Cultural heritage impact assessment for the MAHUBE VALLEY STORM WATER MANAGEMENT PIPES, MAMELODI TOWNSHIP, TSHWANE MUNICIPLITY, GAUTENG PROVINCE

CULTURAL HERITAGE IMPACT ASSESSMENT FOR THE MAHUBE VALLEY STORM WATER MANAGEMENT PIPES, MAMELODI TOWNSHIP, TSHWANE MUNICIPLITY, GAUTENG PROVINCE

Report No: 2014/JvS/054

Status: Draft Revision No: 0

Date: October 2014

Prepared for:

Envirolution Consulting

Representative: Mr. K Mthombeni

Postal Address: Unit 25, Sunninghill Office Park, 4 Peltier Road, Sunninghill, 2157

Tel: 086 144 4499

E-mail: consultant@envirolution.co.za

Prepared by:

J van Schalkwyk (D Litt et Phil), Heritage Consultant

ASAPA Registration No.: 168

Principal Investigator: Iron Age, Colonial Period, Industrial Heritage

Postal Address: 62 Coetzer Avenue, Monument Park, 0181

Mobile: 076 790 6777 Fax: 086 611 3902

E-mail: jvschalkwyk@mweb.co.za

Declaration:

I, J.A. van Schalkwyk, declare that I do not have any financial or personal interest in the proposed development, nor its developers or any of their subsidiaries, apart from the provision of heritage assessment and management services.

J A van Schalkwyk (D Litt et Phil)

Heritage Consultant

October 2014

EXECUTIVE SUMMARY

CULTURAL HERITAGE IMPACT ASSESSMENT FOR THE MAHUBE VALLEY STORM WATER MANAGEMENT PIPES, MAMELODI TOWNSHIP, TSHWANE MUNICIPLITY, GAUTENG PROVINCE

It is proposed to install two storm water pipelines in the Mahube Valley region of Mamelodi Township, east of Pretoria.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Envirolution Consulting** to conduct a cultural heritage assessment to determine if the development of the storm water pipe lines would have an impact on any sites, features or objects of cultural heritage significance.

The aim of this survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area of the proposed development, to assess the significance thereof and to consider alternatives and plan for the mitigation of any adverse impacts.

The cultural landscape qualities of the region is made up of a pre-colonial element consisting of limited Stone Age and Iron Age occupation, as well as a much later colonial (farmer) component, which gave rise to an urban and industrial component.

 As no site, features or objects of cultural significance are known to exist in the study area, there would be no impact as a result of the proposed development.

Therefore, from a heritage point of view we recommend that the proposed development can continue. We recommend that if archaeological sites or graves are exposed during construction work, it should immediately be reported to a heritage consultant so that an investigation and evaluation of the finds can be made.

J A van Schalkwyk Heritage Consultant

October 2014

TECHNICAL SUMMARY

Property details	
Province	Gauteng
Magisterial district	Pretoria
District municipality	City of Tshwane
Topo-cadastral map	2528CB
Closest town	Pretoria
Farm name & no.	Pienaarspoort 339JR
Portions/Holdings	Various

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

Development	
Description	Development of storm water management systems
Project name	Mahube Valley Storm Water Management

Land use	
Previous land use	Agriculture
Current land use	Vacant

TABLE OF CONTENTS

	Page
EXECUTIVE SUMMARY	II
TECHNICAL SUMMARY	III
TABLE OF CONTENTS	IV
LIST OF FIGURES	IV
GLOSSARY OF TERMS AND ABBREVIATIONS	V
1. INTRODUCTION	1
2. TERMS OF REFERENCE	1
3. HERITAGE RESOURCES	2
4. STUDY APPROACH AND METHODOLOGY	3
5. DESCRIPTION OF THE AFFECTED ENVIRONMENT	4
6. SITE SIGNIFICANCE AND ASSESSMENT	8
7. RECOMMENDATIONS	9
8. REFERENCES	10
APPENDIX 1: CONVENTIONS USED TO ASSESS THE IMPACT OF PROJECTS OF HERITAGE RESOURCES	
APPENDIX 2. RELEVANT LEGISLATION	13
LIST OF FIGURES	
	Page
Fig. 1. Track log of the field survey.	4
Fig. 2. Location of the study area in regional context.	5
Fig. 3. Views over the two pipe line areas.	5
Fig. 4. Layout of the proposed development.	6
Fig. 5. The study area on the 1943 cadastral map.	7
Fig. 6. The study area	8

