

**Cultural heritage impact assessment report for the
PROPOSED TOWNSHIP DEVELOPMENT ON PORTION 126 OF THE FARM
OLIFANTSVLEI 3271Q, GAUTENG**

CULTURAL HERITAGE IMPACT ASSESSMENT REPORT FOR THE PROPOSED TOWNSHIP DEVELOPMENT ON PORTION 126 OF THE FARM OLIFANTSVLEI 327IQ, GAUTENG

Report No: 2013/JvS/039
Status: Draft
Revision No: 0
Date: June 2013

Prepared for:

Goslar Environmental cc
Representative: Mr A Goslar

Postal Address: 204 Eilat, 10 Hall Road, Sea Point, Cape Town
Tel:
E-mail: anthony@goslarenvironmental.com

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
June 2013

EXECUTIVE SUMMARY

CULTURAL HERITAGE IMPACT ASSESSMENT REPORT FOR THE PROPOSED TOWNSHIP DEVELOPMENT ON PORTION 126 OF THE FARM OLIFANTSVLEI 3271Q, GAUTENG

It is proposed to develop a township on Portion 126 of the farm Olifantsvlei 3271Q south of Johannesburg in Gauteng Province.

In accordance with Section 38 of the NHRA, an independent heritage consultant was appointed by Goslar Environmental to conduct a Cultural Heritage Impact Assessment (HIA) to determine if the proposed development of the township would have an impact on any sites, features or objects of cultural heritage significance.

- An informal cemetery with about 6 graves is located on the border of the area where it is proposed to develop the township and will be impacted on.

It is recommended that they are retained in place and formalised by fencing them off with a buffer of at least 10 metres from the outer most graves, allowing access to descendants to visit graves. This will result in the development plan to be adapted to accommodate this site.

If the graves cannot be retained they should be relocated after the required community involvement has been done and the relevant permits have been obtained.

Therefore, from a heritage point of view we recommend that the development can continue on condition of the acceptance of the proposed mitigation measures. We also recommend that if archaeological sites or graves are exposed during development activities, it should immediately be reported to a heritage practitioner so that an investigation and evaluation of the finds can be made.



J A van Schalkwyk
Heritage Consultant
July 2013

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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 REPORT FOR THE PROPOSED TOWNSHIP DEVELOPMENT ON PORTION 126 OF THE FARM OLIFANTSVLEI 327IQ, GAUTENG

1. INTRODUCTION

It is proposed to develop a township on Portion 126 of the farm Olifantsvlei 327IQ south of Johannesburg in Gauteng Province.

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 Goslar Environmental to conduct a Cultural Heritage Impact Assessment (HIA) to determine if the proposed development of the township 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

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 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 substation and loop-in, loop-out lines.

This include:

- Conducting a desk-top investigation of the area;
- A field survey of 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

The investigation has been influenced by the following factors:

- The unpredictability of archaeological remains occurring below the surface.

2.3 Assumptions

- It is assumed that the Social Impact Assessment and Public Participation Process might also result in the identification of sites, features and objects, including sites of intangible heritage potential on the site and that these then will also have to be considered in the management plan.

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.

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 area. In this regard, various anthropological, archaeological and historical sources were consulted – see list of reference in Section 8 below.

- Information on events, sites and features in the larger region were obtained from these sources and was used to compile a synopsis of the region which is presented in Section 5.3 of this report.

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 in Section 8 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 Goslar Environmental by means of maps. The area was visited on 27 June 2013 and investigated by walking two transects across it – see Fig. 1.

The track log and identified sites were recorded by means of a Garmin Oregon 550 handheld GPS device. Photographic recording was done by means of a Canon EOS 550D digital camera.

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).

