KWAZULU-NATAL

AMAFA AND RESEARCH INSTITUTE

ISIKHUNGO SAMAFA NOCWANINGO

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Date visited: 21 January 2021
Date created: 25 January 2021

SITE	PREPARED BY	DUE FOR REVIEW
Zwelisha Rock Art Shelter, Nkosi Langalibalele Local Municipality	Celeste Rossouw Senior Rock Art Officer (SRAO) with monitoring by Siyabonga Mbatha Rock Art Monitor (RAM)	January 2022

Preamble

The Zwelisha Rock Art Shelter site is situated in the Nkosi Langalibalele Local Municpality (Estcourt). It is outside the Buffer Zone of the Maloti-Drakensberg Park World Heritage Site.

The Nkosi Langalibalele Municipality's Tourism Department and Mrs Nikiwe Sithole of the Hlubi and Langalibalele Tourism Initiative have indicated that they wanted to open this site as a low-impact tourism destination.

The KZN Amafa & Research Institute accredited the community to act as Rock Art Custodians as part of encouraging entrepreneurial skills and to ensure dissemination of knowledge. The Langalibalele & Hlubi Rock Art Custodians will assist the KZN Amafa & Research Institute in monitoring the site on a monthly basis as part of compliance.

The KZN Amafa & Research Institute's policy prescribes that for each rock art site opened, a management plan must be completed to ensure that no damage occurs for the sake of the long-term conservation of the rock art panels and their setting. The management plan must be edited on an annual basis.

The Chief of the Tribal Authority was also consulted and he supports the opening of the site if authorised by the KZN Amafa & Research Institute.

Legislative and Policy Framework	Core issues addressed	Appendix
THE KZN AMAFA & RESEARCH INSTITUTE ACT NO. 5 OF 2018	Empowers the KZN Amafa & Research Institute to prohibit or limit any activity within 50m of a rock art site and establishes The Institute as the custodian of that heritage resource.	1
NATIONAL HERITAGE RESOURCES ACT NO. 25 OF 1999	Delegates authority to a provincial heritage authority to manage heritage resources including rock art in terms of listed criteria.	2
BURRA CHARTER	Provides internationally accepted best-practice model for management of heritage resources	3
THE KZN AMAFA & RESEARCH INSTITUTE ROCK ART ACCESS POLICY	The custodian-and-permit system has been implemented to manage access to officially open rock art destinations. Should the managers/owner decide to open the site in the future.	4

1. Objectives

1.1 Survey and base-line documentation
1.2 Statement of Significance
1.3 Grading
1.4 Risk Assessment
2. Prescribe strategies to achieve long term conservation of the site, addressing in particular:
    2.1 Access management
    2.2 Conservation management
    2.3 Research Management
    2.4 Tourism Management
3. Revision of the Management Plan
4. Summary of Actions for the financial year

Stakeholders:

Name	Contact details	Physical Address/e-mail	Institution

Smanga Surprise Dubazane	036 353 0625 (t) 036 353 6661 (f) 079 371 3505 ©	Imbabazane	Local Municipality
Celeste Rossouw	033 394 6543 (t) 033 394 6552 (f)	033 394 6543 (t) 033 394 6552 (f)	Amafa/Heritage KwaZulu Amafa & Research Institute, Senior Rock Art Officer
Siyabonga Mbatha	033 394 6543 (t) 033 394 6552 (f)	033 394 6543 (t) 033 394 6552 (f)	KwaZulu-Natal Amafa & Research Institute, Rock Art Monitor
Nikiwe Sithole	072 819 5683	langalibalelenikiwe@gmail.com	Head of the Langalibalele and Hlubi Tourism Initiative
Mbalenhlo Molefe	079 830 7847		Rock Art Custodian
Mluleki P. Mkhize	061 369 7325	mlulekimki@gmail.com	Rock Art Custodian
Thembinkosi Thamsanqa Thusi	066 190 3845	Tthuse999@gmail.com	Rock Art Custodian
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Sifiso Khoza	078 026 0014	khozasfiso97@outlook.com	Rock Art Custodian
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Zuziwe Mlaba	064 767 6047		Rock Art Custodian
Nokukhanya Mnguni	072 8015 2228		Rock Art Custodian
Lungisani Mdluli	072 758 7411		Rock Art Custodian

Figure 1: Google Earth Map indicating the position of Zwelisha Rock Art Shelter (Google Earth Image@2019 Maxar Technologies, storage: The Institute).

Zwelisha Rock Art Site

The rock art site is situated on a small rock shelter situated within close proximity of a dirt road (30m). It can be accessed in 5 minutes. The site is easy accessible and both young and old can visit the site.

The site has a very high tourism potential since it is clear of vandalism and consists of a wide variety of clearly visible and exquisite paintings.

