MODULE 4

Heritage Impact Assessment

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arts and culture
Department
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Table of Contents

Module 4

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Introduction

Welcome to Module 4! In working through this module you will gain an overview of the processes involved in Heritage Impact Assessments (HIAs) and how to manage these. Remember that the future of heritage conservation relies on Heritage Impact Assessments.

Please ensure you have read the following document before coming on course: Winter, S. & Baumann, N. 2005. *Guidelines for Involving Heritage Specialists in EIA Processes: Edition 1*. CSIR Report No ENV-S-C 2005 053 E. Republic of South Africa, Provincial Government of the Western Cape, Department of Environmental Affairs & Development Planning, Cape Town.

> See RESOURCE 13. Note, this document has been used as a primary source of information in this module.

Module 4 is divided into three sections:

Section 1 offers an explanation of what Heritage Impact Assessments involve, definitions of some important terms related to HIAs, and a table categorizing heritage resources in a way that will be useful for those managing impact assessments.

Section 2 considers Heritage Impact Assessments in the context of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) and the National Environmental Management Act 107 of 1998 (NEMA). In doing so it defines the objectives of the both the Environmental Impact Assessment and the Heritage Impact Assessment, as well as certain other related processes.

> *The National Heritage Resources Act, 1999 may also be referred to as the NHR Act in this module.* — Note

Section 3 discusses assessment methodologies, looking at the standards and the technical language that applies. It also provides guidance on the preferred layout and content of the Heritage Impact Assessment. An evaluation procedure for intangible and social impacts is also included, as well as a discussion of activities to be performed by the heritage consultant in the work place. Some of the issues related to managing Heritage Impact Assessments are highlighted.

What are the aims and learning outcomes of the module?

This module will contribute to your understanding of heritage management practice and the sustainable conservation of heritage resources. You will already have covered Modules 1, 2 and 3, and once you have completed this module (and preferably also read through Module 6 on Heritage Inspection and Compliance Monitoring) you will have a thorough understanding of the key processes involved in the heritage management cycle. This will improve your capacity to evaluate and assess a Heritage Impact Assessment as well as to mediate challenges associated with various aspects of the HIA process.

On completion of the tasks and assignments in this module you will be able to:

- Conduct or evaluate a comprehensive Heritage Impact Assessment.
- Examine the linkages between Heritage Impact Assessments and the National Heritage Resources Act No. 25 of 1999.
- Examine the symbiotic relationship between the National Heritage Resources Act, biodiversity and the National Environmental Management Act.
- Understand how HIAs can be part of Environmental Impact Assessments (EIAs) and Basic Assessments (BA) or stand-alone impact assessments.
- Critically examine the objectives of the National Heritage Resources Act as applied to Heritage Impact Assessments.
- View the Heritage Impact Assessment as a tool for the implementation and application of heritage conservation and protection.
- Critically reflect on the design, implementation and shortfalls of current Heritage Impact Assessment practices.

SECTION 1

Overview of Heritage Impact Assessment

The Heritage Impact Assessment predicts and assesses the significance of possible impacts from proposed developments or actions on heritage resources and then recommends how to mitigate these predicted impacts. Proposed developments or actions that might affect heritage resources include projects such as the building of a dam, the construction or widening of a road, the restoration or renovation of an old building, or the opening of a heritage site to the public.

Heritage Impact Assessments involve:
- Identifying any heritage resources that occur in the area or site of a proposed development or action.
- Establishing the nature and degree of significance of the identified heritage resources.
- Predicting and assessing the potential *negative* and *positive* impacts of the proposed development or action on these heritage resources.
- Suggesting under what circumstances the predicted impacts could change, for example, from a low to medium impact level, or from a medium to a high impact level.
- Recommending appropriate management, mitigation and monitoring actions for the predicted impacts.

Thus, the focus of a Heritage Impact Assessment is to predict and assess the effects that any proposed developments might have on the significance of a heritage resource. Note that Archaeological Impact Assessments (AIAs), Palaeontological Impact Assessments (PIAs) and Visual Impact Assessments (VIAs) are specialist inputs to the HIA process, even though the aims of each could be considered a 'version' of an HIA.

