

Our Ref: 9128



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto:info@sahra.org.za)  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
[www.sahra.org.za](http://www.sahra.org.za)

Enquiries: Andrew Salomon  
Tel: 021 462 4502  
Email: [asalomon@sahra.org.za](mailto:asalomon@sahra.org.za)  
CaseID: 9128

Date: Thursday February 25, 2016  
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## Letter

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

Attention: Ekurhuleni Metropolitan Municipality

**Ekurhuleni Metropolitan Municipality is proposing to construct a housing development in Vosloorus. The Development will be known as the Vosloorus Node Community Residential Housing. The proposed development will consist of three to four storey walk-up units at a density of between eighty and a hundred units per hectare. The size of the developable land is approximately 11 hectares and is located on Erf 18383 of Vosloorus Extension 9, Gauteng Province. The proposed development will also include the construction of roads, storm water infrastructure, bulk water infrastructure and landscaping.**

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](http://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.

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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. Please note that a nationwide fossil sensitivity map is now available on SAHRIS to assist with this.

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 to indicate that there is no necessity for any further assessment.

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

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Andrew Salomon  
Heritage Officer: Archaeology  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/356700>

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