

**FIRST PHASE HERITAGE IMPACT ASSESSMENT OF  
THE PROPOSED UPGRADE of DISTRICT ROAD D168  
NEAR HIGHFLATS, KWAZULU-NATAL.**



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## LIST OF ABBREVIATIONS AND ACRONYMS

<b>EIA</b>	<b>Early Iron Age</b>
<b>ESA</b>	<b>Early Stone Age</b>
<b>HISTORIC PERIOD</b>	<b>Since the arrival of the white settlers - c. AD 1820 in this part of the country</b>
<b>IRON AGE</b>	<b>Early Iron Age AD 200 - AD 1000 Late Iron Age AD 1000 - AD 1830</b>
<b>LIA</b>	<b>Late Iron Age</b>
<b>LSA</b>	<b>Late Stone Age</b>
<b>MSA</b>	<b>Middle Stone Age</b>
<b>NEMA</b>	<b>National Environmental Management Act, 1998 (Act No. 107 of 1998 and associated regulations (2010).</b>
<b>NHRA</b>	<b>National Heritage Resources Act, 1999 (Act No. 25 of 1999) and associated regulations (2000)</b>
<b>SAHRA</b>	<b>South African Heritage Resources Agency</b>
<b>SIA</b>	<b>Social Impact Assessment</b>
<b>STONE AGE</b>	<b>Early Stone Age 2 000 000 - 250 000 BP Middle Stone Age 250 000 - 25 000 BP Late Stone Age 30 000 - until c. AD 200</b>

## **EXECUTIVE SUMMARY**

A First Phase Cultural Heritage survey of the proposed upgrade of District Road D168 near Highflats, KwaZulu-Natal identified three heritage sites on the footprint. These include two modern graves and the ruins of an old trading store. A buffer zone of 20m must be maintained around the old trading store. Due to the proximity of the modern graves to the D168 it would only be practical to maintain a relatively small buffer zone of around these graves. Should it not be possible to maintain the integrity of the graves then a Phase Two Heritage Impact Assessment must be instituted. This Second Phase will entail the application of a permit from Amafa and the possible exhumation and reburial of the graves under the auspices of the local community. We draw attention to the South African Heritage Resources Act, 1999 (Act No. 25 of 1999,) and the KwaZulu-Natal Heritage Act (Act no 4 of 2008) which require that operations exposing archaeological or historical remains, as well as graves, should cease immediately, pending evaluation by the provincial heritage agency.

# 1 BACKGROUND INFORMATION ON THE PROJECT

## 1.1 General Background Information

Table 1. Background information

<b>Consultant:</b>	<b>Frans Prins (Active Heritage cc) for Brousse-James &amp; Associates.</b>
<b>Type of development:</b>	<p>District Road D168 (Appendix 1) is one of the roads to be upgraded under the KwaZulu-Natal African Renaissance Roads Programme (Ndebele, 2001). The African Renaissance Roads Programme, which was officially launched in June 2001, concerns itself with the upgrading and blacktopping of major transport routes throughout the province of KwaZulu-Natal. The purpose of this programme is to improve the transport infrastructure and stimulate the economies of impoverished regions in the Province.</p> <p>This First Phase Heritage Impact Assessment concerns itself with the blacktopping of 13.4 km of District Road D168, starting from the intersection of this road with the Highflats to St Faiths Road (P68-1) (Fig 1). Emzansi Engineering Consultants have been appointed by the Department of Transport as the consulting engineers for this section of road. Brousse-James &amp; Associates has been sub-consulted by Emzansi Engineering Consultants to implement the Basic Assessment Report of the proposed project. Active Heritage CC has subsequently been appointed to conduct the First Phase Heritage Impact Assessment of this project.</p>
<b>Rezoning or subdivision:</b>	n/a
<b>Terms of reference</b>	To carry out a First Phase Heritage Impact Assessment
<b>Legislative requirements:</b>	The Heritage Impact Assessment was carried out in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and following the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)

## 1.2 Details of the area surveyed:

The D168 is situated approximately 20 km to the south of Highflats in southern KwaZulu-Natal (Figs 1 & 2). The section of the D168 earmarked for upgrading starts at S 30° 24' 55.20" E 30° 12' 23.97" and ends at S 30° 25' 29.32" E 30° 14' 05.85".