You will already know from Modules 1 and 2 that a Heritage Impact Assessment is called for within the legal framework of section 38 of the National Heritage Resources Act. The HIA and EIA are distinct legislative instruments but they often complement one another. In some countries, for example Zimbabwe, there is no separation between the two forms of impact assessment. In the South African context, the separation of EIA and HIA has led to problems for practitioners in both spheres.

The authorities that can permit or prevent proposed developments are the South African Heritage Resources Agency – at National or Grade 1 level; the Provincial Heritage Resources Authorities (PHRA) – at Provincial or Grade 2 level; and local municipalities – at local or Grade 3 A, B or C level). For a PHRA or local authority to manage heritage resources it must first be declared competent by SAHRA.

> **Discuss:**
> The impacts considered in a Heritage Impact Assessment apply to both *tangible* and *intangible* resources. In cases where a heritage resource has both tangible and intangible aspects, what are the possible complications for those conducting the HIA?

> The separation of EIA and HIA emerges from South Africa's fragmented environmental and heritage policy framework. What does this mean in relation to the concept of heritage that we work with in this course?

Useful terms and their meaning in the heritage context

While the meaning of the terms given here might seem obvious, you need to make sure that you have a working understanding of these terms and, just as importantly, you need be able to explain them to others. This is necessary in order for you and all heritage practitioners to effectively conduct, report on, and appraise HIAs. (See RESOURCE 13: Winter & Baumann 2005: 3 – 6 highlight important heritage management principles and concepts).

Heritage resource: Any place or object of natural or cultural significance. In this context 'cultural significance' means having aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value. Remember too, intangible or non-material heritage.

The environment: The surroundings within which humans exist, made of the land, water and atmosphere (air, light and sound) of the earth and the micro-organisms, and plant and animal life. The term also includes *any* part of the features listed above and the inter-relationships between these features. Additional elements are the physical, chemical, aesthetic and cultural properties and conditions of the above features which influence human well-being.

Remember, that ultimately all environments and landscapes are cultural because they are shaped by human activity and reflect many and varied cultural values.

The built environment: Any structure or feature that is made by humans and this often includes archaeology as people have settled in the same area over time. It is comprised of 'places', which are defined in the NHR Act to

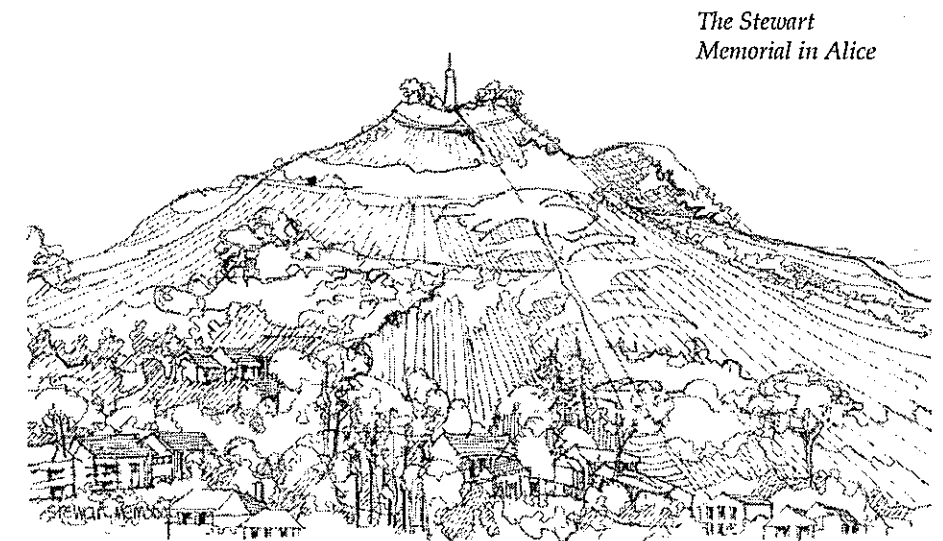| Suggestion: Visualize the meaning that you personally hold for each term so that it is not just an abstract concept. You can do this in your mind's eye, or you can put words and/or pictures on paper. In this way you will extend your understanding of heritage terms by using your own vocabulary as a foundation. |

| What are all the things you picture when you think of the word 'environment'? Are there any
a) physical,
b) chemical,
c) aesthetic, and/or
d) cultural
dimensions in your definition of the term? |

A typical street scene in the historic Malay Quarter in Cape Town, which is a declared conservation area

include structures and buildings, together with their settings and attendant grounds, fixtures and fittings. This definition also includes *groups* of such structures and buildings, and sites of architectural, historic, archaeological, artistic, cultural, and scientific value.