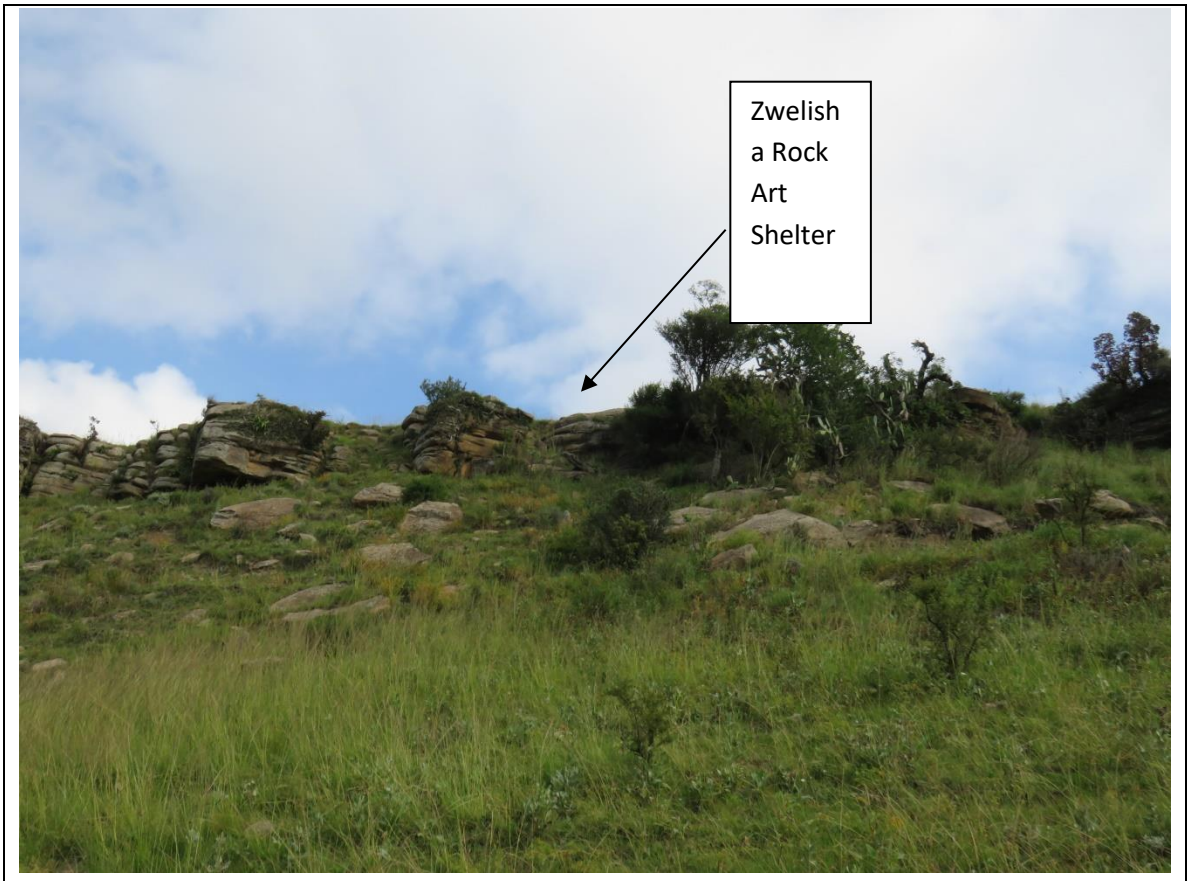

Figure 2: Landscape photo of Zwelisha Rock Art Shelter (Rossouw, C. storage: The Institute).

Figure 3: shows the majority of rock paintings in a small shelter (Rossouw, C. storage: The Institute).

Figure 4: The Langalibalele and Hlubi Rock Art Custodians (from left to right): Zuziwe Mlaba, Lungisani Mdluli, Theminkosi Thusi, Nikiwe Sithole, Nokukhanya Mnguni, Mluleki Mkhize and Mbalenhlo Molefe (Rossouw, C. 2018 storage: The Institute).

Rock Art Site Recording Form

Site name	Zwelisha Rock Art Site
Official Site Name	Zwelisha Rock Art Site
National site number	
District and 1:50 000 map sheet no:	2929BB Estcourt
GPS Latitude and Longitude	-29.9404(s) 29.60949(e), S29º04'14.71"S 29º44'39.02" E
Elevation	
Accuracy	8m
Direction to site	Take the northern Estcourt off ramp to Wembezi, carry on until you see the Zwelisha off-ramp, the site is 300m from the off ramp.
Community land, State land or Private Property	Nkosi Langalibalele local municipality
Head of the area	Chief Mabuso