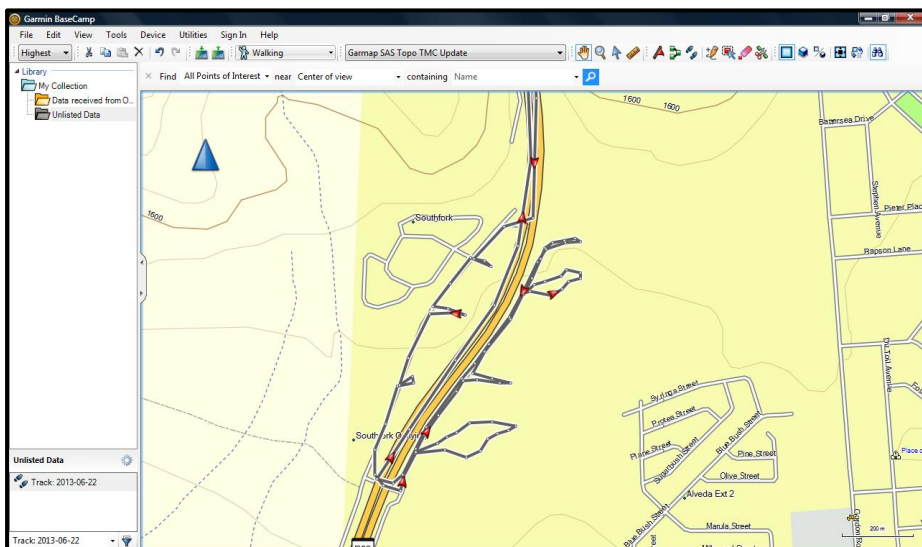


Fig. 1. Map indicating the track log of the field survey.

5. DESCRIPTION OF THE AFFECTED ENVIRONMENT

5.1 Site location

The site is located on both sides of the R82 to the west of the suburb of Kibler Park, in the southern part of Johannesburg (Fig. 2).

The geology of the region is made up of lava and the original vegetation is classified as Rocky Highveld Grassland.

Over much of the study area the surface has been disturbed by farming activities and building rubble that has been dumped all over (Fig. 3).

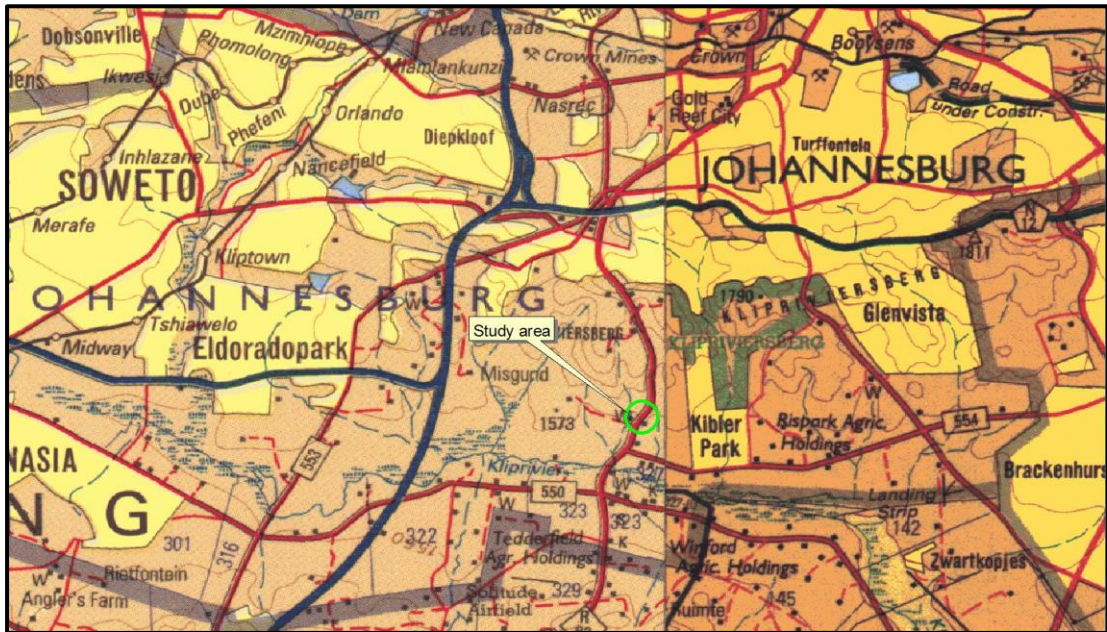


Fig. 2. Location of the study area (purple area) in regional context. (Map 2626, 2628: Chief Surveyor-General)



Fig. 3. Views over the study area.