In architectural conservation areas, streets or villages may owe their character to their *collective relationships*.

The synergy created between varieties of buildings adds to their **intrinsic** beauty and heritage value. This synergistic character would be affected by severance (cutting off), or loss of some buildings. When groups of buildings are affected by a proposed development, the **cumulative** as well as individual impacts will have to be assessed and documented. **Collective relationships** also form part of evaluating development that affects archaeological sites, such as rock art sites or Iron Age settlements.

The physical and the visual aspect of designed historic landscapes, parks, gardens and burial grounds may also be affected by the same impacts that affect buildings of architectural heritage merit. (See ICOMOS 2010: 7 – 10; and RESOURCE 13: Winter & Baumann 2005: 36 Box 7 for an explanation of direct, indirect or cumulative effects.)

| **Intrinsic:** belonging naturally to; or an essential part of something. |

| **Cumulative impacts** are the sum of all the impacts on the resource. |

| *Landscapes that have been designed by people, such as parks and cemeteries, are considered to be part of the built environment, even if they incorporate some uncultivated or wilderness aspects.* |

The Stewart Memorial in Alice

A place may be described as follows:
- a site, area or region
- a building, group of buildings, or other structure, which may include equipment, furniture, fittings and articles associated with it
- archaeological or palaeontological sites
- an open space, including a public square, street or park

| See the NHR Act section 2 (xxxii) (a) to (e) |

These are also included as heritage resources. The management of the resources of a 'place' includes the immediate surroundings of that place.

Development is defined in the NHR Act as any physical intervention, excavation, or action, other than those caused by natural forces, which may in the opinion of a heritage authority in any way result in a change to the nature, appearance or physical nature of a place, or influence its stability and future well-being. This includes construction, alteration, demolition, removal or change of use of a place or a structure at a place.

The term also refers to the carrying out of any works on, over, or under a 'place'. This means development also includes interference with air space around heritage sites by construction, noise, or putting up display signs or *hoardings*/billboards. Any change to the natural or existing condition or *topography* is also development.

Living heritage means the intangible or non-material aspects of inherited culture and may include cultural tradition, oral history, performance, ritual, popular memory and skills and techniques, indigenous knowledge systems as well as social relationships.

Impacts: a) Direct impacts: these are impacts in which a feature or site that is deemed to be of heritage merit is located physically (in whole or in part) within the footprint or locus of a development. In this case the main form of the mitigation measures would be realignment of the proposed development and avoidance of the impact, where feasible, with regard to the significance of the feature or site concerned. **b) Indirect impacts:** where a feature or site deemed to be of heritage merit or its setting is located in close proximity to the footprint of a development. In this case mitigation could *ameliorate* and reduce the potential negative impacts. **c) No predicted impact:** where the potential development is not likely to affect a heritage site either positively or negatively.

Useful heritage categories

Now that we have reiterated the meanings of some often used terms in the management of heritage, it is important to remind ourselves of the *categories* of heritage that we will be assessing. In Module 2, Table 2 (page 8-11), you were introduced to examples of heritage resources categorised in a particular way. Table 1 suggests an alternative way to categorise heritage structures, sites, objects and practices that need to be conserved and which may be affected by developments.

Table 1: Types of buildings and heritage resources with strong heritage connections

Type of heritage resource	Examples
Vernacular, rural and urban	Farm buildings, stiles, cottages and houses
Industrial	Mills, breweries, distilleries, abattoirs and farm warehouses

Side notes (left column):

See the NHR Act section 2 (viii)

Hoarding: a large board used to display advertisements; or a temporary board fence around a building site.

Topography: the arrangement (shape) of the natural and artificial (man-made) physical features of an area of land.