Head's address/telephone/cell no:	Tribal Authority Council under Chief Mabuso – Cell no: 072 690 4636
Recorder's name	Mr. Siyabonga Mbatha and Ms. Celeste Rossouw
Recorder's address	195 Langalibalele Street, Pietermaritzburg, 3201
Date of Visit	18 January 2021
Archaeological deposit: Present/Absent/Unknown	Unknown
Type of site (rock shelter, boulder, cave?)	Rock Shelter
Cave mouth faces north/south/east/west?	North
Approximate size of the rock shelter floor?	4m
Approximate area of wall covered with paintings (separate paintings can be listed separately left to right)	3,5m
Natural damage to paintings (water, lichen, animals, etc.)	Soot, water-wash area and minerals are present on the rock surface as well as swallows nests (but not covering the paintings).
Have the paintings or rock shelter walls been damaged by graffiti? Over what area?	Yes, sections where cleared where it seems as if someone was trying to remove some paintings.
Human damage to the paintings	There are 2 scars on the parent rock, where it seems as if someone tried to remove the paintings.
Approximate number of paintings: 120	Red: 111 Black: White: 7 Yellow: Bichrome: 2 Polychrome:
Number of human figures: 28	Male: 24 Female: 4 Indeterminate:
Number of animals: 91	Indeterminate antelope: 12 Bees: 68 Giraffe: Eland: 4 Leopard: Grey rhebuck: 3 Hartebeest: Baboon: Rhebuch: Buffalo: Oribi: 2
Number of hand prints	Plain: Patterned:
Number of non-representative 1 Patterns: Not applicable	Dots: 1 Lines: Grids: U-shapes: 2 Smears: Zigzags: Y Shapers: Finger paint:
Describe unusual images:	Elongated humans possible a trance-posture as well as the presence of 2 beehives and bees surrounding it. Bees and beehives are only limited to the central and northern Drakensberg.
Is the cave floor rocky or sandy or ashy?	Sandy

Location of the site (on top of mountain, in stream bed, half way up the cliff, etc.)	Half way up a mountain
Records made (photo/slides/drawings)	Photos and written documentation.

1.2.Statement of Significance

Scientific/Research values

The scientific value of Zwelisha Rock Shelter is medium since several metaphors for trance are present at the site, such as elongation/attenuation (the feeling of being stretched as part of somatic hallucination) and an upside down eland that functions as one of the metaphors for trance.

A realistic presentation of the trance dance is also present.

The value of these metaphors and the realistic depiction of a trance-dance are of medium significance because this category of art, namely "shamanist-paintings" linked with altered states of consciousness as well as the trance dance are well-researched.

Elongation/Attenuation

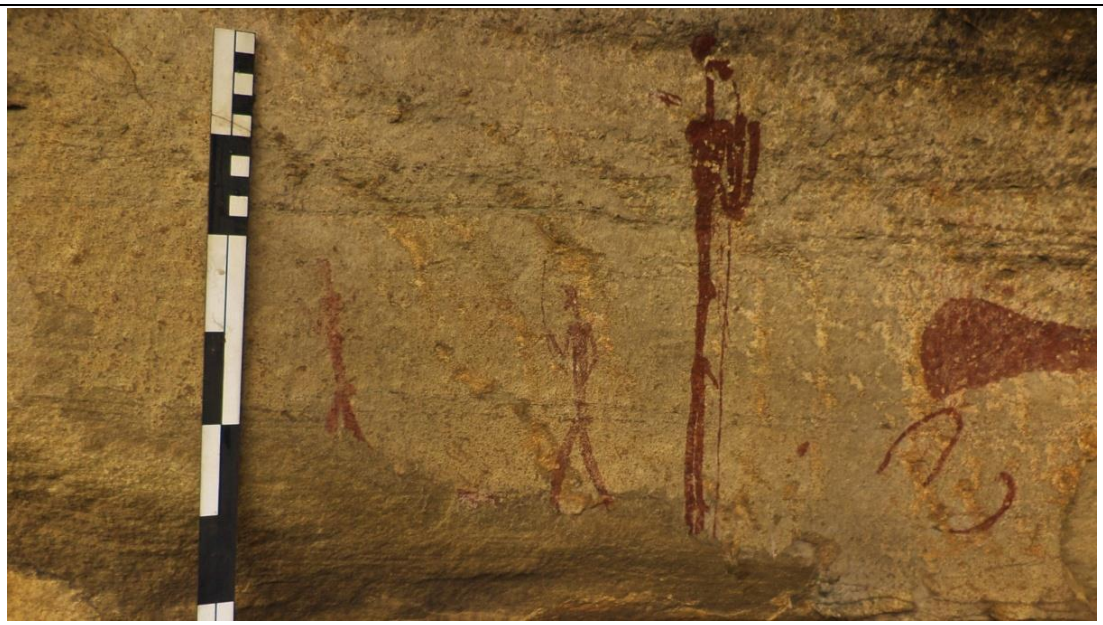

Figure 5: an elongated shaman can be seen in the middle of the photo (Rossouw, C. 2018. storage: the Institute).