Fig. 4. Aerial view of the study area.
(Photo: Google Earth)

5.2 Development proposal

It is proposed to develop a township on Portion 126 of the farm Olifantsvlei 3271Q south of Johannesburg in Gauteng Province (Fig. 5). No further information was supplied to the heritage consultant.

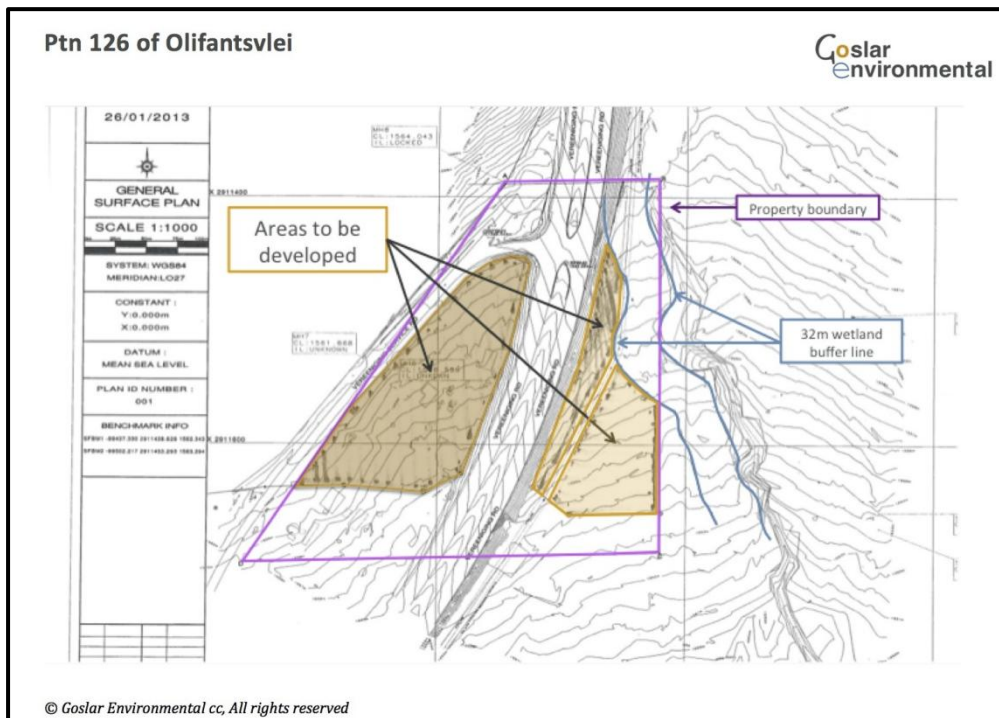


Fig. 5. Layout of the proposed development.
(Map supplied by Goslar Environmental)

5.3 Overview of the region

The aim of this section is to present an overview of the history of the larger region in order to eventually determine the significance of heritage sites identified in the study area, within the context of their historic, aesthetic, scientific and social value, rarity and representivity – see Section 3.2 and Appendix 1 for more information.

The cultural landscape qualities of the region surrounding the study area consists two components. The first is an extensive Iron Age occupation, which in most cases clustered in the vicinity of the various hills and ridges. The second is a suburban environment which, until recently, largely consisted of small-holdings.

Stone Age

Occupation of the larger region has taken place since the Early Stone Age time. Various sites dating to the Stone Age occur in the larger region, for example the Primrose Ridge sites.

Iron Age

Iron Age people started to settle in southern Africa c. AD 300, with one of the oldest known sites at Broederstroom south of Hartebeespoort Dam dating to AD 470. Having only had cereals (sorghum, millet) that need summer rainfall, Early Iron Age people did not move

outside this rainfall zone, and neither did they occupy the central interior highveld area. Because of their specific technology and economy, Iron Age people preferred to settle on the alluvial soils near rivers for agricultural purposes, but also for firewood and water.