Ameliorate: to reduce the undesirable effect of something

A more detailed table showing heritage categories and the root causes of impacts on these categories, can be found in RESOURCE 13: Winter & Baumann 2005: 21 – 27 Table 1

Type of heritage resource	Examples
Transport	Road bridges, railway bridges and yards, stations, service stations, tracks and canals
Civil and social public buildings	Hospitals, clinics, educational buildings, administrative buildings
Ecclesiastical and religious	Churches, chapels, graveyards, mosques and temples
Military and defence barracks	Martello towers (small defensive forts), pill boxes, army barracks, stables, armouries, forts, castles and monuments related to battles, the victors and the fallen
Country estates	Country houses, demesne lands and landscapes, stone walls, entrance gates and lodges, out-buildings and walled gardens
Maritime	Harbours, quay walls, custom houses, lighthouses and coastguard stations, underwater material culture
Public	Town /city halls, opera house, theatres, libraries, art museums and museums
Monuments	Roadside memorials, plaques, statues, fountains and historic civil monuments
Landscapes	Designed landscapes, vistas, planted features such as avenues, tree clumps, water features and earthworks
Other types which are not always recognized but are still part of the environment	These include historic, urban and rural landscapes, intangible cultural heritage or associations
Archaeology	Stone Age, Iron Age and historical sites
Palaeontology	Any site with fossils

Side notes (right column):

Read through Table 1 and note down any terms that you might struggle to explain in your own words. Discuss these terms with fellow participants.

Demesne lands: private land that is part of an estate or manor house.

What Table 1 emphasises is that heritage can inform *all* aspects of our environment, which means that any development has the potential to have an impact on heritage resources. This is why South African environmental and heritage legislation has been designed to manage and monitor development and the potential impacts it can have. In Section 2 we look at some of the challenges associated with Heritage Impact Assessments and the important relationships between HIAs and other assessment processes.

Additional reading and references:
NHR Act 1999; Burra Charter 1988; The 2003 Intangible Heritage Convention; Dondolo, L. 2004. Draft Intangible Heritage Policy; ICOMOS 1999; Kwazulu-Natal Heritage Act 1997; National Policy on South African Living Heritage 2009; Winter & Baumann 2005.

SECTION 2

Heritage Impact Assessments in context

To illustrate some of the challenges that you may face when managing HIAs we look at a case study from the Karoo town of Graaff-Reinet. It concerns an application by Shell Oil Company (Shell) to redevelop a service station situated on the corner of Church and Parsonage Streets (refer to the photographs in Appendices 8, 9 & 10 in RESOURCE 14).

Case Study 1

Graaff-Reinet Service Station Application

This case study tracks events that have taken place over a number of years, which have placed a heavy burden, in terms of costs and time spent, on all those concerned.

An initial meeting concerning Shell's application to redevelop the service station was held in 2003 in response to an informal invitation from the Graaff-Reinet Municipality building inspector. This meeting was attended by members of the Graaff-Reinet Aesthetics Committee, a voluntary advisory body constituted by the municipality. The purpose was to show the committee what Shell envisaged for the redevelopment of the site. The committee members were appalled with the proposal because of the detrimental impact it would have on the heritage of the town.

Nine months later, a formal meeting was held, but members of the general public were not invited, nonetheless representatives attended the meeting because they had heard rumours about it. Present at this meeting were representatives from Shell (the C.E.O. was present), municipal councillors, and a town planning consultant. Details of the redevelopment proposals for the service station were revealed and it appeared that the plans were on the verge of formal approval by the local municipality (Appendix 12 in RESOURCE 14 shows the site development plan). A scoping report had been prepared by an environmental engineer appointed by Shell. However, no formal procedures for the proposal had been followed, neither had any public participation taken place, and thus, the general public were unaware of the proposals.

At this point, the public formed a pressure group called the 'Shell Delegation'. It consisted of members of the Graaff-Reinet Heritage Society, the local chamber of commerce, a councillor sympathetic with the heritage cause, and the attorney representing Johan Rupert (the Rupert family is synonymous with the development of Graaff-Reinet and with the restoration of many of the historic buildings in the town). Shell accepted this group as representing civil society or the general public. Then the consulting environmental engineers were commissioned by Shell to prepare an Environmental Impact Assessment. The EIA did not include a Heritage Statement or a Heritage Impact Assessment.