GLOSSARY OF TERMS AND ABBREVIATIONS

TERMS

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

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

Early Stone Age 2 000 000 - 150 000 Before Present

Middle Stone Age 150 000 - 30 000 BP

Later Stone Age 30 000 - until c. AD 200

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

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

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

ABBREVIATIONS

ADRC Archaeological Data Recording Centre

ASAPA Association of Southern African Professional Archaeologists

CS-G Chief Surveyor-General

EIA Early Iron Age
ESA Early Stone Age
LIA Late Iron Age
LSA Later Stone Age

HIA Heritage Impact Assessment

MSA Middle Stone Age

NASA National Archives of South Africa NHRA National Heritage Resources Act

PHRA Provincial Heritage Resources Agency

SAHRA South African Heritage Resources Agency

CULTURAL HERITAGE IMPACT ASSESSMENT FOR THE MAHUBE VALLEY STORM WATER MANAGEMENT PIPES, MAMELODI TOWNSHIP, TSHWANE MUNICIPLITY, GAUTENG PROVINCE

1. INTRODUCTION

It is proposed to install two storm water pipelines in the Mahube Valley region of Mamelodi Township, east of Pretoria.

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

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Envirolution Consulting** to conduct a cultural heritage assessment to determine if the development of the storm water pipe lines would have an impact on any sites, features or objects of cultural heritage significance.

This report forms part of the Environmental Impact Assessment (EIA) as required by the EIA Regulations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and is intended for submission to the South African Heritage Resources Agency (SAHRA).

2. TERMS OF REFERENCE

This report does not deal with development projects outside of or even adjacent to the study area as is presented in Section 5 of this report. The same holds true for heritage sites, except in a generalised sense where it is used to create an overview of the heritage potential in the larger region.

2.1 Scope of work

The aim of this study is to determine if any sites, features or objects of cultural heritage significance occur within the boundaries of the area where it is planned to develop the storm water pipe lines.

This include:

- Conducting a desk-top investigation of the area;
- A visit to the proposed development site,

The objectives were to

- Identify possible archaeological, cultural and historic sites within the proposed development areas;
- Evaluate the potential impacts of construction, operation and maintenance of the proposed development on archaeological, cultural and historical resources;

 Recommend mitigation measures to ameliorate any negative impacts on areas of archaeological, cultural or historical importance.

3. HERITAGE RESOURCES

3.1 The National Estate

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

- places, buildings, structures and equipment of cultural significance;
- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- · graves and burial grounds, including-
 - ancestral graves;
 - o royal graves and graves of traditional leaders;
 - o graves of victims of conflict;
 - o graves of individuals designated by the Minister by notice in the Gazette;
 - o historical graves and cemeteries; and
 - other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including
 - objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens:
 - objects to which oral traditions are attached or which are associated with living heritage;
 - ethnographic art and objects;
 - o military objects;
 - o objects of decorative or fine art;
 - objects of scientific or technological interest; and
 - books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

3.2 Cultural significance

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

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

- its importance in the community, or pattern of South Africa's history;
- its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;

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

A matrix was developed whereby the above criteria were applied for the determination of the significance of each identified site (see Appendix 1). This allowed some form of control over the application of similar values for similar identified sites.

4. STUDY APPROACH AND METHODOLOGY

4.1 Extent of the Study

This survey and impact assessment covers the area as presented in Section 5 and as illustrated in Figure 1 - 3.

4.2 Methodology

4.2.1.1 Survey of the literature

A survey of the relevant literature was conducted with the aim of reviewing the previous research done and determining the potential of the site.

4.2.1.2 Data bases

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

4.2.1.3 Other sources

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

4.2.2 Field survey

The field survey was done according to generally accepted archaeological practices, and was aimed at locating all possible sites, objects and structures. The area that had to be investigated was identified by **Envirolution Consulting** by means of maps. The site was visited on 15 October 2014. The area was investigated by walking transects across it – see Fig. 1 below.

The *kml* file indicating the location of the pipe lines, as supplied by Evirolution, was loaded onto a Nexus 7 tablet. This was used, in Google Earth, during the field survey to access the areas.