During trance, shamans in altered states of consciousness felt as if they are growing taller. This is an experience resulting from somatic hallucinations that is the result of the trance-dance when participants fall unconscious and enter the spirit world. According to psychiatric research done by Dr. Ronal Seagal (in the US) it was found that even patients

who has taken LSD “feel” as if they are growing taller to heaven during the second and third stage of an altered state of consciousness. People to the left of the tall (elongated) figure are still their normal height (Lewis-Williams, D. & Dowson, T. 1999: 60-61)

Figure 6: shows an upside-down antelope (Rossouw, C.2018, storage: The Institute).

When interviewers spoke to the San in the Kalahari they related that going into trance is nearly like dying, because of the intense pain experience when reaching this stage just before they fall unconscious, when the enter the dream world, that is why they call it the “ Little Death”.

A shaman entering trance mimics the posture and actions of a dying antelope: both bend forward, sweat profusely, has their hair stand on end, sometimes bleed from the nose and mouth before they stumble and fall down. During the last actions the shaman will fall unconscious; entering the spirit world. In a similar manner, the antelope will fall down, and raise its legs in the air, in a dying position.

The trance dance

Figure 7: depicts a trance dance (Rossouw, C.2018, storage: The Institute).

Dances were generally held at night. Everyone joined in the dance; to not participate made one vulnerable to malicious spirits of the dead. Often the women would begin by clapping and singing animal songs, which were named after powerful animals that are rich in potency or *n/om* (supernatural power needed by the shamans to enter trance). Then the men would join in, adorned with rattles made from dried seedpods wound around their calves and carrying fly-whisks usually made from giraffe, eland or wildebeest tails. The men wore an apron or loincloth for the occasion and sometimes a bandolier. They may have also equipped themselves with dancing sticks: props for when the supernatural power consumed their bodies and minds at a later stage in the trance dance and they had to lean on them because of spasms in their stomachs after dancing on end and not eating, or sleeping accompanied by excessive exercise (Forssman, Tim & Gutteridge, Lee 2012: 43).

The shamans would enter trance or an altered state of consciousness after the power known as *n/om* has arrived. This power was perceived as being dangerous but when it was controlled correctly it was beneficial to the whole society. Those who could control this power were known as shamans (medicine men) (Forssman, Tim & Gutteridge, Lee 2012: 43).

As already explained, to enter trance, the shamans would dance until they were exhausted and continuing until the *n/om* would manifest: it would start to boil in the shaman's abdomen and then it would slowly rise in the shaman's spine until it reached his/her head, it would explode in the area behind the neck. When this happens the shaman would fall unconscious and enter the spirit world (Forssman, Tim & Gutteridge, Lee 2012: 43).

Figure 8: Women sitting and clapping, accompanying the dancing shaman (Rossouw, C. 2018, storage: The Institute).

Figure 9: bee-hive with several dots surrounding it that represent bees (Rossouw, C. 2018, storage: The Institute).

Bees and beehives

Bees are painted realistically or as small crosses. Sometimes they can be seen exiting what appears to be a hive dance (Forssman, Tim & Gutteridge, Lee 2012: 153).

The !Kung in the Kalahari still believe bees are powerful creatures. It is thought that performing a dance while bees are swarming enhances the power of the dance (Forssman, Tim & Gutteridge, Lee 2012: 153).

Bees are believed to be messengers of god. This may stem from the fact that their stings can be likened to the arrows of potency their god imparts. Bees also live in tree hollows or decaying branches and emerges in flight. For this reason bees are linked with two spiritual spheres, namely the sphere of heaven and being underground (Forssman, Tim & Gutteridge, Lee 2012: 153).

Bees have potency known as *n/om* that the shamans require to enter trance or altered states of consciousness. For this reason they may be painted as part of panels depicting the spirit-world or as part of a trance dance (Forssman, Tim & Gutteridge, Lee 2012: 153).

Figure 10: depicts a snake that may represent a rain-animal according to the San's belief system (Rossouw, C. 2018, storage: The Institute).

Snakes

Snakes are rain animals, just like hippos, rhinos, bulls or other bovid and conflations of similar animals. Snakes might be linked to rain because they emerge from hibernation when it starts to rain.

The San believed in a mythological snake creature with the head of a horse or antelope and a main. When people are living immorally, this snake creature can cause severe storms, tornados and hail to punish sinners. However, if people are living morally correct lives, they are blessed with female rain, being soft and drenching rain (Forssman, Tim & Gutteridge, Lee 2012: 185).

During historical times when the San came into contact with Late Iron Age Agricultural communities (ancestors of the Zulus and Sotho) and competed with them as well as colonists, the San was employed as clients of the Late Iron Age Agricultural people to act as rain makers, to heal people and to track game. For their efforts they would receive milk, sorghum and protection against the colonists.

