

**NEMA PUBLIC PARTICIPATION PROCESS FOR THE PROPOSED SUBDIVISION
AND REZONING OF ERF 1612 FOR THE CONSTRUCTION OF A HOUSING
DEVELOPMENT, KAKAMAS, NORTHERN CAPE**

Our Ref:



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
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Date: Wednesday August 17, 2016
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CaseID: 7733

Interim Comment

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Enviroafrica CC
PO Box 5367
Heilderberg
7135

Project Description & Location: The influx of people, due to the steep increase in employment opportunities in the area, causes a direct increase in the need for goods, services and especially housing in the Kakamas area. The need and desirability for a housing development, as proposed, thus arises. The site is located off Diamand Street, Kakamas, Northern Cape. Coordinates: 28°46'43.24"S, 20°36'43.16"E The Spatial Development Framework of the Kai!Garib Municipality supports the development of the proposed development in the area concerned.

Thank you for notifying SAHRA of the proposed subdivision and rezoning of Erf 1612 for the construction of a housing development, Kakamas, Northern Cape Province. Enviroafrica CC was appointed to conduct an Environmental Impact Assessment process for the Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, and the NEMA (EIA) Regulations 2014. A draft Basic Assessment Report has been submitted.

In your application received by SAHRA there was no indication of an assessment of the Heritage resources, but it is noted in the BAR that it is uncertain whether heritage resources would be impacted and that an assessment would need to be completed.

In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority. This means that before such sites are disturbed by development it is incumbent on the developer (or mine) to ensure that a **Heritage Impact Assessment (HIA)** is done. The quickest process would be to contract a qualified specialist (see www.asapa.org.za) to provide an HIA. This must include the archaeological component (Phase 1) any other applicable heritage components. Appropriate (Phase 2) mitigation, which involves recording, sampling and dating sites that are to be destroyed, must be done if required.

The HIA will identify the heritage sites and assess their significance. It should also make recommendations (as indicated in section 38) about the process to be followed. For example, there may need to be a mitigation phase (Phase 2) where the specialist will collect or excavate material and date the site. At the end of the

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process the heritage authority may give permission for destruction of the sites. If the property is very small or disturbed and there is no significant site the specialist may choose to send a letter to the heritage authority to indicate that there is no necessity for any further assessment.

Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in potentially fossiliferous superficial deposits, a Palaeontological Desk Top study must be undertaken to assess whether or not the development will impact upon palaeontological resources - or at least a letter of exemption from a Palaeontologist is needed to indicate that this is unnecessary. If the area is deemed sensitive, a full Phase 1 Palaeontological Impact Assessment will be required and if necessary a Phase 2 rescue operation might be necessary (see www.palaeontologicalsociety.co.za for qualified paleontologists).

Any other heritage resources that may be impacted such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

Please ensure that the project is correctly mapped i.e. the *boundaries* of the proposed development must be mapped on the GIS layer of the SAHRIS application.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

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John Gribble

Manager: Maritime and Underwater Cultural Heritage Unit / Acting Manager: Archaeology, Palaeontology and
Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/271807>
(DENC, Ref:)