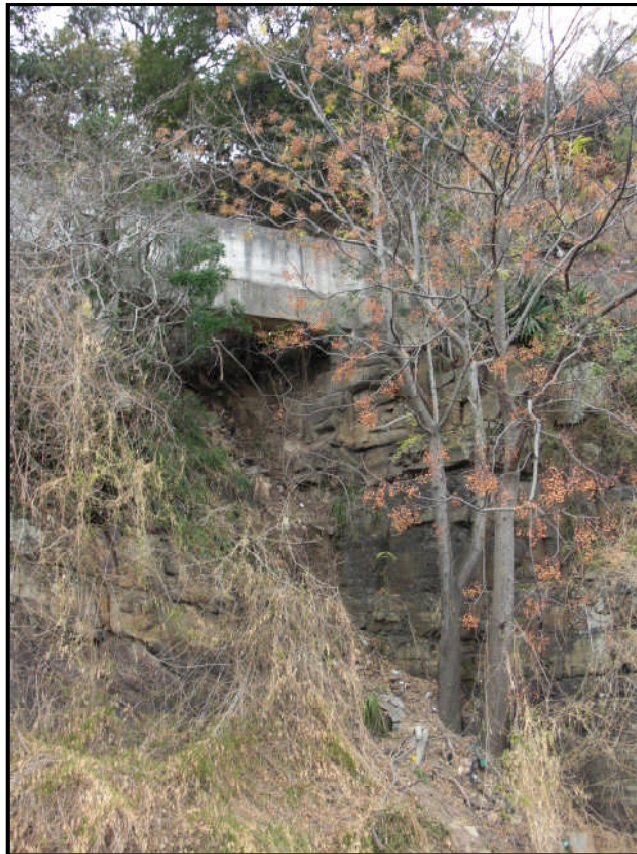


Figure 13: Site S1 - One of the 2 Historic Period walkway bridges

- 1.1. **Site S1** (S33°00'56.0"; E27°53'45.9") represent 2 Historic Period bridges associated with a walkway, again signifying early city development along the railway line route portion. The bridges are situated at the top of the eastern (E) krans across the railway line. The proposed powerline will be situated west of the railway line and in accordance with the BID document as close as possible thereto. The Historic Period walkway bridges are

assigned a SAHRA *Low Significance* and a *Generally Protected C* field rating; the site should either be conserved or mitigated prior to development. No impact is envisioned on the Historic Period walkway bridges, primarily based on altitude above the proposed powerline route. In addition its locality on the opposite side of the railway line further serves to separate it from the development impact area. The site will thus be conserved by the proposed powerline development; conservation of the site will not require any alteration to the planned line route.

2. The **line route portion along the Steve Biko bridge** is characterized by thick vegetation along the northern (N) part, decreasing in density towards the south (S). With the northern (N) part virtually inaccessible observations were primarily based on assessment of the southern (S) section: No archaeological or cultural heritage resources as defined and protected by the NHRA 1999 were identified on the surface of the area, exposed sections of the partly excavated line route yielded only anthropically sterile sections. Surface anthropic sterility may thus be echoed sub-surfacely across this portion of the powerline development area.



Figure 14: *General view of the southern portion of the line route along the Steve Biko bridge*

3. The **line route portion along the southern (s) gravel access road** is characterized by steep sections to the north (N) while being directly bordered by the Buffalo riverbank to the south (S). The high northern (N) geological sections contained no cultural member and no archaeological or cultural heritage resources as defined and protected by the NHRA 1999 were identified within the small portion between the access road and the krans section where the line route development will take place. The southern (S) Buffalo riverbank area displayed general road construction disturbance in association with contemporary waste. In addition Site S2 is located immediately south of the gravel access road. No archaeological or cultural heritage resources were identified in the vicinity where the proposed line route will cross the Buffalo River towards Woodbrook station.

3.1. **Site S2** (S33°01'21.5"; E27°53'30.6") is located immediately south (S) of the gravel access road more or less at the junction of the line route along the Steve Biko bridge with the access road along the Buffalo River. The site comprises of a small scatter of shells (shell midden) approximating an area of no more than 60x60cm. Depth of the deposit is unknown, but is inferred to be quite shallow. The site is situated within road construction and contemporary

waste disturbance. Identified shells include *Perna perna* and *Cochlitoma* specimens. Site S2 is ascribed a SAHRA *Low Significance* and a *Generally Protected C* field rating; the site should either be conserved or mitigated prior to development. In accordance with the BID document the line route will be located to the north (N) of the road; the site will thus in effect be conserved. Proximity of the development however calls for caution. Small site size, low shell densities and the known already disturbed context negatively affects potential outcomes of a Phase 2 archaeological mitigation project. It is recommended that additional conservation measures be taken at the time of development in the vicinity of the site, namely that the general area of the site be clearly marked with a temporary fence (plastic ribbon / tape or construction cones) and declared a no-go zone to ensure that associated activities (including parking, storage and staff areas) will not impact on the site.