It is interesting to note that the Late Iron Age Agriculturalist employed the San because they believed the San could control the mythological rain-snake. For instance, the San and Bantu-speakers raided the colonists' livestock and while fleeing with their booty, the San shamans would request the snake creature (also known as Inkhanyamba) to cause hail and storms to affect the colonists following the raiding party, forcing the pursuing colonists to stop and return home.

Snakes are associated with shamans and images of snakes closely resemble those of shamans. Just as a snake sheds his skin, the shaman goes into a metamorphosis when he or she transforms into a therianthrope or semi-animal and semi-human creature to obtain the magical power of that specific animal (Forssman, Tim & Gutteridge, Lee 2012: 186).

Snakes also spend time underground, under rocks, in cracks and crevices and under water. For this reason snakes are linked to three spiritual spheres of the San, namely being underground, in water or in the area behind the rock surface: sometimes painters depicted snakes weaving in and out of cracks in the parent rock. This is a metaphor for going into and coming from the spiritual sphere (Forssman, Tim & Gutteridge, Lee 2012: 186).

Figure 11: An eland superimposed over other art (Rossouw, C. 2018, storage: The Institute).

Significance of the eland

Both the /Xam and Kalahari Bushmen believed the eland was the most powerful animal of all and is thus closely linked to *n/om*. This power, was harnessed by shamans in order to enter the spirit world where they would perform various tasks including healing, protecting the community or controlling the rain.

!Qing, a San informant who interpreted paintings in Lesotho in the 1870s, related that one always finds the eland where /Kaggen, the trickster god, resides. According to the /Xam San of the Northern Cape their trickster god loved the eland more than any other animal. Even today, in the Kalahari, the !Kung, Kwe and Nharo Bushmen considered the eland to be the greatest animal of all. The eland is associated with the medicine dance, boys' and girls' transition rituals. To the Kwe in Angola, the eland is closely related to rain. The Kwe believes that when an eland is shot and dies, the direction of its head would point to the nearest water hole or it points to the direction from which the rain will come (Forssman, Tim and Gutteridge, Lee 2012: 124).

Elands are associated with *n!ao*, which links hunting and child birth to the weather. *N!ao* is acquired at birth and is divided into two categories: rain/cold (lucky) and dry/hot (unlucky). When the fluids from childbirth spill onto the floor, the mother and her child

connect and cause the weather to change. Similarly, when a hunted eland's blood touches the ground, the animal's *n!ao* and the hunter connect, causing a change in weather: Depending on the type of *n!ao,* this can be either good or bad and will affect the Bushmen society accordingly (Forssman, Tim and Gutteridge, Lee 2012: 124-125).

Significance of the rhebuck

Rhebuck are symbolically linked to rain-making and hunting rituals.

The San shamans wore rhebuck head gear because they believed that this allowed them to control the movement of the game and thus to ensure a successful hunt.

Secondly, rhebuck was also intrinsically linked to rain-making rituals: !Qing told Orpen in 1873 when he acted as a guide for the Magistrate from the Eastern Cape who was sent on a mission to capture Chief Langalibalele when the Chief refused to allow the British government to register his people's weapons, that: "Men wearing rhebuck caps jump into rivers to tame eland and snakes". This is of course not real eland and snakes but rather animals functioning as metaphors for rain-making creatures. The San shamans were assisted by the "Water People" to lure these rain-animals out of their hiding places and by throwing *Buchu* plants into rivers so that the shamans could capture them and lead them to an area where it was dry, here these animals would be killed and milked and their blood and milk would turn into rain. When the rain threatened damage, the shamans would again lead them away.

The rhebuck motif is well researched; however, the fact that they were depicted in white paint at Marten's Boulder indicates that more research must be done, in the light of new research suggestions by Dr Jeremy Hollmann that the colour white was regarded as being charged with an ominous or negative potency or significance by the San.

Late White Paintings

Figure 12: A depiction of a Late White painting superimposed over red monochrome figures (Rossouw, C. 2018, storage: The Institute).

Social value

The site is not utilised by San descendants or Nguni- or Sotho-speaking ritual specialists. However, the site is of medium social value collectively because it has a high tourism value taken into consideration the diversity of images and their state of conservation.

The art is also a product of the San's ways of life and world view.

The social value of Zwelisha Rock Art Site is of medium significance.

Historical value

The presence of Late White Paintings allows the researcher to link the site to historical times, although no historic image is present such as cattle or people in European dress. The site is of medium historical significance.

Aesthetic value

Although the site contains mainly monochrome paintings and limited bichrome paintings it still has a medium aesthetic value because of the clarity, medium state of conservation of the majority of paintings; and the detail and sophisticated images present at the site.

1.3.**Grading Recommendation**

SUMMARY OF THE STATEMENT OF SIGNIFICANCE

VALUE	HIGH	MEDIUM	LOW	NONE
Aesthetic		X		
Social		X		
Historical		X		
Scientific		X		
Architectural				Not applicable
Linguistic				Not applicable
Technological				Not applicable

The site should be graded as of Local Grade IIIa value based on the evaluation.