> The Shell Delegation is also known as the 'SD Group'

During all stages of the Environmental Impact Assessment process, the 'Shell Delegation' raised objections on the grounds that the heritage importance of the site and the immediate environment had not been considered. While the Shell service station development may have created a further 10 jobs, the damage to the town's heritage would be irreversible and it would affect tourism and by extension, the employment created by tourism. The delegation further pointed out that there were significant flaws in the EIA relating to 'heritage, noise, traffic impacts, and the inadequacy of the public participation process'.

The Shell Delegation decided in 2010 that Shell should be informed of the necessity of conducting a Heritage Impact Assessment, and that an appeal should be lodged with the Department of Economic Development and Environmental Affairs (DEDEA) for a stay of issuing a Record of Decision (RoD) until the HIA was completed and included in the evaluation process. Other recommendations by the Shell Delegation were that:

> The Town Council must be pressurized to prepare a full listing of culturally significant urban elements and spaces and proceed with a Heritage Management Plan (HMP) for the historic core, as the National Heritage Resources Act 25 of 1999 requires a moratorium on land use changes up to the time that such a HMP is available, it must be demanded. In all of this SAHRA must be asked to be our (the people of Graaff-Reinet) main champion.
>
> (*Minutes of Shell Meeting on 27th January 2010; extract from the Graaff-Reinet Heritage Association Meeting*)

Following the organisation of a public petition and an e-mail campaign aimed at the environmental consultant, a process of public participation took place in the form of written submissions. Among other objections, it was noted that one of the diagrams in the EIA understated the extent of the planned demolitions (as shown in Appendix 12). The objections included the cumulative effects of the visual impact on the town's tourism industry, the increased traffic (including heavier vehicles), and the noise levels in a largely pedestrian historic area.

The EIA included a report by a professional environment noise engineer, a traffic engineer and a noise impact engineer. It found that the environment noise and the traffic generation were not predicted to be a problem, but that the surrounding areas would be affected by an increase in noise from the following sources: vehicles entering and exiting the service station, including fuel delivery vehicles; noise from ancillary equipment (a diesel generator set, air-compressor and convenience store refrigeration and air-conditioning units); and noise from building operations in the construction phase. A conservation report commissioned by the developer and finalized in July 2009 (see Appendix 13) recommended that Shell should consider an alternative site.

In December 2009 the 'Shell Delegation' requested that members of the public send their comments to the consulting environmental engineers, as they believed the EIA was an inadequate assessment. In response to new legislation, the consulting engineers then applied to the Provincial Department of Economic Development and Environmental Affairs for confirmation that an EIA is no longer required for this type of development. The application was ratified with

