

**Heritage impact report for the
PROPOSED NEW NTSHONA SUBSTATION AND 132KV POWER LINE, SOUTH
OF MOGALE CITY, GAUTENG PROVINCE**

HERITAGE IMPACT ASSESSMENT REPORT FOR THE PROPOSED NEW NTSHONA SUBSTATION AND 132KV POWER LINE, SOUTH OF MOGALE CITY, GAUTENG PROVINCE

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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
November 2012

EXECUTIVE SUMMARY

HERITAGE IMPACT ASSESSMENT REPORT FOR THE PROPOSED NEW NTSHONA SUBSTATION AND 132KV POWER LINE, SOUTH OF MOGALE CITY, GAUTENG PROVINCE

Eskom propose to construct a new substation and 132kV power line south of Mogale City (Krugersdorp) on a site located east of the R28 (linking Mogale City and Randfontein) and west of the old Westrand Consolidated Gold Mine.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by **Envirolution Consulting** to conduct a Heritage Impact Assessment (HIA) to determine if the proposed power line and substation would have an impact on any sites, features or objects of cultural heritage significance.

The whole region was subjected to mining and mining related activities. Unfortunately, most of this have already been demolished, or are in the process of being recycled by people stripping out any usable material. Consequently, little of value has remained.

- Although some potential heritage sites occur in the region, these features are devoid of their original context as it has been demolished as well as the fact that the power line route as well as the proposed substation site would miss all of these.

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



J A van Schalkwyk
Heritage Consultant
November 2012

TECHNICAL SUMMARY

Property details						
Province	Gauteng Province					
Magisterial district	Krugersdorp					
District municipality	West Rand					
Topo-cadastral map	2627BA, 2627BB					
Closest town	Krugersdorp					
Farm name & no.	Luipaardsvlei 246IQ					
Portions/Holdings	136					
Coordinates	Centre point					
	No	Latitude	Longitude	No	Latitude	Longitude
	1	S 26.12959	E 27.74945			

Development criteria in terms of Section 38(1) of the NHR Act	Yes/No
Construction of road, wall, power line, pipeline, canal or other linear form of development or barrier exceeding 300m in length	Yes
Construction of bridge or similar structure exceeding 50m in length	
Development exceeding 5000 sq m	Yes
Development involving three or more existing erven or subdivisions	
Development involving three or more erven or divisions that have been 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 a substation and 132kV distribution line
Project name	Ntshona

Land use	
Previous land use	Mining
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	9
7. RECOMMENDATIONS.....	10
8. REFERENCES.....	11
APPENDIX 1: CONVENTIONS USED TO ASSESS THE IMPACT OF PROJECTS ON HERITAGE RESOURCES.....	12
APPENDIX 2. RELEVANT LEGISLATION	14

LIST OF FIGURES

	Page
Fig. 1. Location of the study area (green line) in regional context.	5
Fig. 2. Aerial views of the study area, dating to 2004 (top) and 2012 (below).....	6
Fig. 3. Layout of the proposed development.	7
Fig. 4. Remains of mining related structures in the region.	9

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

HERITAGE IMPACT ASSESSMENT REPORT FOR THE PROPOSED NEW NTSHONA SUBSTATION AND 132KV POWER LINE, SOUTH OF MOGALE CITY, GAUTENG PROVINCE

1. INTRODUCTION

Eskom propose to construct a new substation and 132kV power line south of Mogale City (Krugersdorp) on a site located east of the R28 (linking Mogale City and Randfontein) and west of the old Westrand Consolidated Gold Mine.

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 Heritage Impact Assessment (HIA) to determine if the proposed power line and substation would have an impact on any sites, features or objects of cultural heritage significance.

This HIA 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

2.1 Scope of work

The aim of this HIA, broadly speaking, 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 mixed use township.

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.

2.2 Limitations

None at present.

Table 1: Applicable category of heritage impact assessment study and report.

Type of study	Aim	SAHRA involved	SAHRA response
Heritage Impact Assessment	<p>The aim of a full HIA investigation is to provide an informed heritage-related opinion about the proposed development by an appropriate heritage specialist. The objectives are to identify heritage resources (involving site inspections, existing heritage data and additional heritage specialists if necessary); assess their significances; assess alternatives in order to promote heritage conservation issues; and to assess the acceptability of the proposed development from a heritage perspective.</p> <p>The result of this investigation is a heritage impact assessment report indicating the presence/ absence of heritage resources and how to manage them in the context of the proposed development.</p> <p>Depending on SAHRA's acceptance of this report, the developer will receive permission to proceed with the proposed development, on condition of successful implementation of proposed mitigation measures.</p>	Provincial Heritage Resources Authority	Comments on built environment and decision to approve or not
		SAHRA Archaeology, Palaeontology and Meteorites Unit	Comments and decision to approve or not