1.4. Risk Management

There is no evidence of people accessing the site illegally like fire-rings, litter or disturbance of the shelter's floor.

The vegetation also does not pose a fire threat as a large rock slab is present in front of the shelter, acting as a fire buffer. At present there is no risk affecting the site.

Figure13: The shelter floor is sandy with a large rock slab in front, which could function is a buffer should fire pose a hazard (Mbatha, S. 18 January 2021, storage: The Institute).

2. Conservation Management

2.1. Access management

Figure 14: Steep incline to the small shelter, no trial should be created to ensure that the site is not visited illegally (Mbatha, S. 18 January 2021, storage: The Institute).

No formal trail exists. Keeping into consideration that the rock art shelter is very close to the road, about 15 minutes' walk to the destination, it would be best for the sake of the preservation of the rock art paintings, to keep the location a secret. This would also ensure that guests could only visit the site while accompanied by an Institute-accredited Rock Art Custodian.

The mountain is quite steep at the last section and should not be accessed in the rainy season.

The Mbabazane Tourism Forum or the Tourism section of the Local Mbabazane Municipality should design an indemnity form that must be signed by all visitors wanting to see the rock art.

B) CONSERVATION ISSUES:

Swallows' nests are visible over a large area in the rock shelter although they are not covering the paintings. Best practice prescribes that they should not be removed as swallows rebuild their nests annually on the same spot and if one decides to remove it, it may be the case that the swallows might build over the art instead of next to it.

Figure 15: Swallow's nest present next to bee hive (Mbatha, S. 18 January 2021, storage: The Institute).

Soot is present on the roof of the shelter. Fire not only results in paintings being covered with soot but also exfoliation of the pigments as a result of exposure to heat.

Taken into consideration that Institute-accredited Rock Art Custodians were trained in 2019 and will monitor the site, this action will assist in ensuring that people do not overnight inside the shelter and lit fires.

Figure 16: Seepage is present causing accretion over the parent rock and paintings (Mbatha, S. 18 January 2021, storage: The Institute).

Dust problem: dust contains iron and a thick layer of red crust is visible covering the parent rock and paintings, causing pigments to fade and exfoliation.

Figure 17: A red crust of dust covers the parent rock (Rossouw, C. 2018, storage: The Institute).

APPENDIX 1

Legislative Framework:

KWAZULU-NATAL AMAFA & RESEARCH INSTITUTE ACT 5 OF 2018

General Protection: Battlefield sites, archaeological sites, rock art sites, palaeontological sites, historic fortifications, meteorite or meteorite impact sites

40.(1) No person may destroy, damage, excavate, alter, write or draw upon, or otherwise disturb any battlefield site, archaeological site, rock art site, palaeontological site, historic fortification, meteorite or meteorite impact site without the prior written approval of the Institute having been obtained on written application to the Institute.

(2) Upon discovery of archaeological or palaeontological material or a meteorite by any person, all activity or operations in the general vicinity of such material or meteorite must cease forthwith and a person who made the discovery must submit a written report to the Institute without delay.

(3) The Institute may, after consultation with an owner or controlling authority, by way of written notice served on the owner or controlling authority, prohibit any activity considered by the Institute to be inappropriate within 50 metres of a rock art site.

(4) No person may exhume, remove from its original position or otherwise disturb, damage, destroy, own or collect any object or material associated with any battlefield site, archaeological site, rock art site, palaeontological site, historic fortification, meteorite or meteorite impact site without the prior written approval of the Institute having been obtained on written application to the Institute.

(5) No person may bring any equipment which assists in the detection of metals and archaeological and palaeontological objects and material, or excavation equipment onto any battlefield site, archaeological site, rock art site, palaeontological site, historic

fortification, or meteorite impact site, or use similar detection or excavation equipment for the recovery of meteorites, without the prior written approval of the Institute having been obtained on written application to the Institute.

APPENDIX 2

2) The National Heritage Resource Act No. 25 of 1999, definition 1(d), section 35, section 50 (heritage inspectors), and for offences and penalties, section 51

Section 35 Archaeology, palaeontology and meteorites

(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 office 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 any 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.

Appointment and powers of heritage inspectors

50 (2) By force of this section, each member of the South African Police Services and each custom and excise officer is deemed to be a heritage inspector.

Offences and Penalties

51 (1) Notwithstanding the provisions of any other law, any person who contravenes – (b) section 35(4) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 2 of the Schedule.

51 (2) The Minister, with the concurrence of the relevant MEC, may prescribe a penalty of a fine or imprisonment for a period not exceeding six months...