> Discuss: For which types of development is an EIA required?
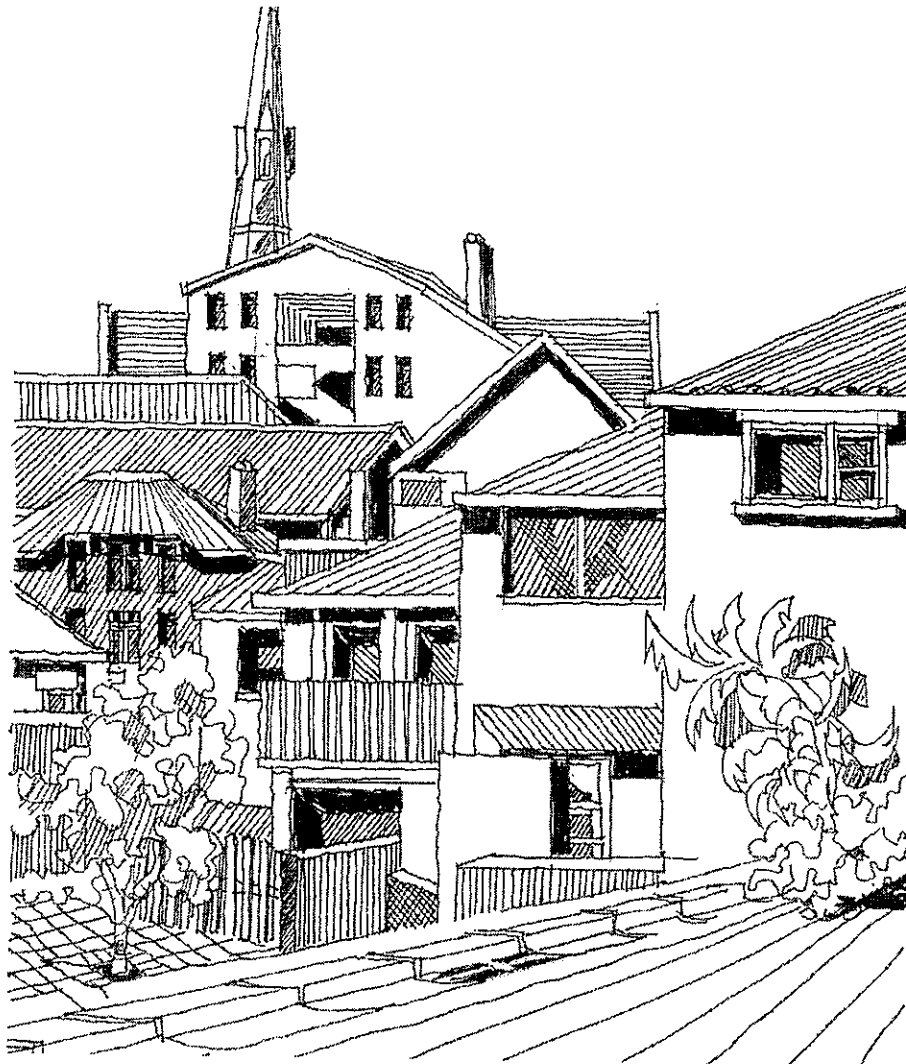
The declaration of the Graaff-Reinet townscape as a Status 1 Heritage Site will provide further legal protection of the town's heritage.

the reasoning that the development did not impact on the environment. The 'Shell Delegation' did not agree with this decision.

While the events described above were unfolding the 'Shell Delegation' circulated a video entitled 'Small Town against Big Oil' to publicise opposition to the proposed development. According to a member of the 'Shell Delegation', the oil company then began to reconsider:

> A meeting took place with the SD and Shell during September 2010, with all the interested stakeholders. Shell is now working with the Municipality at looking at alternative sites for a development. The municipality is offering Shell a site situated on the national road to Middleburg approximately 10 km out of the town. Initial feasibility studies are being undertaken in the form of a HIA and EIA! If the bid fails for the new site Shell has agreed that they will only upgrade the existing underground fuel tanks to prevent seepage and the consequent damage to the foundations of the surrounding historic Rupert Theatre and heritage resources.
>
> (Verbatim quote from an interview with Mr Peter Whitlock, a member of the SD Group, Graaff-Reinet: November 2011)

An application was also made in June 2009 by the Graaff-Reinet Heritage Society to the South African Heritage Resources Agency for the town landscape to be declared a Status 1 Heritage Site. To date, the application has been approved in principle and is awaiting publication in the Government Gazette for formal ratification by the relevant Provincial Heritage Resources Authority. This will ensure the further legal protection of the heritage of the town.

GROUP ACTIVITY 1

Evaluating and improving attitudes to HIAs

Activity outcome: The capacity to engage critically with the manner in which HIAs are perceived.

Think about the case study you have just read. Working in pairs or groups discuss the two questions below, and where possible use examples from your own practice to illustrate your points. Present your analysis of this situation to the other course participants.

1. Why do you think some developers and environmental practitioners have a negative attitude towards HIAs?

2. What measures can be taken to improve attitudes to HIAs?

While much can be learnt from this case study, we will focus primarily on the main challenges that heritage practitioners face in relation to managing HIAs. These are associated with a) the *lack of knowledge* and *lack of regard* shown towards the *heritage element* of EIAs and Basic Assessments, and b) the inadequacy of most processes of public participation.