The D168 route traverses an area broadly classified as closed hills and mountains with moderate to high relief. The route traverses a narrow interfluvium, created by the headwaters of numerous tributaries of the Mhlabatashane and Mzumbe Rivers. The route begins at an elevation of 975 m above sea level (asl) and then gradually descends to an elevation of 910-915 m asl around the Springfield area, and maintains this elevation for 2 km. The route drops into a valley at Ivanhoe, reaching an elevation of 810 m. Further south, at ~ km 5, the route climbs up to an elevation of 855 m asl. At ~ km 6.7, the route continues to drop to an elevation of 780 m asl. The route reaches an elevation of 795 m asl around Radley, and maintains this elevation along the interfluvium between the Madodobela and Mzumbe River tributaries. The route then gradually decreases to an elevation of 700-720 m asl around Ntabakucasha (Brousse-James & Associates 2006).

This 13.2 km long portion of district road, D168, is underlain by Natal Group sandstone and Dwyka Group tillite. A Jurassic dolerite sill has intruded these lithologies in the northern part of the route. Almost no natural veld exists for the entire length of the proposed D168 upgrade. Most of the commercial farming section (the first 8.5 km) is completely transformed, to either sugar cane or gum, whilst the section passing through the tribal area (4.9 km) is heavily settled. Almost no natural veld exists for the entire length of the proposed D168 upgrade. Most of the commercial farming section (the first 8.5 km) is completely transformed, to either sugar cane or gum, whilst the section passing through the tribal area (4.9 km) is heavily settled. Parts of the area adjacent to the road, particularly as the road enters the tribal area, are heavily infested with a number of alien species (ibid). There is ample evidence for small-scale subsistence farming activities especially in the tribal area. Zulu homesteads are located along portions of the D 168 especially at the beginning and the central areas of the D168.

## 2 CULTURAL HERITAGE LEGISLATION

According to Section 3 (2) of the NHRA, the heritage resources of South Africa 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 objects recovered from the soil or waters of South Africa, including
  - i. 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).”

In terms of 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:

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

### **3 BACKGROUND TO ARCHAEOLOGICAL HISTORY OF AREA**

#### **3.1 General Archaeological Background**

The project area has never been systematically surveyed for archaeological sites in the past. However, the coastal zone of the greater Port Shepstone area to the east of the study area has been relatively well covered by archaeologists of the then Natal Museum in the 1970's and 1980's. The Paddock and greater Oribi Gorge areas, situated to the south of the study area in similar geographical environments are also well covered by previous surveys. . These surveys were originally conducted by staff associated with the then Natal Parks board in the 1970's. However, more professional surveys were conducted by archaeologists such as J. H. Cable in the early 1980's (Cable 1984) and later by various archaeologists attached to the Natal Museum (Mazel 1989; Mitchell 2005).

The available evidence, as captured in the KwaZulu-Natal Museum heritage site inventories, indicates that the greater Paddock and Port Shepstone areas contains a wide spectrum of archaeological sites covering different time-periods and cultural



traditions. These include Early, Middle and later Stone Age sites, Early Iron Age sites, Later Iron Age sites, and some historical sites. Various buildings and farmsteads belonging to the Victorian and Edwardian periods occur in the area especially in the close environs of Paddock. Particularly noteworthy is the occurrence of Later Stone Age rock art sites near the coast and further inland.