Figure 15: General view of the gravel access road line route portion - 1



Figure 16: General view of the gravel access road line route portion - 2



Figure 17: *General view of the area where the line route will cross over the Buffalo River with the Woodbrook station in the background*



Figure 18: *View of the small, low density Site S2 shell midden*

2.5) Conclusion and Recommendations

Two archaeological and cultural heritage resources were identified during the Phase 1 AIA for the proposed Queenspark Substation and Powerline development, East London, Eastern Cape. Both sites are situated along the powerline route, but neither will be directly impacted upon by the development. The sites can briefly be described as:

1. Site S1 (S33°00'56.0"; E27°53'45.9") – Historic Period walkway bridges; assigned a SAHRA *Low Significance* and a *Generally Protected C* field rating. The site will be conserved in accordance with the current spatial development layout; and
2. Site S2 (S33°01'21.5"; E27°53'30.6") – Pre-historic Period low density shell midden; assigned a SAHRA *Low Significance* and a *Generally Protected C* field rating. The site will not be directly impacted on by the development; proximity however calls for caution. Additional conservation measures is recommended namely that the general area of the site be clearly marked with a temporary fence (plastic ribbon / tape or construction cones) and declared a no-go zone to

ensure that associated activities (including parking, storage and staff areas) will not impact on the site at the time of development in the area.



Recommendations:

It is recommended that, with reference to cultural heritage compliance as per the requirements of the NHRA 1999, the proposed Queenspark Substation and Powerline development proceeds as applied for provided the developer complies with recommended site conservation measures.

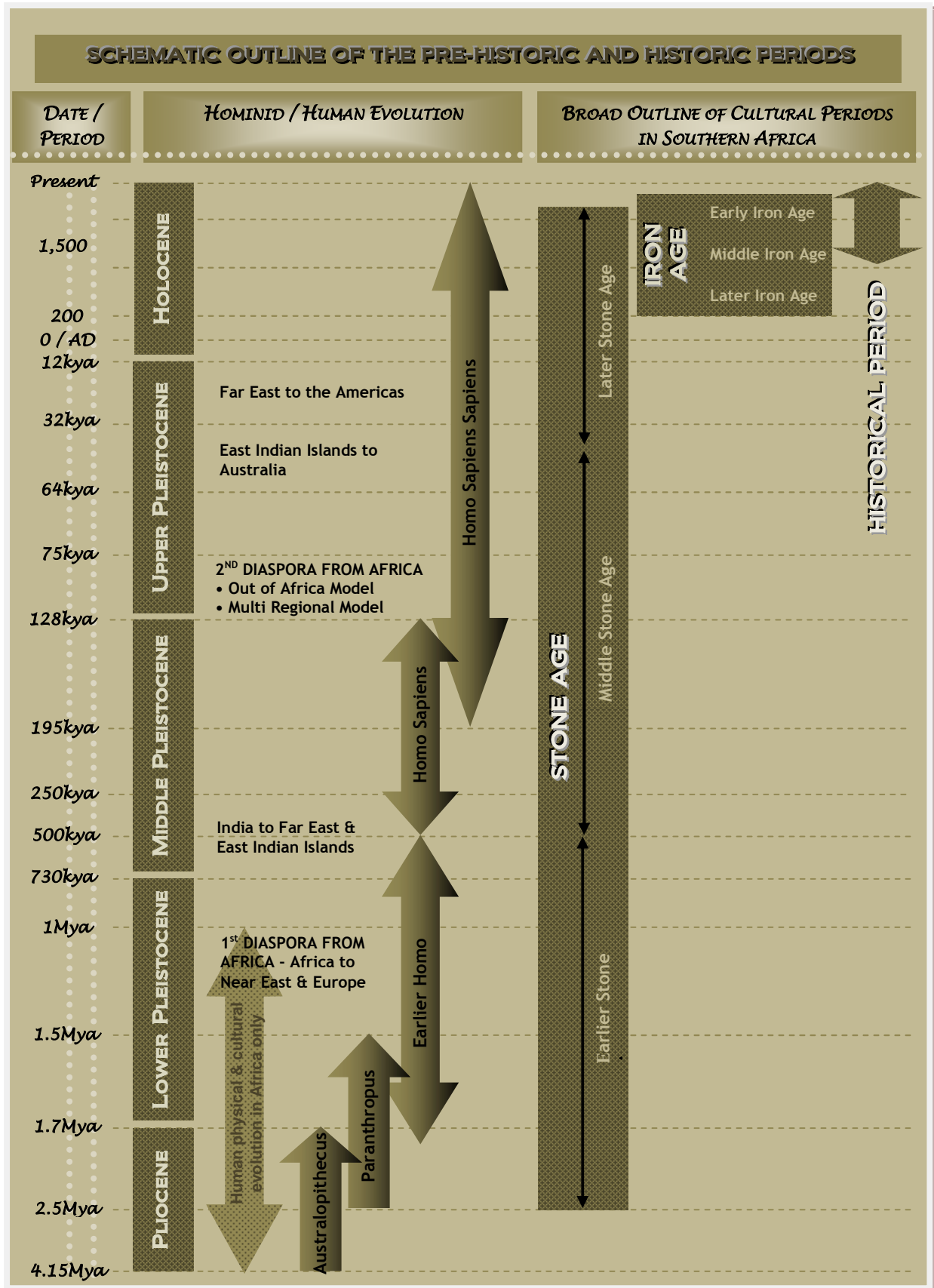
QUEENSPARK SUBSTATION AND POWERLINE					
EAST LONDON, EASTERN CAPE					
MAP CODE	SITE	TYPE / PERIOD	DESCRIPTION	CO-ORDINATES	PRELIMINARY RECOMMENDATIONS
DEVELOPMENT AREA: SUBSTATION					
1	-	-	-	S33°00'46.3"; E27°53'42.5"	DEVELOPMENT TO PROCEED AS APPLIED FOR
2	-	-	-	S33°00'52.8"; E27°53'51.5"	
3	-	-	-	S33°00'53.5"; E27°53'50.9"	
4	-	-	-	S33°00'52.9"; E27°53'50.0"	
5	-	-	-	S33°00'53.5"; E27°53'47.8"	
6	-	-	-	S33°00'51.2"; E27°53'44.4"	
7	-	-	-	S33°00'47.4"; E27°53'41.6"	
DEVELOPMENT AREA: POWERLINE					
A	-	-	-	S33°00'49.8"; E27°53'42.1"	DEVELOPMENT TO PROCEED AS APPLIED FOR PROVIDED THE DEVELOPER COMPLIES WITH RECOMMENDED CONSERVATION MEASURES
B	-	-	-	S33°00'55.3"; E27°53'44.9"	
C	-	-	-	S33°01'00.0"; E27°53'41.7"	
D	-	-	-	S33°01'07.9"; E27°53'41.2"	
E	-	-	-	S33°01'11.9"; E27°53'33.9"	
F	-	-	-	S33°01'20.9"; E27°53'30.9"	
G	-	-	-	S33°01'23.3"; E27°53'24.3"	
H	-	-	-	S33°01'26.2"; E27°53'12.3"	
I	-	-	-	S33°01'34.1"; E27°53'13.5"	
S1	Site S1	Historic period	Walkway bridges	S33°00'56.0"; E27°53'45.9"	CONSERVATION
S2	Site S2	Pre-historic	Shell midden	S33°01'21.5"; E27°53'30.6"	CONSERVATION (Temporary conservation measures at the time of development impact in the area)