3. HERITAGE RESOURCES

3.1 The National Estate

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

- places, buildings, structures and equipment of cultural significance;
- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- graves and burial grounds, including-
 - ancestral graves;
 - royal graves and graves of traditional leaders;
 - graves of victims of conflict;
 - graves of individuals designated by the Minister by notice in the Gazette;
 - historical graves and cemeteries; and

- other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including-
 - objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - objects to which oral traditions are attached or which are associated with living heritage;
 - ethnographic art and objects;
 - military objects;
 - objects of decorative or fine art;
 - objects of scientific or technological interest; and
 - books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

3.2 Cultural significance

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

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

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

4. STUDY APPROACH AND METHODOLOGY

4.1 Extent of the Study

This survey and impact assessment covers the area as presented in Section 5 and as illustrated in 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 area. In this regard, various anthropological, archaeological and historical sources were consulted.

- A few publications, some dealing with the larger region and others with specific topics, were identified (Praagh, 1906, Municipal Council of Krugersdorp 1936, Coetzee 1976). Some information was obtained from previous heritage impact assessment studies done in the region (Huffman 2005; Van Schalkwyk 2009, 2011; Van Vuuren & Van Schalkwyk 2005).

4.2.1.2 Data bases

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

- Database surveys produced a number of sites located in the larger region of the proposed development.

4.2.1.3 Other sources

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

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

4.2.2 Field survey

The 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 **Envirovolution Consulting** by means of maps. The area was investigated by walking transects over the proposed substation site as well as travelling the route of the proposed power line.

4.2.3 Documentation

All sites, objects and structures that are identified are documented according to the general minimum standards accepted by the archaeological profession. Coordinates of individual localities are determined by means of the *Global Positioning System* (GPS) and plotted on a map. This information is added to the description in order to facilitate the identification of each locality.

Map datum used: Hartebeeshoek 94 (WGS84).

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location

Eskom propose to construct a new substation and turn-in power line south of Mogale City (Krugersdorp) on a site located east of the R28 (linking Mogale City and Randfontein) and west of the old Westrand Consolidated Gold Mine (Fig. 1). For more information, please see the Technical Summary presented above.

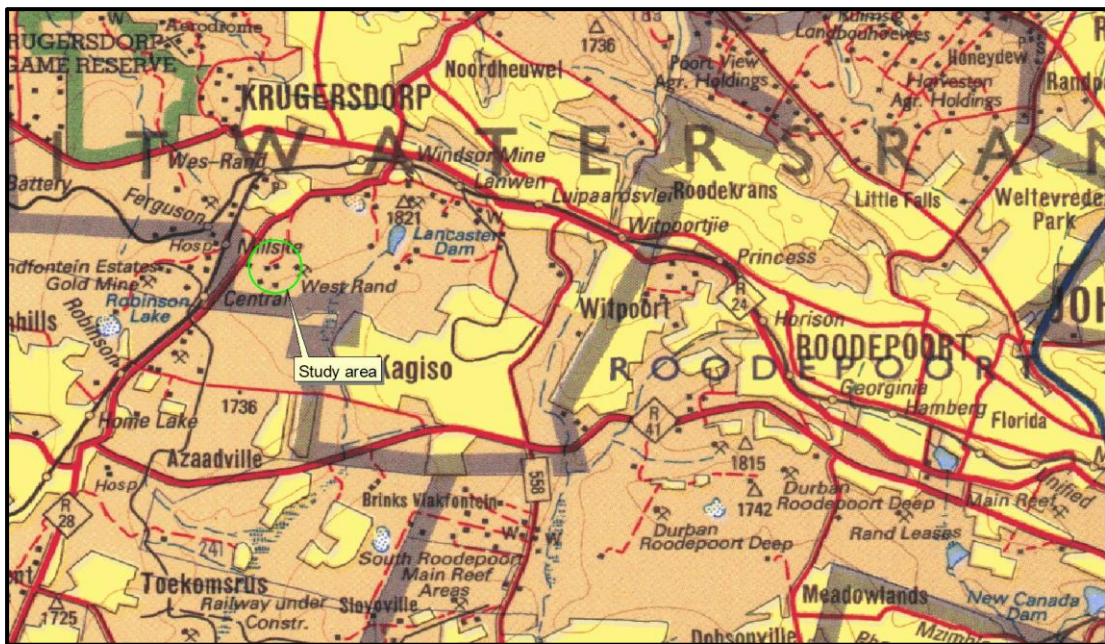


Fig. 1. Location of the study area (green line) in regional context.
(Map 2626: Chief Surveyor-General)

The whole region was subjected to mining and mining related activities. Unfortunately, most of this have already been demolished, or are in the process of being recycled by people stripping out any usable material. Consequently, little of value has remained (Fig. 2 below).