The rock art sites form part of the eastern seaboard coastal rock art zone. Most of these occur in sandstone shelters and depict red monochrome paintings. Three rock art sites are recorded on the KwaZulu-Museum data base as occurring in the greater Highflats area. Rock art sites also occur to the east of the project area closer towards the coast. However, all these recorded sites are situated many kilometres from the project area. The closest one is located approximately 16 km to the north-west of the start of the proposed route trajectory.

### **3.2 Period Background**

Stone Age sites of all the main periods and cultural traditions occur along the coastal cordon in the immediate vicinity of Port Shepstone, closer towards the coast. Later Stone Age sites have been recorded further inland close to Highflats and Umzimkhulu. Most of these occur in open air contexts as exposed by donga and sheet erosion. The occurrence of Early Stone Age tools in the near vicinity of permanent water resources is typical of this tradition. These tools were most probably made by early hominins such as *Homo erectus*, or *Homo ergaster*. Based on typological criteria they most probably date back to between 300 000 and 1.7 million years ago.

The presence of the first anatomically modern people (i.e. *Homo sapiens sapiens*) in the area is indicated by the presence of a few Middle Stone Age blades and flakes. These most probably date back to between 40 000 and 200 000 years ago. The later Stone Age flakes and various rock painting sites identified in the area are associated with the San (Bushmen) and their direct ancestors. These most probably date back to between 200 and 20 000 years ago.

The San were the owners of the land for almost 30 000 years, but the local demography started to change soon after 2000 years ago when the first Bantu-speaking farmers crossed the Limpopo River and arrived in South Africa. By 1500 years ago these early Bantu-speaking farmers also arrived in the project area. Due to

the fact that these first farmers introduced metal technology to southern Africa they are designated as the Early Iron Age in archaeological literature. Their distinct ceramic pottery is classified to styles known as “Msuluzi” (AD 500-700), Ndongondwane (AD 700-800) and Ntshokane (AD 800-900). Most of the Early Iron Age sites in the greater Ugu District Municipality belong to these traditions (Maggs 1989:31; Huffman 2007:325-462). These sites characteristically occur on alluvial, or colluvial soils adjacent to large rivers below the 1000m contour. The Early Iron Age farmers originally came from western Africa and brought with them an elaborate initiation complex and a value system centred on the central significance of cattle.

Later Iron Age sites also occur in the greater Port Shepstone and Highflats area. These were Bantu-speaking agropastoralists who arrived in southern Africa after 1000 year ago via East Africa. Later Iron Age communities in KwaZulu-Natal were the direct ancestors of the Zulu-speaking people (Huffman 2007). Many African groups moved through the study area due to the period of tribal turmoil as caused by the expansionistic policies of king Shaka Zulu in the 1820's, and to subsequent civil wars in Zululand to the north. It is known from oral history that the greater project area was inhabited by Zulu refugees in the 19<sup>th</sup> century (Bryant 1965) especially by members of the abakwaCele and Lushaba clans. These clans arrived in the project area around 1828 soon after the murder of King Shaka when they were being pursued by supporters of King Dingane (ibid). However, it appears that the lower densely wooded valley areas were only occupied later.

### **3.3 Sites Round Up**

Archaeological sites in the near vicinity of the project area include 2 Middle Stone Age sites and 11 Later Stone Age rock art sites situated within the greater Oribi Gorge to the south of the project area. The rock art sites form part of the eastern seaboard coastal rock art zone. Most of these occur in sandstone shelters and depict red monochrome paintings. None, however, have been recorded in the project area as yet. Possible unrecorded Iron Age and Historic sites and features may be present within the project area although none are reflected in available data bases.

## **4 BACKGROUND INFORMATION OF THE SURVEY**

### **4.1 Methodology**

A desktop study was conducted of the archaeological databases housed in the KwaZulu-Natal Museum and the SAHRA inventory of heritage sites. Aerial photographs of the area were surveyed. The SAHRIS website was researched to evaluate past surveys in the area. In addition, the available archaeological and historical literature covering KwaZulu-Natal was also consulted.