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. Merryweather Environmental. 2009. *Proposed Queenspark Substation Environmental Assessment Background Information Document (BID)*. Unpublished report.
2. South African Government. (No. 107) of 1998. *National Environmental Management Act*.
3. South African Government. (No. 25) of 1999. *National Heritage Resources 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 trace;
- xli. *"Site"* means any area of land, including land covered by water, and including any structures or objects thereon;
- xliv. *"Structure"* means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith;

NATIONAL ESTATE

Section 3

- 1) For the purposes of this Act, those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities.
- 2) Without limiting the generality of subsection 1), the national estate may include –
 - a) places, buildings, structures and equipment of cultural significance;
 - b) places to which oral traditions are attached or which are associated with living heritage;
 - c) historical settlements and townscapes;
 - d) landscapes and natural features of cultural significance;
 - e) geological sites of scientific or cultural importance;
 - f) archaeological and palaeontological sites;
 - g) graves and burial grounds, including –
 - i. ancestral graves;
 - ii. royal graves and graves of traditional leaders;
 - iii. graves of victims of conflict;
 - iv. graves of individuals designated by the Minister by notice in the Gazette;
 - v. historical graves and cemeteries; and
 - vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No 65 of 1983)
 - h) sites of significance relating to the history of slavery in South Africa;
 - i) movable objects, including –
 - i. objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - ii. objects to which oral traditions are attached or which are associated with living heritage;
 - iii. ethnographic art and objects;
 - iv. military objects;
 - v. objects of decorative or fine art;
 - vi. objects of scientific or technological interest; and
 - vii. books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1 xiv) of the National Archives of South Africa Act, 1996 (Act No 43 of 1996).