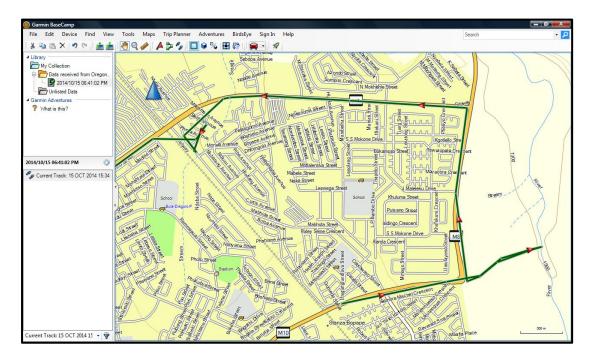


Fig. 1. Track log of the field survey.

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location and description

The site is located on the farm Pienaarspoort 339JR in the eastern section of the Mahube Valley section of Mamelodi Township - see the map in Fig. 2 below. For more information please see the Technical Summary presented above (p. iii).

The geology is made up of quartzite and the original vegetation is classified as Rocky Highveld Grassland, but has been changed due to urban development in the area. Building rubble has been dumped on sections of the site. No hills, outcrops or rock shelters that usually drew people to settle in its vicinity occur in the study area.

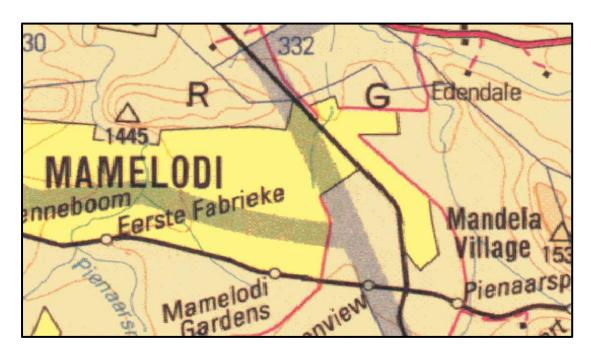


Fig. 2. Location of the study area in regional context. (Map 2528: Chief Surveyor-General)



Fig. 3. Views over the two pipe line areas.

5.2 Development proposal

It is proposed to develop storm water pipe lines and concrete channels in the Mahube Valley section of the Mamelodi Township east of Pretoria (Fig. 4).

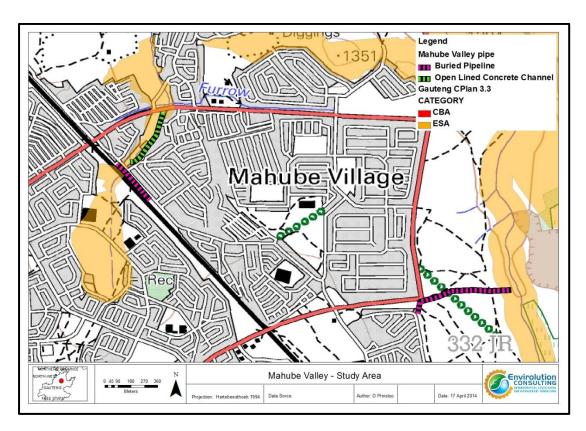


Fig. 4. Layout of the proposed development.

5.3 Regional overview

5.3.1 Stone Age

Stone tools dating to the various phases of the Stone Age occur all over the region. Stone Age tools associated with the Early and Middle Stone Age are common in the area, especially along the spruits and rivers where they cut through ridges and at the lower parts of the ridges and larger outcrops. These are viewed as find spots rather than sites per se. That means that as most of these are surface finds, they are viewed to be out of context and do not have any significance. Only a few stratified sites are known in the Magaliesberg range, but even these have little significance as the deposits have either eroded away, or have been impacted upon by later occupants of the shelters. However, this does not mean that the discovery of new sites can be ruled out.

5.3.2 Iron Age

Sites dating to the Late Iron Age are found all over. Some of them can be related to the Tswana-speakers, whereas others to the Ndebele-speakers and possibly a few also to the Ndebele of Mzilikazi. However, this still needs to be researched in more detail.

The Iron Age sites tend to cluster in the Bronberg as well as on the more open flatlands, especially in areas where outcrops (dolorite, etc.) occur. It is possible, although not yet proven, that this distinction can be linked to the difference between the Sotho and Ndebele referred to above.

5.3.3 Historical period

White settlers moved into the area during the first half of the 19th century. They were largely self-sufficient, basing their survival on cattle/sheep farming and hunting. Pretoria was established in 1850 and proclaimed in 1855.