A site visit was made to the project area on 28 June 2016. A ground survey, following standard and accepted archaeological procedures, was conducted. The consultant walked sensitive areas along the proposed road trajectory on foot and surveyed the area for potential heritage sites. Both sides of the proposed road upgrade was surveyed.

### **4.2 Restrictions encountered during the survey**

#### **4.2.1 Visibility**

Visibility was good for the most part.

#### **4.2.2 Disturbance**

No disturbance of heritage sites was observed.

### **4.3 Details of equipment used in the survey**

GPS: Garmin Etrek

Digital cameras: Canon Powershot A460

All readings were taken using the GPS. Accuracy was to a level of 5 m.

## **5 DESCRIPTION OF SITES AND MATERIAL OBSERVED**

### **5.1 Locational data**

*Province:* KwaZulu-Natal

*Towns:* Ixopo, Umzimkhulu and Highflats.

*Municipality:* Vulamehlo District Municipality.

### **5.2 Description of the general area surveyed**

No precolonial archaeological sites have been recorded during the survey. A couple of abandoned Zulu homesteads, some of whom may be older than 60 years, are situated at a distance of more than 50m from the proposed road upgrade (Fig 6). However, none of these will be impacted upon by the proposed development.

Two modern and marked graves occur less than 20m from the proposed road upgrade. One abandoned trading store, now in ruins, occur approximately 30m from the road. A more detailed description of heritage sites follow below.

The project area is not part of any known cultural landscape.

## **6 HERITAGE SITES AND THEIR SIGNIFICANCE (HERITAGE VALUE)**

### **6.1 Grave 1**

A modern grave is situated approximately 3m from the side of the proposed road upgrade (west bank). The GPS coordinates of the grave are: S 30° 24' 56.63" E 30° 15' 9.35" (Figs 3 & 7). The grave is marked with a headstone and is approximately 2m x 6m in size. The grave is fenced in. It appears that the grave is associated with an inhabited homestead situated approximately 20m from this feature. Although the grave is younger than 60 years it is still protected by provincial heritage legislation and mitigation applies.

#### **6.1.1 Mitigation**

Given the proximity of the grave to the road upgrade it is suggested that the developers maintain a buffer of at least 1m around the grave. No disturbance or alteration of the grave is allowed. It is also suggested that the developers put a fence

around the grave with an entrance gate prior to the road upgrade. However, should this not be possible then the developers should call for a Phase Two Heritage Impact Assessment of the grave. This second phase may entail a grave exhumation and reburial process under the auspices of the local community and family members of the deceased. The relevant consultant will also be required to obtain a permit from Amafa (Appendix 1).

## **6.2 Grave 2**

A modern grave is situated approximately 10 m from the side of the proposed road upgrade (east bank). The GPS coordinates of the grave are: S 30° 24' 57.54" E 30° 15' 9.30" (Figs 3 & 8). The grave is marked with a headstone and is approximately 2m x 6m in size. The grave is fenced in. It appears that the grave is associated with an inhabited homestead situated approximately 10m from this feature. Although the grave is younger than 60 years it is still protected by provincial heritage legislation and mitigation applies.

### **6.2.1 Mitigation**

Given the proximity of the grave to the road upgrade it is suggested that the developers maintain a buffer of at least 5m around the grave. No disturbance or alteration of the grave is allowed. However, should this not be possible then the developers should call for a Phase Two Heritage Impact Assessment of the grave. This second phase may entail a grave exhumation and reburial process under the auspices of the local community and family members of the deceased. The relevant consultant will also be required to obtain a permit from Amafa (Appendix 1).