The occupation of the larger geographical area (including the study area) did not start much before the 1500s. By the 16th century things changed, with the climate becoming warmer and wetter, creating condition that allowed Late Iron Age (LIA) farmers to occupy areas previously unsuitable, for example the Witwatersrand and the treeless plains of the Free State.

Stonewalled settlements occur to the south and southeast of the study area in what is known as the Klipriviersberg Nature Reserve. These belong to the Uitkomst facies of the Late Iron Age and date to the period AD 1700 and later. According to Huffman et al (2006/2007) these sites can be related to the Bafokeng people.

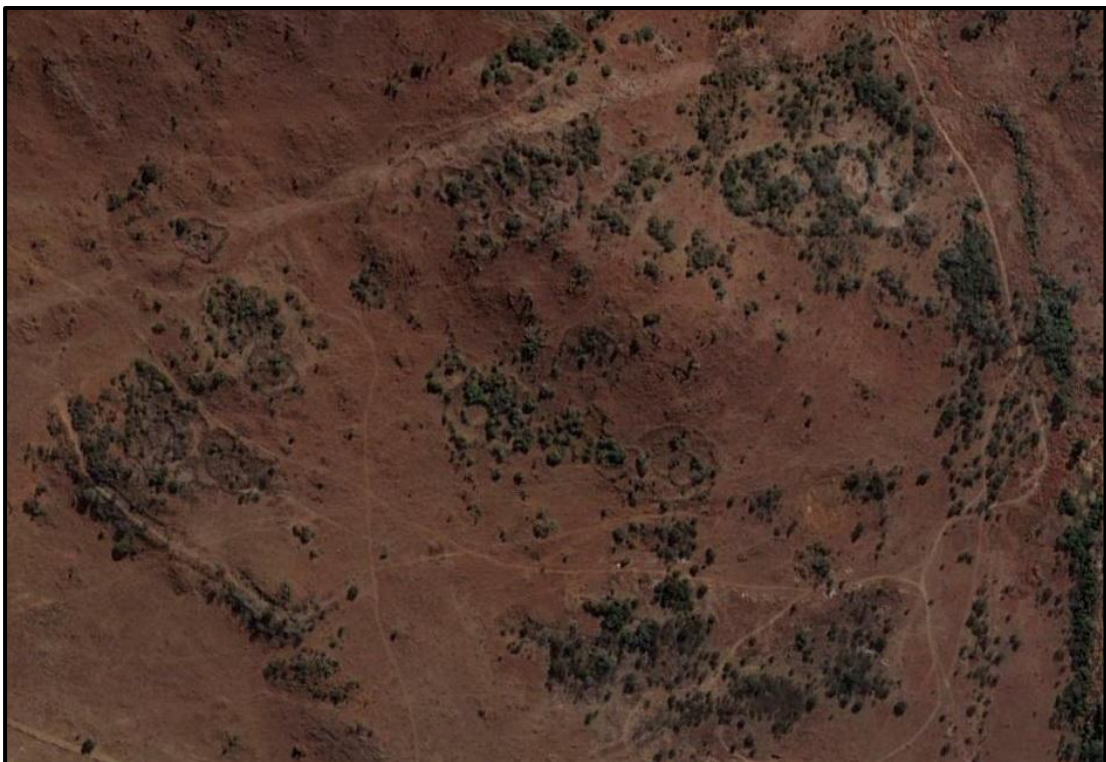


Fig. 6. Typical Late Iron Age stone walled sites located to the west of the study area.

Historic 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 started in 1850, but Johannesburg only dates to the 1880s, after the discovery of gold.

Up until the discovery of gold, the area was largely a farming community, with a low density of human population. All of this changed with the discovery of gold during the early 1880s. Although the history of mining activities and ownership is very complex, most of what happened in the region of the study area can be associated with Rand Mines. Mining activities changed the natural landscape into a cultural landscape, with buildings, headgear, slimes dams and infra-structural support. As the mines closed down, these structures were left behind, falling into disrepair, and are vandalised. What most people do not realise is the

interrelatedness of all of these. If there were not any mines in the region, the population density in the region might have been quite different from what it is today.