STRUCTURES

Section 34

- 1) No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

ARCHAEOLOGY, PALAEOLOGY AND METEORITES

Section 35

- 3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.
- 4) No person may, without a permit issued by the responsible heritage resources authority –
 - a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
 - b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
 - c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
 - d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.
- 5) When the responsible heritage resources authority has reasonable cause to believe that any activity or development which will destroy, damage or alter any archaeological or palaeontological site is under way, and where no application for a permit has been submitted and no heritage resources management procedure in terms of section 38 has been followed, it may –
 - a) serve on the owner or occupier of the site or on the person undertaking such development an order for the development to cease immediately for such period as is specified in the order;
 - b) carry out an investigation for the purpose of obtaining information on whether or not an archaeological or palaeontological site exists and whether mitigation is necessary;
 - c) if mitigation is deemed by the heritage resources authority to be necessary, assist the person on whom the order has been served under paragraph a) to apply for a permit as required in subsection 4); and
 - d) recover the costs of such investigation from the owner or occupier of the land on which it is believed an archaeological or palaeontological site is located or from the person proposing to undertake the development if no application for a permit is received within two weeks of the order being served.
- 6) The responsible heritage resources authority may, after consultation with the owner of the land on which an archaeological or palaeontological site or meteorite is situated, serve a notice on the owner or any other controlling authority, to prevent activities within a specified distance from such site or meteorite.

BURIAL GROUNDS AND GRAVES

Section 36

- 3) No person may, without a permit issued by SAHRA or a provincial heritage resources authority –
 - a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
 - b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
 - c) bring onto or use at a burial ground or grave referred to in paragraph a) or b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.
- 4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction of any burial ground or grave referred to in subsection 3a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.
- 5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection 3b) unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority –
 - a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and
 - b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.
- 6) Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority –
 - a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and
 - b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.

HERITAGE RESOURCES MANAGEMENT

Section 38

- 1) Subject to the provisions of subsections 7), 8) and 9), any person who intends to undertake a development categorised as –
 - a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300 m in length;
 - b) the construction of a bridge or similar structure exceeding 50 m in length;
 - c) any development or other activity which will change the character of a site –
 - i. exceeding 5 000 m² in extent; or
 - ii. involving three or more existing erven or subdivisions thereof; or
 - iii. involving three or more erven or subdivisions thereof which have been consolidated within the past five years; or
 - iv. the costs which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - d) the rezoning of a site exceeding 10 000 m² in extent; or
 - e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,
 must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.
- 2) The responsible heritage resources authority must, within 14 days of receipt of a notification in terms of subsection 1) –
 - a) if there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact assessment report. Such report must be compiled at the cost of the person proposing the development, by a person or persons approved by the responsible heritage resources authority with relevant qualifications and experience and professional standing in heritage resources management; or
 - b) notify the person concerned that this section does not apply.
- 3) The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection 2a) ...
- 4) The report must be considered timeously by the responsible heritage resources authority which must, after consultation with the person proposing the development decide –
 - a) whether or not the development may proceed;
 - b) any limitations or conditions to be applied to the development;
 - c) what general protections in terms of this Act apply, and what formal protections may be applied, to such heritage resources;
 - d) whether compensatory action is required in respect of any heritage resources damaged or destroyed as a result of the development; and
 - e) whether the appointment of specialists is required as a condition of approval of the proposal.

APPOINTMENT AND POWERS OF HERITAGE INSPECTORS

Section 50

- 7) Subject to the provision of any other law, a heritage inspector or any other person authorised by a heritage resources authority in writing, may at all reasonable times enter upon any land or premises for the purpose of inspecting any heritage resource protected in terms of the provisions of this Act, or any other property in respect of which the heritage resources authority is exercising its functions and powers in terms of this Act, and may take photographs, make measurements and sketches and use any other means of recording information necessary for the purposes of this Act.
- 8) A heritage inspector may at any time inspect work being done under a permit issued in terms of this Act and may for that purpose at all reasonable times enter any place protected in terms of this Act.
- 9) Where a heritage inspector has reasonable grounds to suspect that an offence in terms of this Act has been, is being, or is about to be committed, the heritage inspector may with such assistance as he or she thinks necessary –
 - a) enter and search any place, premises, vehicle, vessel or craft, and for that purpose stop and detain any vehicle, vessel or craft, in or on which the heritage inspector believes, on reasonable grounds, there is evidence related to that offence;
 - b) confiscate and detain any heritage resource or evidence concerned with the commission of the offence pending any further order from the responsible heritage resources authority; and
 - c) take such action as is reasonably necessary to prevent the commission of an offence in terms of this Act.
- 10) A heritage inspector may, if there is reason to believe that any work is being done or any action is being taken in contravention of this Act or the conditions of a permit issued in terms of this Act, order the immediate cessation of such work or action pending any further order from the responsible heritage resources authority.