## **6.3 Old Trading Store**

An old Trading Store is situated approximately 30m from the side of the proposed road upgrade (east bank) (Map 3). The Store appears to be older than 60 years and is now in ruins (Figs 4, 9, 10). The GPS coordinates for this abandoned Trading Store are: S 30° 26' 38.86" E 30° 13' 35.13". The Store covers an area of approximately 11m x 13 m. Although similar Stores are relatively numerous in KwaZulu-Natal they do belong to an era that has passed and therefore part of the late historical cultural landscape of the area. This feature has been graded as locally significant (Table 2) and it is protected by heritage legislation. Mitigation thus applies.

### **6.3.1 Mitigation**

The old Trading Store is protected by heritage legislation and should not be destroyed or altered in any way. It is proposed that the developers strictly maintain a buffer of at least 20m around this building. This would be possible given the distance the Store is situated from the present road.

## 6.4 Field Rating

The Old Trading Store been rated as Local grade 111B (Table 2). It is considered to be of high significance locally.

**Table 2. Field rating and recommended grading of sites (SAHRA 2005)**

<b>Level</b>	<b>Details</b>	<b>Action</b>
<b>National (Grade I)</b>	The site is considered to be of National Significance	Nominated to be declared by SAHRA
<b>Provincial (Grade II)</b>	This site is considered to be of Provincial significance	Nominated to be declared by Provincial Heritage Authority
<b>Local Grade IIIA</b>	This site is considered to be of HIGH significance locally	The site should be retained as a heritage site
<b>Local Grade IIIB</b>	This site is considered to be of HIGH significance locally	The site should be mitigated, and part retained as a heritage site
<b>Generally Protected A</b>	High to medium significance	Mitigation necessary before destruction
<b>Generally Protected B</b>	Medium significance	The site needs to be recorded before destruction
<b>Generally Protected C</b>	Low significance	No further recording is required before destruction

**Table 2. Evaluation and statement of significance.**

<b>Significance criteria in terms of Section 3(3) of the NHRA</b>		
	<b>Significance</b>	<b>Rating</b>
1.	<b>Historic and political significance</b> - The importance of the cultural heritage in the community or pattern of South Africa's history.	Yes, the Old Trading Store has local significance.
2.	<b>Scientific significance</b> – Possession of uncommon, rare or endangered aspects of South Africa's cultural heritage.	None.
3.	<b>Research/scientific significance</b> – Potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage.	Yes, trading stores have become a subject of research in the built environment sector.
4.	<b>Scientific significance</b> – Importance in demonstrating the principal characteristics of a particular class of South Africa's cultural places/objects.	None.
5.	<b>Aesthetic significance</b> – Importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.	None.
6.	<b>Scientific significance</b> – Importance in demonstrating a high degree of creative or technical achievement at a particular period.	None.
7.	<b>Social significance</b> – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.	Yes, the Old Trading Store has a strong association with the recent history of the local community.
8.	<b>Historic significance</b> – Strong or special association with the life and work of a person, group or organization of importance in the history of South Africa.	None.
9.	The significance of the site relating to the history of slavery in South Africa.	None.