Gold mining took place in the larger region, with the most important mining house, City Deep, consisting of South City, Wolhuter Deep, South Wolhuter and Klipriviersberg, located just to the north of the study area.

5.4 Identified sites

The following sites, features and objects of cultural significance were identified in the study area:

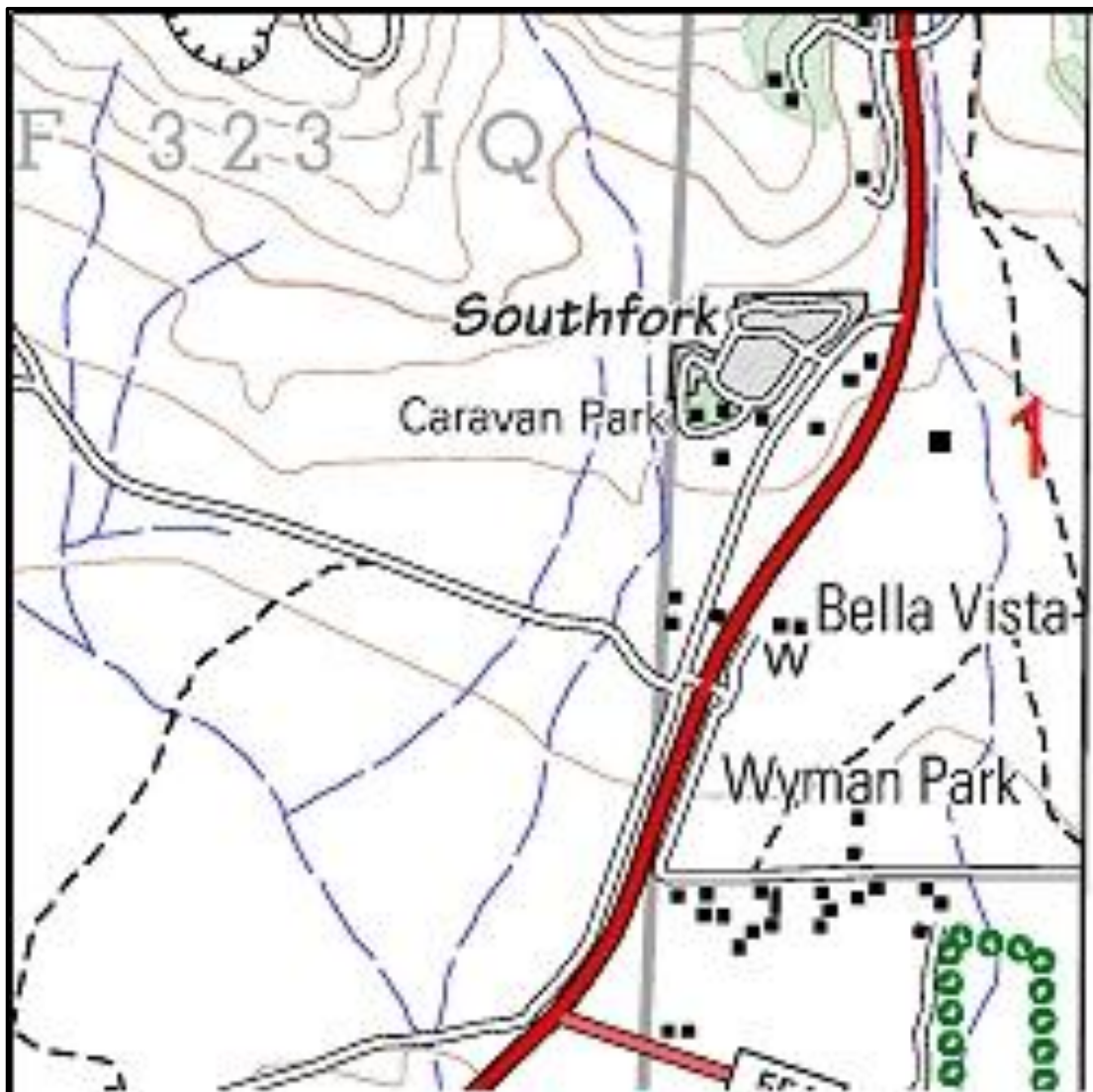


Fig. 7. The study area
(Map 2627BD: Chief Surveyor-General)