Early white farmers selected farms (such as Baviaanspoort) and then provided a description of the farm to the local landdrost, who noted the detail in a registration book and gave the claimant a copy. Claimed land was then inspected before a title and deed were issued. Since the registration of land entailed registration costs and annual land taxes, it was often delayed as long as possible. As a result, the registration of land claimed on the basis of burgher rights continued well into the 1890s.

Since its founding in 1855, urban development of Pretoria remained concentrated in the central area around Church Square. Elsewhere, settlement was mainly agricultural, characterized by the subdivision of the original farms to accommodate children. During the 1940-1950 era there was a large increase in the urban population and many new suburbs were developed on the periphery of the urban area.

The *Vlakfontein Native Location* was proclaimed in 1953, but underwent a name change to Mamelodi in 1962. The first houses, built according to some rural model with thatched roofs were rejected by the new occupant and, as a result, brick houses with corrugated iron roof were built from the early 1950s. Tsamaya Road, also referred to as Denneboomweg dates back to the 19th century when it took travellers to Sekhukhuneland. It was also the first street to be tarred in the new township during the late 1950s.

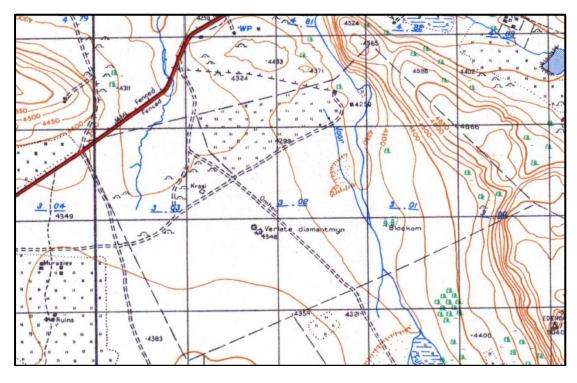


Fig. 5. The study area on the 1943 cadastral map. (Map 2528CB)

5.4 Identified sites

The following sites, features and objects of cultural significance were identified in the study area (Fig. 6):

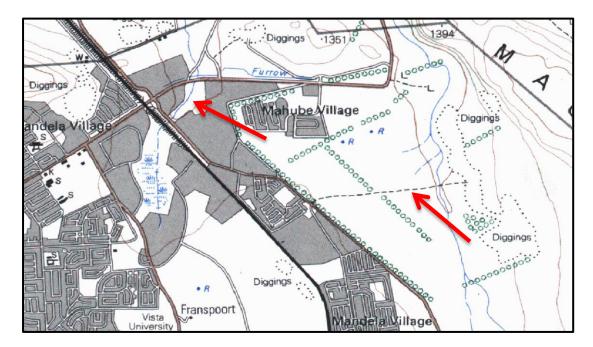


Fig. 6. The study area.
(Map 2528CB)

(Please note that the current map does not reflect the current development in the region)

5.4.1 Stone Age

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

5.4.2 Iron Age

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

5.4.2 Historic period

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

6. SITE SIGNIFICANCE AND ASSESSMENT

6.1 Heritage assessment criteria and grading

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

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

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

6.2 Statement of significance

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

6.3 Impact assessment

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

 As no sites, features or objects of cultural heritage significance have been identified in the study area, there would be no impact as a result of the proposed development.

7. RECOMMENDATIONS

The aim of this survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area of the proposed development, to assess the significance thereof and to consider alternatives and plan for the mitigation of any adverse impacts.

The cultural landscape qualities of the region is made up of a pre-colonial element consisting of limited Stone Age and Iron Age occupation, as well as a much later colonial (farmer) component, which gave rise to an urban and industrial component.

• As no site, features or objects of cultural significance are known to exist in the study area, there would be no impact as a result of the proposed development.

Therefore, from a heritage point of view we recommend that the proposed development can continue. We recommend that if archaeological sites or graves are exposed during construction work, it should immediately be reported to a heritage consultant so that an investigation and evaluation of the finds can be made.

8. REFERENCES

8.1 Data bases

Chief Surveyor General Environmental Potential Atlas, Department of Environmental Affairs and Tourism. Heritage Atlas Database, Pretoria. National Archives of South Africa

8.2 Literature

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

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

Oberholster, J.J. 1972. *The historical monuments of South Africa*. Cape Town: Rembrandt van Rijn Foundation.