## **7 RECOMMENDATIONS**

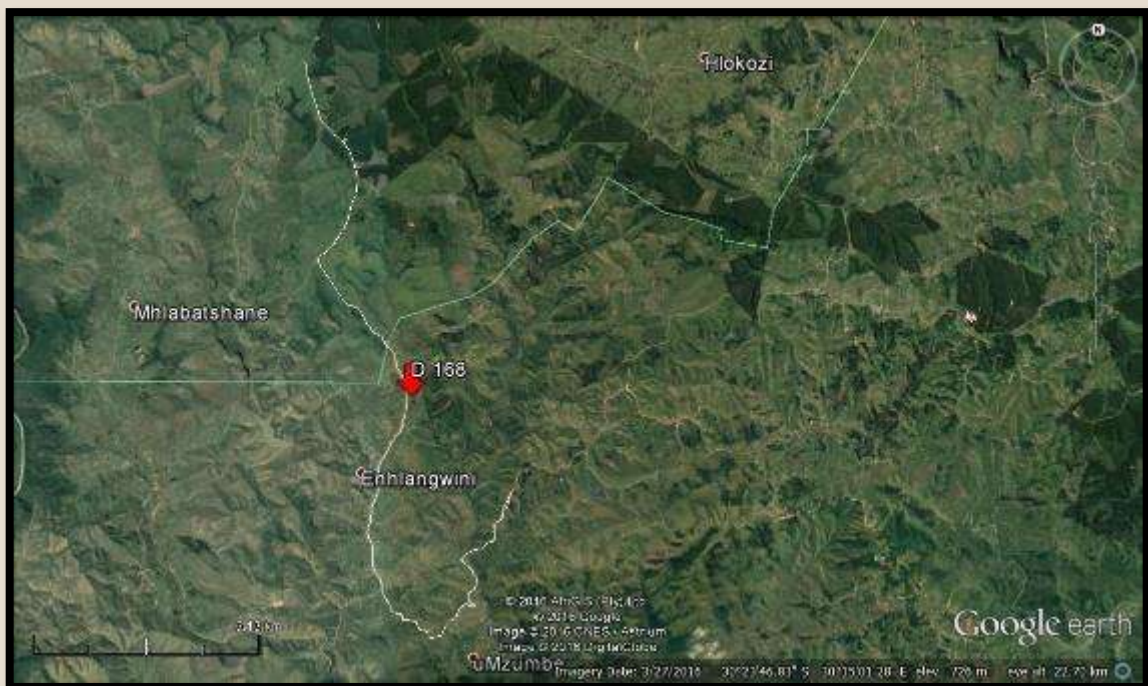
- A buffer zone of 1m must be maintained around Grave 1.
- A buffer zone of 5m must be maintained around Grave 2.
- Should it not be possible to maintain the present integrity of Grave1 and Grave 2 then a Phase Two Heritage Impact Assessment must be called for. The potential for grave exhumation and reburial will be investigated during this phase (Appendix 1).
- A buffer zone of 20m must be maintained around the Old Trading Store.
- The upgrading of the D 168 may proceed on the remainder of the footprint as planned by the developer. Note should be taken however, of the South African Heritage Resources Act, 1999 (Act No. 25 of 1999,) and the KwaZulu-Natal Heritage Act (Act no 4 of 2008) which require that operations exposing archaeological or historical remains as well as graves should cease immediately, pending evaluation by the provincial heritage agency.

## **8 MAPS AND FIGURES**





**Figure 1. Map showing the location of the D 168 to the south of Highflats, KwaZulu-Natal.**



**Figure 2. Enlarged map showing the location of the D 168.**



**Figure 3. Google aerial photograph showing the location of Graves 1 & 2 adjacent to the D 168.**



**Figure 4. Google aerial photograph showing the location of the Old Trading Store adjacent to the D 168.**



**Figure 5. View of the D 168. Few heritage sites occur adjacent to this road.**



**Figure 6. Although abandoned and ruined homesteads were observed in the greater project area none of them occur less than 50m from the proposed road upgrade.**



