



an agency of the
Department of Arts and Culture

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Enquiries: Andrew Salomon
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CaseID: 15229

Date: Thursday August 27, 2020
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Letter

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

Attention: Gauteng Department of Human Settlements

The remaining extent of Portion 51 of the Farm Modderfontein 76IR of the Brakpan Extension 12 Township makes up the project area. The total extent of the site is approximately 18.44 hectares and is located within Ward 97 of the City of Ekurhuleni Metropolitan Municipality, Gauteng. The site can be accessed via Location Street and Fourie Street.

Thank you for your notification regarding this development.

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 prior to development it is incumbent on the developer to ensure that a **Heritage Impact Assessment** is done. This must include the archaeological component (Phase 1) and any other applicable heritage components. Appropriate (Phase 2) mitigation, which involves recording, sampling and dating sites that are to be destroyed, must be done as required.

The quickest process to follow for the archaeological component is to contract an accredited specialist (see the web site of the Association of Southern African Professional Archaeologists www.asapa.org.za) to provide a Phase 1 Archaeological Impact Assessment Report. This must be done before any large development takes place.

The Phase 1 Impact Assessment Report will identify the archaeological 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 process the heritage authority may give permission for destruction of the sites.

Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in

**EIA Process for the Proposed Brakpan Extension 12 Housing Development -
Rem of Portion 51 of the Farm Modderfontein**

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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. **Please note that a nationwide fossil sensitivity map is available on SAHRIS to assist applicants with determining the fossil sensitivity of a study area.**

If the property is very small or disturbed and there is no significant site the heritage specialist may choose to send a letter to the heritage authority motivating for exemption from having to undertake further heritage assessments.

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.

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

Yours faithfully

Andrew Salomon
Heritage Officer: Archaeology
South African Heritage Resources Agency

Phillip Hine

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Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/537852>
(GDARD, Ref:)