In relation to point a) we are going to discuss the relationships between Heritage Impact Assessments and the other types of assessment, i.e. EIAs and BAs and other important assessments and plans, namely Social Impact Assessments (SIAs), Socio-cultural Impact Assessment (ScIAs) and Environmental Management Plans (EMPs). A clear understanding of what each of these processes entails, and of how they relate to one another is necessary to effectively manage these processes in your workplace and just as importantly to share your learning with colleagues and associates (Remember the communities of practice in Module 3).

In relation to point b) we emphasize that public participation is an essential part of conducting a Heritage Impact Assessment (and of any assessment process) and that it is your duty to ensure that an extensive, comprehensive and transparent public participation process is undertaken, as described in Modules 2 and 3. This is taken up further in this module on page 19 (see Planning the HIA process). (Suggested reading: www.eiatoolkit.ewt.org.za; Murombo, T., PER (Potchefstroom Electronic Law Journal) [online]. 2008; www.psc.gov.za/documents/docs/; www.sahra.org.za; www.sahistory.org. za/archive/chapter-13-public-participation-process).

Note

A Heritage Impact Assessment is a study of the developmental consequences of a proposed course of a man-made action.

An EIA is a study of the environmental consequences of a proposed course of a man-made action.

a) Environmental Impact Assessments and HIAs

Environmental Impact Assessments are undertaken by environmental scientists who *identify*, *predict* and *assess* the potential positive and negative impacts that a proposed development or action will have on the *biophysical*, *economic* and *social environment*. The responsible environmental practitioners also need to propose monitoring and management action plans (Winter & Baumann 2005: 8). The 'social environment' includes culture and heritage. Very often therefore a Heritage Impact Assessment will form a necessary part of the EIA process (as we saw in the Graaff-Reinet case study), however this not always made explicit.

The decision about whether or not a Heritage Impact Assessment is required is usually taken during the scoping process phase, or in Phase 2 of an EIA. It is often clear right at the beginning of the EIA process that a heritage component is included. It is at this stage that the heritage specialists should be called in so that they are part of the process from the outset. In the same way it is usually apparent at the start of the HIA process if there will be a *biophysical* component that needs to be addressed. This emphasises what we learnt in Module 3: it is essential to work in multi-disciplinary and interdisciplinary teams and to establish a network of professional relationships (see Figure 1).

Figure 1: Multi-disciplinary approach to heritage management
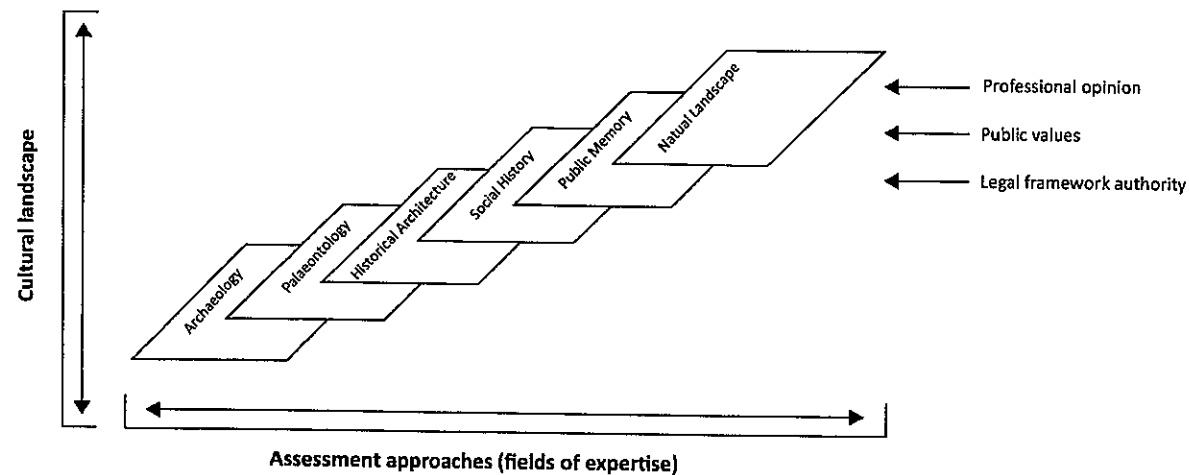
Source: Winter & Baumann 2005: 6