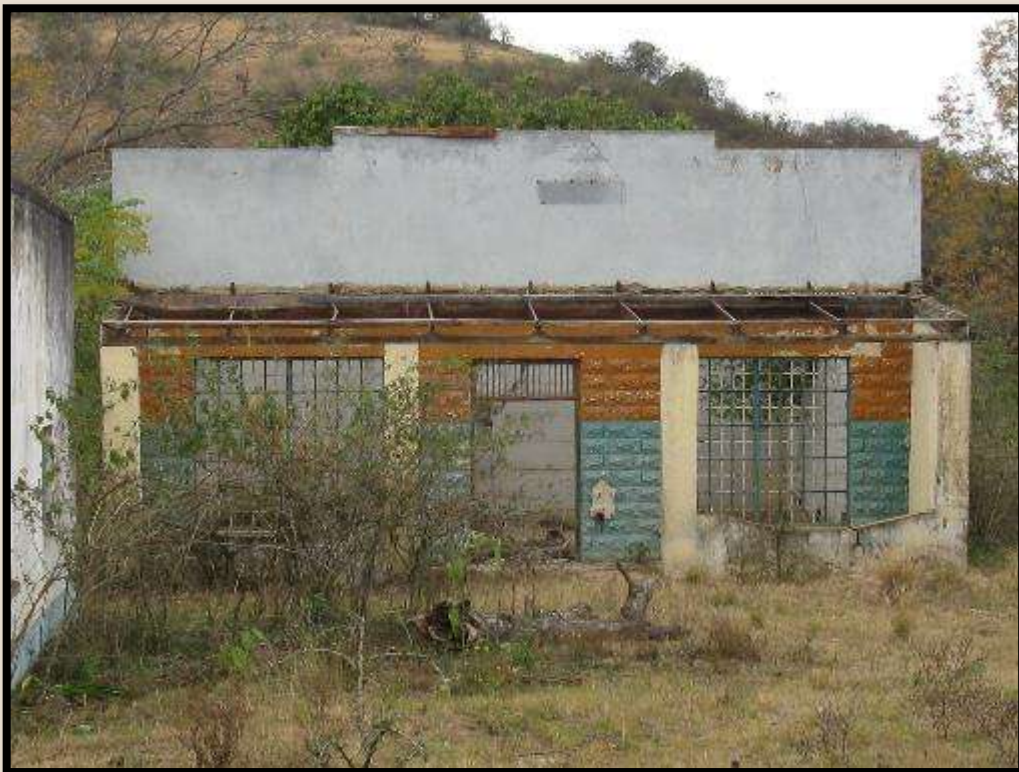
**Figure 7. Grave 1**



**Figure 8. Grave 2**



*Figure 9. The Old Trading Store and adjacent outbuilding.*



*Figure 10. Front view of the Old Trading Store.*

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## **APPENDIX 1 RELOCATION OF GRAVES**

Burial grounds and graves older than 60 years are dealt with in Article 36 of the NHR Act, no 25 of 1999. The Human Tissues Act (65 of 1983) protects graves younger than 60 years. These fall under the jurisdiction of the National Department of Health and the Provincial Health Departments. Approval for the exhumation and reburial must be obtained from the relevant Provincial MEC as well as the relevant Local Authorities.

Below follows a broad summary of how to deal with grave in the event of proposed development.

- If the graves are younger than 60 years, an undertaker can be contracted to deal with the exhumation and reburial. This will include public participation, organising cemeteries, coffins, etc. They need permits and have their own requirements that must be adhered to.
- If the graves are older than 60 years old or of undetermined age, an archaeologist must be in attendance to assist with the exhumation and documentation of the graves. This is a requirement by law.

Once it has been decided to relocate particular graves, the following steps should be taken:

- Notices of the intention to relocate the graves need to be put up at the burial site for a period of 60 days. This should contain information where communities and family members can contact the developer/archaeologist/public-relations officer/undertaker. All information pertaining to the identification of the graves needs to be documented for the application of a SAHRA permit. The notices need to be in at least 3 languages, English, and two other languages. This is a requirement by law.
- Notices of the intention needs to be placed in at least two local newspapers and have the same information as the above point. This is a requirement by law.
- Local radio stations can also be used to try contact family members. This is not required by law, but is helpful in trying to contact family members.
- During this time (60 days) a suitable cemetery need to be identified close to the development area or otherwise one specified by the family of the deceased.
- An open day for family members should be arranged after the period of 60 days so that they can gather to discuss the way forward, and to sort out any problems. The developer needs to take the families requirements into account. This is a requirement by law.
- Once the 60 days has passed and all the information from the family members have been received, a permit can be requested from SAHRA. This is a requirement by law.

- Once the permit has been received, the graves may be exhumed and relocated.
  
- All headstones must be relocated with the graves as well as any items found in the grave