In other cases, since the mines stopped producing gold, the infrastructure, i.e. buildings, were used for other purposes by manufactures as factories, etc. Consequently, some alterations were made, inevitably changing the original nature of the buildings.





Fig. 2. Aerial views of the study area, dating to 2004 (top) and 2012 (below).

The two aerial views of the study area, dating to 2004 and 2012 respectively, shows clearly how existing structures and features have been demolished, creating a landscape of unrehabilitated waste.

5.2 Development proposal

The proposed development involves two components:

- the construction of a substation on a section of land 150m x 150m in size;
- the construction of a 132kV power line (approximately 1.3km long) linking the substation to an existing power line. For this purpose three alternatives have been identified.

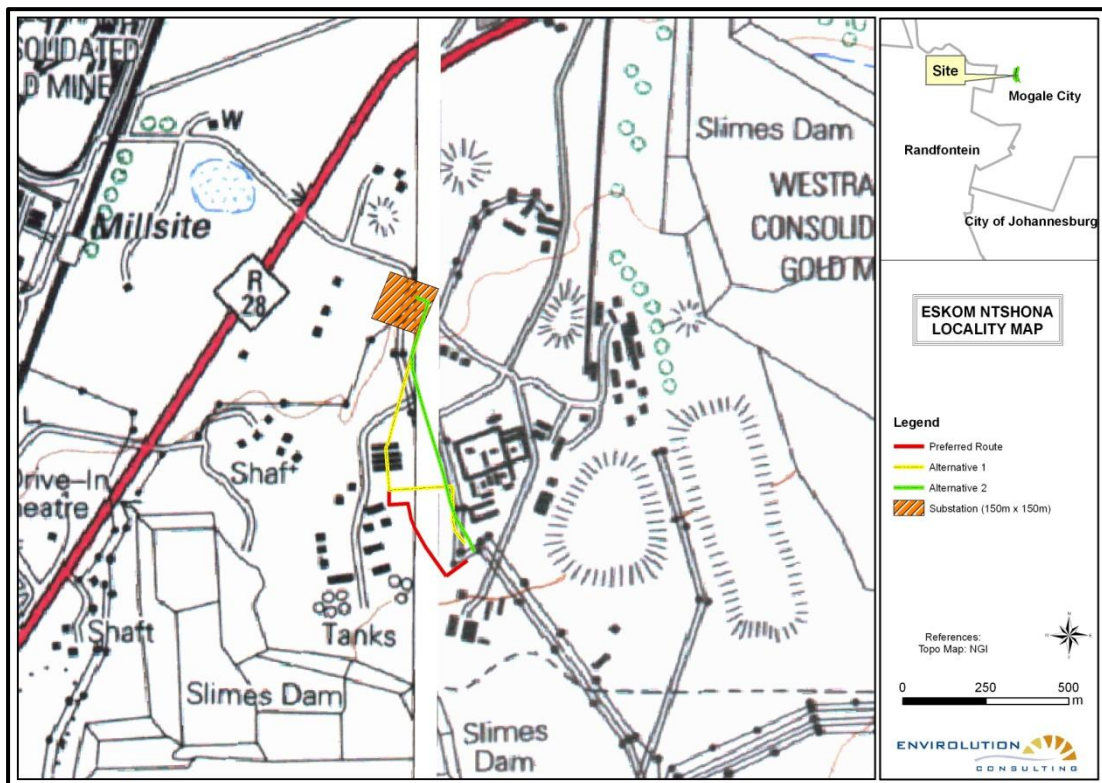


Fig. 3. Layout of the proposed development.
(Map supplied by Envirolution Consulting)

5.3 Regional overview

Stone Age

The larger Mogale City area has been inhabited by different hominids since early Pliocene times, but it was only from about 2.5 million years ago that they started to produce stone tools, effectively beginning the Early Stone Age (ESA). During Middle Stone Age (MSA) times (c. 150 000 - 30 000 BP), people became more mobile, occupying areas formerly avoided.

Late Stone Age (LSA) people had even more advanced technology than the MSA people and therefore succeeded in occupying even more diverse habitats. Also, for the first time we now get evidence of people's activities derived from material other than stone tools. Ostrich eggshell beads, ground bone arrowheads, small bored stones and wood fragments with incised markings are traditionally linked with the LSA. A number of sites dating to this period have been studied by Wadley (1987) in the Magaliesberg area. In the case of the LSA people, they have also left us with a rich legacy of rock art, which is an expression of their complex social and spiritual beliefs.

