



1 Roper Street
Kimberley North
P.O Box 1930
KIMBERLEY,
8301

Moago Roper 1
Kimberley North
P. O Box 1930
KIMBERLEY
8301

Roper Straat 1
Kimberley Noord
P. O Box 1930
KIMBERLEY
8301

Isakhiwo I – Roper 1
Kimberley North
P.O Box 1930
KIMBERLEY,
8301

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E-mail:
ratha.timothy@gmail.com

Enquiries : Mr A. Timothy
Dipatlisiso :
Imibuzo :
Navrac :

Date: 16 October 2014
Letlha:
Umhla:
Datum:

Mr Tom Pillay
Samy's Wholesalers
Phakamile mabija Street
Kimberley
8330

Tel: 053 8324221
Fax: 053 8328062
Cell: 082 4600 662

NGWAO BOSWA JWA KAPA BOSWONE
1 ROOPER STREET
KIMBERLEY NORTH
KIMBERLEY 8301
TEL: 053 831 2537 FAX: 053 833 1435

RE: Notice to stop development at the cnr. Quinn and Lawrence Streets

Dear Mr Pillay

Our office has observed that there is development work taking place at the corner of Quinn Street and Lawrence Street, Kimberley North, Kimberley of the Northern Cape. The site in question is said to be 100% cemetery, 1870s African burial ground in Kimberley North (mostly built upon more than a century) that was recommended for heritage site declaration in 2004. The area was accidentally disturbed (costly salvage) in 2012 and sold somewhere in 2013 for intended development.

Work has been started without the developer following the procedures as set out under section 38 of the National Heritage Resources Act, no. 25 of 1999.

Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as –

(a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;

(b) the construction of a bridge or similar structure exceeding 50m in length;

(c) any development or other activity which will change the character of a site –

(i) exceeding 5 000 m² in extent; or

(ii) involving three or more existing erven or subdivisions thereof; or

(iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or

(iv) the cost of which exceed a sum set in terms of regulations by SAHRA or a provincial

heritage resources agency;

(d) the re-zoning of a site exceeding 10 000 m² in extent; or

(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources agency, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

During our site observations on 16 October 2014, we observed that the developer failed to comply with section 38 of the National Heritage Resources Act as well as notify the office of the Provincial Heritage Resources Authority (Ngwao Boswa Jwa Kapa Bokone) with details regarding the nature and extent of the proposed development.

We are of the opinion that you are engaged in an activity that we consider likely to result in damage or destruction of the cemetery or burial ground dating more than a hundred years back and protected under the National Heritage Resources Act, no. 25 of 1999.

The Northern Cape Heritage Resources Authority therefore issue you with this notice to temporarily stop or cease the above development to allow the Northern Cape Heritage Resources Authority and the South African Heritage Resources Authority to:

- (a) salvage the heritage resource in danger;
- (b) investigate alternatives to the destruction of the heritage resource; or
- (c) designate the heritage resource pursuant to the Act.

The developer is requested to complete the NID form attached and furnish our office with the necessary documents indicating the processes, adherence to SDF principles, locality plan or map as well as building plans.

The developer is also requested to submit proof that he has consulted broadly with the affected community/public and any other party that has expressed a bona fide interest in the proposed development.

The developer is further requested to appoint a heritage consultant to carry out a Heritage Impact Assessment to analyse the cultural heritage resource.

The Northern Cape Heritage Resources Authority shall, within 14 days of receipt of a notification in terms of section 38, subsection 1 notify the developer or applicant of the decision of the Provincial Heritage Resources Authority Permit Committee as well as comments by the South African Heritage Resources Authority.

Should you have any queries, please do not hesitate to contact our office.

Yours faithfully



A.M Timothy
(Manager)

NGWAO BOSWA JWA KAPA BOKONE
1 ROBB STREET
KIMBERLEY NORTH
KIMBERLEY 8301
TEL: 053 831 2537 FAX: 053 833 1435

CT

HART. Tim

ACO - ASSOCIATES

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Handwritten initials

CT

WILTSHIRE NICHOLAS

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Handwritten initials

FS

DR. HENDERSON ZL

Email: zoe.henderson@bigpond.com

MR. DREYER JJB

FS

E-mail: dreyerj@telkomsa.net

with Stefan Gargal

Perseusworks Enviro

* Story

* This is his hand writing Andrew Timothy.

What is the Requirement

from HERITAGE PRACTITIONER TO CARRY OUT A HERITAGE IMPACT ASSESSMENT (PHASE 2).

⇒ THE AREA IS 1600M² AND LOCATED IN KIMBERLEY.

⇒ THE AREA IS ALLEGED TO BE PART OF AN OLD CEMETERY. might well be 1874 → function / level

⇒ THERE ARE STRUCTURES ALREADY BUILT ON THE OTHER PART OF THE AREA.

SAMYS SALES

From: Andrew Timothy <ratha.timothy@gmail.com>
Sent: 20 October 2014 04:44 PM
To: Samy's Wholesalers
Subject: Fwd: List of Archaeologists
Attachments: ASAPA crm-list-october.pdf

----- Forwarded message -----

From: Colette Scheermeyer <cscheermeyer@sahra.org.za>
Date: Mon, Oct 20, 2014 at 3:34 PM
Subject: Re: List of Archaeologists
To: Andrew Timothy <ratha.timothy@gmail.com>

Hi Andrew,

I would refer you to the ASAPA website since SAHRA does not have a list of archaeologists. I thought it would be easier to download the list and send it to you, but I should also note that this is not an comprehensive list of all qualified, professional archaeologists in the country. You may also chose to contact university institutions, museums and other CRM companies should you wish to do so.

Kind regards

Colette

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Mrs Colette Scheermeyer
Manager: Archaeology, Palaeontology & Meteorites Unit
South African Heritage Resources Agency
111 Harrington Street
Cape Town
8001
Tel: 021 462 4502
Fax: 021 462 4509

Please note: This email and its content are subject to the disclaimer as displayed at the following link:
<http://www.sahra.org.za>

From: "Andrew Timothy" <ratha.timothy@gmail.com>
To: "Colette Scheermeyer" <cscheermeyer@sahra.org.za>
Sent: Monday, 20 October, 2014 2:34:06 PM
Subject: List of Archaeologists

High Colette

Please send me a list of Archaeologists.