51 (3)(a) The Minister or the MEC, as the case may be, may make regulations in terms of which the magistrate of the district may – levy admission of guilt fines up to a maximum of R10 000,00 for infringement....and

(b) serve a notice upon a person who is contravening a specified provision of this Act or has not complied with the terms of a permit issued by such authority, imposing a fine of R50,00 for the duration of the contravention, subject to a maximum of 365 days.

Permit requirements:
What constitutes development?

Definition 1 (d)
"development" means any physical intervention, excavation or action, other than those caused by natural forces, which may in any way result in a change of nature, appearance or physical nature of a place or influence its stability and future well-being; including –

(a) construction, alteration, demolition, removal or change of use of a place or structure on the place,
(b) carrying out any works on or over or under the place;
(c) subdivision or consolidation of land comprising a place, including the structures of airspace;
(d) construction or putting up for display signs.
(e) any change to the natural or existing condition or topography of land;
(f) any removal or destruction of trees or removal of vegetation or topsoil.

Section 36(1) General Protection
Structures:

Any proposed demolition, addition or alteration of structures or parts thereof, which are older than 60 years, shall be subject to the following:

(a) thirty days prior to the commencement of such a proposed activity a permit shall be applied for from Amafa.

(d) Conditions stipulated in terms of permits issued under this provision shall be of such nature so as to facilitate the recycling of historical building materials and the revision of design proposals.

(e) Where a permit is refused, the Council shall within a three-month period give consideration to the protection of the site in terms of one of the formal classifications provided for in section 19 to 25 (e.g. Heritage Landmark, Provincial Landmark, Heritage Object, Heritage Conservancies, Provisional Protection or designating a suitable buffer area as a Sensitive Site.

Heritage resources management:

(1) Any person wishing to undertake a project described in terms of the following categories:

(a) construction of a road, wall, power line, pipe line, canal or other similar form of linear development or barrier exceeding 300m in length.
(b) construction of a bridge or similar structure exceeding 50m in length; and
(c) any development that will change the character of an area of land or water –
(i) exceeding 5 000m^2 in extent;
(ii) involving three or more existing erven, or subdivisions thereof, or
(iii) involving three or more erven, or subdivisions thereof, which have been consolidated within the past five years; or
(iv) the costs of which will exceed a sum set in terms of regulations; or
(v) any other category of development provided for regulations, shall the earliest stages of initiating development, notify the Council of Amafa and furnish it with details regarding the location, nature and extent of the proposed development.

(2) within 14 days of receipt of the notification the Council will notify the person that he/she must submit and Heritage Impact Assessment Report at the cost of the person proposing the development.

(3) the HIA must include the following
(a) identification and mapping of heritage resources in the area affected;
(b) an assessment of the significance of such heritage resources
(c) an assessment of the impact of the development on the resources
(d) an evaluation of above-mentioned in relation to socio-economic benefits derived from development

(e) should heritage resources be adversely affected by the proposed development, the consideration of alternatives; and
(f) plans for mitigation of any adverse effects during and after completion of the proposed development

(4) The HIA will be considered timeously by the Council, which shall then decide whether the proposed development can proceed or not; whether any limitations or conditions are to be applied to the development, what general protections apply and what formal protections can be applied to such heritage resource.

APPENDIX 3

3) Applying guidelines of the Burra Charter to Rock Art Management in South Africa

Preamble: The Burra Charter was adopted by the Australian National Committee of the International Council on Monuments and Sites (ICOMOS) in 1979. Revisions were adopted in 1981, 1988 and 1999. The Burra Charter provides guidance for the conservation and management of places with cultural significance.

Strategies: The management of rock art sites includes the following strategies: maintenance, physical conservation as well as visitor management.

1) Maintenance According to the Burra Charter, article 1.5, maintenance can be defined as the continuous protection of the setting, fabric and contents, distinguishing it from repair, which would indicate restoration or reconstruction.

Maintenance includes baseline documentation, condition assessment reports and continuous monitoring (regular inspections and the replication of recording methods). This is based on the rationale of minimum intervention and preventative care e.g. checking that the fire breaks are carried out, removing dead wood inside caves and rock shelter that poses a fire threat, trimming shrubs that are rubbing against rock art panels, checking that the visitors' infrastructure (fences, walk ways, signage) are maintained and repaired if necessary.

2) Physical conservation: According to the Burra Charter, "conservation means all the processes of looking after a place so as to retain its cultural significance"(Article 1: Definitions 1.4) This also includes direct intervention at a site, e.g. stabilisation, adaptation, restoration and reconstruction.

a) Stabilisation or preservation (article 1.6) can be defined as preserving what exists as it is or retarding deterioration (not improvement) e.g. establishing a drip line, consolidation treatment to stabilise paintings and engravings.

b) Adaptation: According to article 1.9, 1.10, 1.11, 6, 7 and 21 adaptation embodies, modifying a place to suit compatible uses and it is acceptable where it will supplement the conservation of the place and if it does not substantially subtract from the cultural significance of a site.