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

Raper, P.E. 2004. South African place names. Johannesburg: Jonathan Ball Publishers.

Van Schalkwyk, J.A. 2004. *Heritage impact assessment: Mahube Valley development.* Unpublished report 2004KH039.

Van Schalkwyk, J.A. 2007. *Heritage impact assessment: Mahube Valley development.* Pretoria: Unpublished report 2007KH110.

Van Schalkwyk, J.A. 2009. Heritage impact assessment for the proposed residential dvelopment in Mamelodi West, Pretoria, Gauteng. Pretoria: Unpublished report 2009KH075.

Van Schalkwyk, J.A. 2011. Heritage impact assessment for the proposed upgrade of the Baviaanspoort Waste Water Treatment Works, north of Mamelodi, Gauteng Province. Pretoria: Unpublished report 2011JvS004.

8.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2528CB Google Earth

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

Significance

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

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

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

Significance of impact:

- low where the impact will not have an influence on or require to be significantly

accommodated in the project design

- medium where the impact could have an influence which will require modification of

the project design or alternative mitigation

- high where it would have a "no-go" implication on the project regardless of any

mitigation

Certainty of prediction:

 Definite: More than 90% sure of a particular fact. Substantial supportive data to verify assessment

- Probable: More than 70% sure of a particular fact, or of the likelihood of that impact occurring

Possible: Only more than 40% sure of a particular fact, or of the likelihood of an impact occurring

Unsure: Less than 40% sure of a particular fact, or the likelihood of an impact occurring

Recommended management action:

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

1 = no further investigation/action necessary

2 = controlled sampling and/or mapping of the site necessary

3 = preserve site if possible, otherwise extensive salvage excavation and/or mapping necessary

4 = preserve site at all costs

Legal requirements:

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

APPENDIX 2. RELEVANT LEGISLATION

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

- (1) Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority: Provided that the protection of any wreck in the territorial waters and the maritime cultural zone shall be the responsibility of SAHRA.
- (2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collection policy acceptable to the heritage resources authority and may in so doing establish such terms and conditions as it sees fit for the conservation of such objects.
- (3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.
- (4) No person may, without a permit issued by the responsible heritage resources authority-
 - (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
 - (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
 - (c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
 - (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

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

- (1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.
- (2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated with the grave referred to in subsection (1), and must maintain such memorials.
- (3) No person may, without a permit issued by SAHRA or a provincial heritage resources authority-
 - (a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
 - (b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
 - (c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.
- (4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and reinterment 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.

The National Heritage Resources Act (Act no 25 of 1999) stipulates the assessment criteria and grading of archaeological sites. The following categories are distinguished in Section 7 of the Act:

- **Grade I**: Heritage resources with qualities so exceptional that they are of special national significance;
- **Grade II**: Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and
- **Grade III**: Other heritage resources worthy of conservation, and which prescribes heritage resources assessment criteria, consistent with the criteria set out in section 3(3), which must be used by a heritage resources authority or a local authority to assess the intrinsic, comparative and contextual significance of a heritage resource and the relative benefits and costs of its protection, so that the appropriate level of grading of the resource and the consequent responsibility for its management may be allocated in terms of section 8.

Presenting archaeological sites as part of tourism attraction requires, in terms 44 of the Act, a Conservation Management Plan as well as a permit from SAHRA.

- (1) Heritage resources authorities and local authorities must, wherever appropriate, coordinate and promote the presentation and use of places of cultural significance and heritage resources which form part of the national estate and for which they are responsible in terms of section 5 for public enjoyment, education, research and tourism, including-
 - (a) the erection of explanatory plaques and interpretive facilities, including interpretive centres and visitor facilities;
 - (b) the training and provision of guides;
 - (c) the mounting of exhibitions;
 - (d) the erection of memorials; and
 - (e) any other means necessary for the effective presentation of the national estate.
- (2) Where a heritage resource which is formally protected in terms of Part I of this Chapter is to be presented, the person wishing to undertake such presentation must, at least 60 days prior to the institution of interpretive measures or manufacture of associated material, consult with the heritage resources authority which is responsible for the protection of such heritage resource regarding the contents of interpretive material or programmes.
- (3) A person may only erect a plaque or other permanent display or structure associated with such presentation in the vicinity of a place protected in terms of this Act in consultation with the heritage resources authority responsible for the protection of the place.