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

- Three houses with associated features, e.g. garages, water supply tanks and neglected gardens occur on the western portion of the study area. All of these structures are very dilapidated, showing cracks and little in the sense of maintenance. These features does not exhibit any interesting or unique features and are probably less than 50 years – based on a comparison of the different 1:50 000 topogadastral maps.
- These structures are therefore viewed to have low significance and no mitigation is required.



Fig. 8. The various structures on the western portion of the study area.

- Graves & Cemeteries

| | | | |
|--------------------|---|------------|------------|
| Location | 1 | S 26.31106 | E 27.99717 |
| Description | An informal burial place with about 6 graves – they are difficult to count as only two have | | |

headstones, with the others only marked by stone cairns. The headstones have the following information: David Mathebula (no date); and K H Lyon (1940-1946).

Significance | High on a local level – Grade III

Mitigation

As the graves are older than 60 years, it would require a permit from SAHRA and the appointment of a qualified heritage consultant to relocate them.

Recommendation:

It is recommended that the graves are retained in place and formalised by fencing them off with a buffer of at least 10 metres from the outer most graves, allowing access to descendants to visit graves. This will result in the development plan to be adapted to accommodate this site.

If the graves cannot be retained they should be relocated after the required community involvement has been done and the relevant permits have been obtained.



Fig. 9. Views of the burial place.

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:

- An informal cemetery with about 6 graves is located on the border of the area where it is proposed to develop the township and will impacted on. It is recommended that they are retained in place and formalised by fencing them off with a buffer of at least 10 metres from the outer most graves, allowing access to descendants to visit graves. This will result in the development plan to be adapted to accommodate this site.

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.

- An informal cemetery with about 6 graves is located on the border of the area where it is proposed to develop the township and will impacted on.

It is recommended that they are retained in place and formalised by fencing them off with a buffer of at least 10 metres from the outer most graves, allowing access to descendants to visit graves. This will result in the development plan to be adapted to accommodate this site.

If the graves cannot be retained they should be relocated after the required community involvement has been done and the relevant permits have been obtained.

Therefore, from a heritage point of view we recommend that the proposed development can continue. Therefore, from a heritage point of view we recommend that the development can continue on condition of the acceptance of the proposed mitigation measures. We also recommend that if archaeological sites or graves are exposed during development activities, it should immediately be reported to a heritage practitioner 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.

Huffman, T.N. et al. 2006/7. Stone walling in the Klipriviersberg: archaeological mitigation for the Aspen Hills development project. *Southern African Field Archaeology* 15 & 16:42-56.

Mason, R. 1968. *Prehistory of the Transvaal*. Johannesburg: Witwatersrand University Press.

Mason, R.J. 1986. *Origins of the Black People of Johannesburg and the southern western central Transvaal AD 350-1880*. Occasional Paper No. 16. Johannesburg: Archaeological Research Unit, University of the Witwatersrand.

Mendelsohn, F. & Potgieter, C.T. (reds.). 1986. Guidebook to Sites of Geological and Mining Interest on the Central Witwatersrand. Johannesburg: The Geological Society of South Africa.

Shorten, J.R. 1970. *The Johannesburg Saga*. Johannesburg: John R Shorten (Pty) Ltd.

Van Schalkwyk, J.A. 2009. *Heritage impact assessment for the proposed mixed-use development in the South Hills region of Johannesburg, Gauteng Province*. Unpublished report 2009/JvS/050.

8.3 Maps and aerial photographs

1: 50 000 Topocadastral maps: 2627BD
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, 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.