Adaptation must be limited to which is essential to allow use of the place in accordance with the Statement of Goals and Objectives, e.g. modifying a site to allow for low impact tourism (The construction of fences, signage, board walks, benches, etc. at rock art sites).

c) Restoration involves returning the existing fabric to a known earlier state by removing accretions without introducing new materials (article 1.7 & 19).This can only be done if there are sufficient evidence of an earlier state and only if removing the fabric reveals the cultural significance of the place/setting.

This process is limited to the removal of post-contact graffiti (younger than 100 years) as well as the removal of stains caused by lichen, vascular plants and the removal of birds and insect nests obliterating the art.

d) Reconstruction: implies returning a site as near as possible to a known earlier state (article 1.8 & 20). This is aimed at legibility as well as the aesthetic presentation of a site/artefact. New as well as old materials are used in the process. Reconstruction must be limited to the completion of a dilapidated entity (it should not involve the majority of the fabric).

Reconstruction is not applicable in South Africa as there are no San descendants left to renovate their rock art by retouching original panels (It is however allowed in Australia, where the original artists are living and still paint and renovate their art).

3) Visitor management: The management of visitors includes the employment of guides, custodians, the development of interpretive programmes as well as the construction and maintenance of visitors' facilities. E.g. signs, physical barriers, walk ways, etc which correlates intrinsically with strategies related to adaptation. (See physical conservation strategies).

Appendix 4

POLICY WITH REGARDS TO ROCK ART CONSERVATION IN THE PROVINCE OF KWAZULU-NATAL

INTRODUCTION:

The KwaZulu-Natal Amafa & Research Institute, as statutory body, is responsible to protect and manage rock art sites. Section 40 of the KwaZulu-Natal Heritage Act No. 5 of 2018 allows for the establishment of this Policy.

1) PURPOSE:

To manage and conserve rock art sites, thereby contributing to limitation of destructive processes.

2) LEGISLATIVE FRAMEWORK:

1) The KwaZulu-Natal Amafa & Research Institute Act No. 5 of 2018. (Section 40)
2) The National Heritage Resources Act No. 25 of 1999. (Section 35)

3) RESPONSIBILITY:

The KwaZulu-Natal Amafa & Research Institute has appointed a Senior Heritage Officer, Rock Art, to implement this Policy. This person will liaise with all necessary interested and affected parties involved with the management of rock art sites on private farms, on communal/traditional land, inside protected areas and on commercial forestry land.

4) POLICY:

1) No person may access an area within 50 meter of a rock art site unless he/she adheres to the access and control measures instituted by the provincial heritage resources authority, The KwaZulu-Natal Amafa & Research Institute in consultation with the land owner and/or manager. (Addendum A)
2) Direct interventions (including stabilisation, low impact adaptation, restoration and tracing) require permits from The Institute and if they site is located within a protected area, the applicant will also have to apply to Ezemvelo KwaZulu-Natal Wildlife for a permit (Addendum B: Graffiti removal, Stabilisation – insertion of a drip line, removal of birds'/wasps'/insect mud nests or algae/lichen/plant material from the parent rock, Tourism adaptation, Tracing).
3) Visitors must behave appropriately at rock art sites at all times. (Addendum C)
4) Recognising that rock art should be accessible for public viewing, landowners and/or managers can identify sites which will be officially opened under controlled circumstances and actively managed. (Addendum D)

5) MONITORING AND REVISION:

This Policy will be monitored for its effectiveness in achieving the goals and objectives as stated in this document.

6) ADOPTION AND AMMENDMENTS:

Draft Policy to be tabled at The Institute's Council Meeting, amendments to be made if necessary.

Adoption/Amendment

Signed on behalf of The KwaZulu-Natal Amafa & Research Institute

At…… Date……

…… ……
Chairman of Council Signature
The KZN Amafa and Research Institute

7) DEFINITIONS

a) The KZN Amafa & Research Institute the Institute is the provincial legislative body mandated to conserve heritage, such as historically important sites, architecturally important buildings, traditional building techniques, public monuments & memorials, traditional burial places, military cemeteries, graves, cultural objects, archaeological and palaeontological sites and artefacts, shipwrecks, meteorites and rock art.

b) Access: Entering into any area within 50 meter of a rock art site in KwaZulu-Natal.

c) Rock art: is a form of painting, engraving or other graphic representation executed by a human on a loose stone or a fixed rock surface, including an area of 50 meter surrounding the site. Rock art is at least 100 years old.

d) Graffiti: includes any act of deliberate defacement of rock art which includes added graffiti in the medium of paint, charcoal and chalk as well as engraved graffiti in the form of incisions/pecking made on the rock substrate, removing the patina.

e) "Alter": means any action affecting the structure, appearance of physical properties of a place or object whether by way of structural or other works, by painting, plastering or other decoration or any other means.