Iron Age

Iron Age people started to settle in southern Africa c. AD 300, with one of the oldest known sites at Broederstroom, dating to AD 470, located south of Hartebeespoort Dam just outside of the WHS area. Having only had cereals (sorghum, millet) that need summer rainfall, Early Iron Age (EIA) people did not move outside this rainfall zone, and neither did they occupy the central interior highveld area (Huffman 1993).

The occupation of the regio by Iron Age communities did not start much before the 1500s. Due to climatic fluctuations, bringing about colder and drier conditions, people were forced to avoid this area. Following a dry spell that ended just before the turn of the millemium the climate became better again until about AD 1300. This coincided with the arrival of the ancestors of the present day Sotho-, Tswana- and Nguni-speakers in southern Africa, forcing them to avoid large sections of the interior.

Historic period

Originally the trekkers who settled in the region occupied themselves with farming. After the discovery of gold on the Witwatersrand, exploration also started in this area, e.g. the well-known Harry and Fred Struben were exploring in the Sterkfontein area during 1884. One of the oldest gold mines was established in 1874 at Blaauwbank and another in 1891 on the farm Kromdraai. By this time the fossil-bearing caves were already known and lime quarrying started about 1895. However, it was more than forty years later, in 1936, that Robert Broom first identified the remains of a number of fossil hominids.

During the Anglo-Boer War, a number of skirmishes took place in the area. The biggest battle was in the vicinity of Krugersdorp at Nooitgedacht (Magaliesberg range) on 13 December 1900. Krugersdorp was captured in June 1900 by Gen. Hunter.

The study area formed part of the West Rand Consolidated Gold Mine that formed part of the larger Consolidated Goldfields. Gold was discovered in the region as early as 1887. Production peaked during the Second World War, and then started to decline. It was only the demand for uranium that kept most of them going.

5.4 Identified sites

5.3.1 Stone Age

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

5.3 2 Iron Age

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

5.3.3 Historic period

- The whole region was subjected to mining and mining related activities. Unfortunately, most of this have already been demolished, or are in the process of being recycled by people stripping out any usable material. Consequently, little of value has remained.

Fortunately, none of the remaining structures would be impacted on by the proposed development.



Fig. 4. Remains of mining related structures in the region.

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. Three alternative routes have been identified:

- Although some potential heritage sites occur in the region, all the power line route alternatives as well as the proposed substation site would miss all of these.

7. RECOMMENDATIONS

The aim of the survey was to locate, identify, evaluate and document sites, objects and structures of cultural significance found within the area in which it is proposed to develop a 132kV power line and substation.

The whole region was subjected to mining and mining related activities. Unfortunately, most of this have already been demolished, or are in the process of being recycled by people stripping out any usable material. Consequently, little of value has remained.

- Although some potential heritage sites occur in the region, these features are devoid of their original context as it has been demolished as well as the fact that the power line route as well as the proposed substation site would miss all of these.

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

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.

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

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Huffman, T.N. 2007. *Luipaardsvlei archaeological assessment, Randfontein*. Johannesburg: Archaeological Resources Management

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Richardson, D. 2001. *Historic sites of South Africa*. Cape Town: Struik Publishers.

Van Schalkwyk, J.A. 2009. *Heritage impact assessment report for the proposed new substation and 132kV distribution line, south of Krugersdorp, Gauteng Province*. Unpublished report 2009/JvS/059.

Van Schalkwyk, J.A. 2011. *Heritage impact assessment report for the proposed new substation and 132kV distribution line, west of Kagiso, Gauteng Province*. Unpublished report 2011/JvS/034. Pretoria.

Van Vuuren, C.J. & Van Schalkwyk, J.A. 2005. *Survey report of sites of cultural significance in the Mogale City municipal area, Gauteng*. Unpublished report 2005/01. Pretoria.

8.3 Maps

1: 50 000 Topocadastral maps – 2627BA, BB

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

Significance of impact:

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

Certainty of prediction:

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

Recommended management action:

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

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

Legal requirements:

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

APPENDIX 2. RELEVANT LEGISLATION

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

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

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

(3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

(4) No person may, without a permit issued by the responsible heritage resources authority-

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
- (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
- (c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
- (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

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

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

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

(3) No person may, without a permit issued by SAHRA or a provincial heritage resources authority-

- (a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
- (b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- (c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.

(4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant and in accordance with any regulations made by the responsible heritage resources authority.

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, co-ordinate 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.