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RECOMMENDED EXEMPTION FROM ARCHAEOLOGICAL IMPACT ASSESSMENT STUDY: KING WILLIAMSTOWN CEMETERY BRIDGE PROJECT.

The King Williamstown Local Municipality is planning the construction of a small connection bridge at **S32°53'3.12" E27°24'23.12"** over a rivulet in the Old King Williamstown Cemetery, King Williamstown, Eastern Cape Province (see Figure 1). The proposed bridge across a small tributary of the Buffalo River, which will not exceed 10m in length, will connect the older northern portion of the cemetery with a newly extended southern portion of the graveyard.

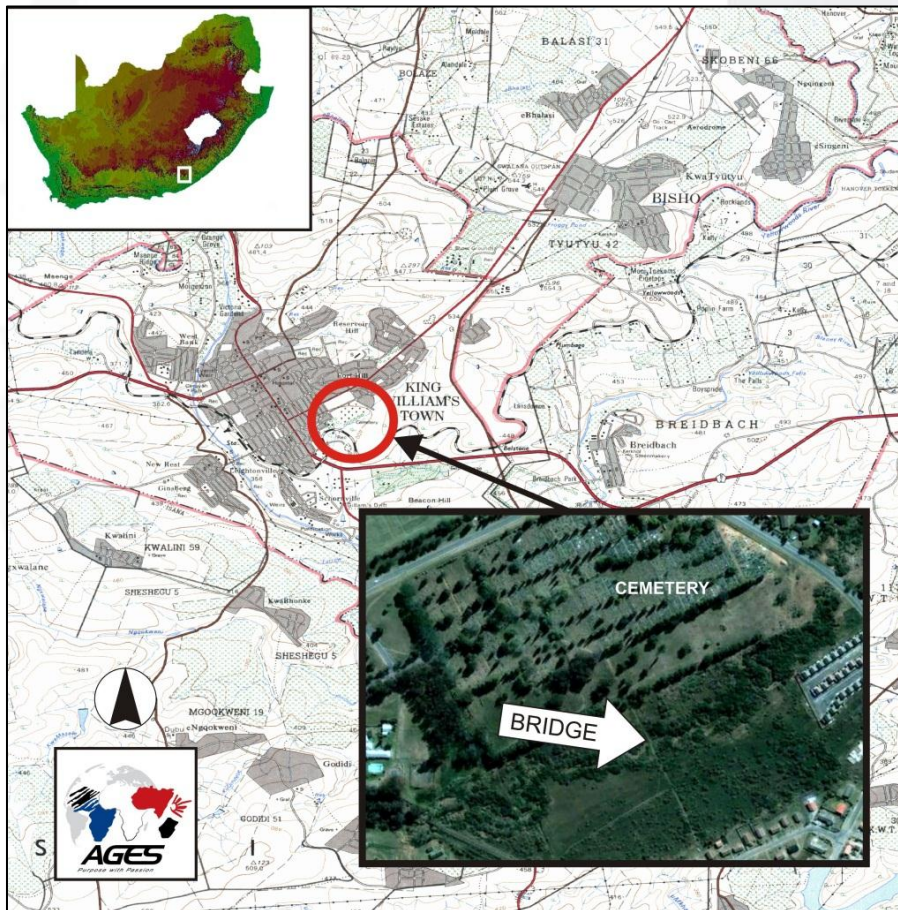


Figure 1: Geographical location of the King Williamstown Cemetery (1:50 000 Map reference 3227CD)

During a heritage scoping of the area where the planned bridge is to be constructed, no heritage resources were noted. In addition, the site has been affected by previous construction activities where an existing floodwater bridge connecting the two cemetery portions was previously constructed, and where cemetery extensions have occurred.



Figure 2: Existing floodwater bridge, the King Williamstown cemetery is visible in the background.



Figure 3: The site where connection bridge is to be constructed, looking south towards the new extension of the King Williamstown cemetery.

The author of this document therefore recommends that the developer be exempted from further Phases of heritage and / or archaeological impact assessments, subject to Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment as set out by the South African Heritage Resources Agency (SAHRA) which states that:

*When a property is either very disturbed (e.g. has been quarried or mined) or is very small and the archaeologist can see that it is highly unlikely that any archaeological remains will be found, a **'Letter of Recommendation for Exemption'** from a full Phase 1 report may be supplied.*

This recommendation is made on the following conditions:

- As the coastal and inland landscape of the Eastern Cape is rich in heritage resources, a watching brief monitoring process is suggested for the construction of the bridge. Should any subsurface paleontological / archaeological material be exposed during construction activities, all activities should be suspended and the archaeological specialist should be notified immediately.
- Due cognisance should be taken of the larger archaeological landscape of the area in order to avoid the destruction of previously undetected heritage sites in the area.
- The close vicinity of recent and historical graves in existing sections of the King Williamstown Cemetery, to the construction site should be regarded and impact on any graves / burial places should be avoided at all times.
- Cognisance should be taken of the National Heritage Resources Act (Act No. 25 of 1999, section 38) and detailed guidelines pertaining to Cultural Resources Management and prospective developments (see attached summary).



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GENERAL LEGISLATIVE FRAMEWORK

The National Heritage Resources Act (Act No. 25 of 1999, section 38) provides guidelines for Cultural Resources Management and prospective developments:

“38. (1) 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 50 m 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 costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;

(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 authority,

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.”

Consequently, section 35 of the Act requires Heritage Impact Assessments (HIA's) or scoping to be done for such developments in order for all heritage resources, that is, all places or objects of aesthetics, architectural, historic, scientific, social, spiritual linguistic or technological value or significance to be protected. Thus any assessment should make provision for the protection of all these heritage components, including archaeology, shipwrecks, battlefields, graves, and structures older than 60 years, living heritage, historical settlements, landscapes, geological sites, palaeontological sites and objects.

- It must also be clear that Archaeological Specialist Reports (AIA's), Heritage Impact Assessment Reports (HIA's) and included motivations and recommendations will be assessed by the relevant heritage resources authority (SAHRA). The final decision as to heritage resources conservation, mitigation and destruction rests with the heritage resources authority. The close vicinity of the existing Fort Jackson cemetery should be regarded and impact on existing graves / burial places should be avoided at all times.