It is also essential that we educate the government authorities that assess EIAs and Basic Assessments, to check that the cultural heritage elements have been a) **correctly addressed** and b) **assessed by qualified professionals.**

b) Basic Assessments and Heritage Impact Assessments

A Basic Assessment is usually undertaken by environmental scientists for developments that are less likely to have a significant impact on the biophysical, economic and social environments. This form of assessment is aimed at small-scale activities where the impact of the activities is generally known and can be easily managed (http://www.eiatoolkit.ewt. org.za). However, **a Heritage Impact Assessment may still be a necessary component of a Basic Assessment.**

Take for example the establishment of a small trout farm. If it occurs near rock art sites, the impact of the changing water levels would have to be assessed on the micro-climate in the shelters where the rock art is located. In such a case, a Heritage Impact Assessment must be done in order for the Basic Assessment to be approved. It can happen that a Basic Assessment will show that a full-blown EIA is needed. In such a case we normally say that the BA has *triggered* an EIA.

c) Social Impact Assessments and HIAs

A Socio-economic Impact Assessment is usually undertaken during the EIA process and involves the compilation of socio-economic data for a proposed development. It also forms part of the HIA, and with the growth of heritage-tourism in South Africa, is becoming more important. Thus, the social and economic impact of a development is assessed. The question to ask in each particular case is: Does the development in any way either improve or degrade the way of life and economic situation of the affected community? If the community is affected then how can the impacts be managed and monitored? Or is there a possibility of balancing the different interests involved? If so how can this be achieved within current legislation?

d) Socio-cultural Impact Assessments and HIAs

A Socio-cultural Impact Assessment (ScIA) forms an important part of the HIA process especially under the NHR Act, which recognises the importance of intangible or non-material heritage. The ScIA is aimed directly at identifying intangible heritage resources and this usually means engaging with living communities. For example, an apparently ordinary copse (small group of trees) may be considered for protection from alteration or removal if a specific community or group of people has used the site as a place of ritual for generations.

Environmental Management Plans and HIAs

Environmental Management Plans (EMPs) are also known as 'Conservation Management Plans'. These plans can be put in place after the scoping phase of an EIA or HIA, and usually once the EIA and HIA are completed.

The EMP specifies how the heritage resources identified in the approved development must be managed and monitored. In doing so the EMP must ensure that during the project life-cycle of the development any negative impacts on the heritage resources are mitigated and that any actions

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Discuss cases that you know of where the need for a Heritage Impact Assessment has emerged very late in the overall impact assessment process (e.g. Grahamstown bus shelter).

See RESOURCE 13: Winter & Baumann 2005: 8 and http://www.eiatoolkit.ewt.org.za for definitions of scoping and other EIA processes and procedures.

See ICOMOS 2010: 3; and RESOURCE 13: Winter & Baumann 2005: 31 – 32 for details of the necessary qualifications.

An example of a heritage resource that has intangible aspects is the Makana Kopje in Grahamstown (your facilitator will show you this place as it is quite visible from Rhodes University, where the course takes place).

associated with the positive impacts are carried out effectively. This could be in the pre-construction, construction, operation or decommissioning phase (Lochner 2005: iii, 4). Lochner (2005: 4) lists the generic scope of an EMP as follows:

- Definition of the environmental management objectives to be realized during the life of a project (i.e. pre-construction, construction, operation and/or decommissioning phases) in order to enhance benefits and minimise adverse environmental impacts.
- Description of the detailed actions needed to achieve these objectives, including how they will be achieved, by whom, by when, with what resources, with what monitoring/verification, and to what target or performance level. Mechanisms must also be provided to address changes in the project implementation, emergencies or unexpected events, and the associated approval processes.
- Clarification of institutional structures, roles, communication and reporting processes required as part of the implementation of the EMP.
- Description of the link between the EMP and associated legislated requirements.
- Description of requirements for record keeping, reporting, review, auditing and updating of the EMP.

The legislative context

As heritage practitioners we are likely to encounter negative attitudes and resistance to HIAs. If this happens, it is important first to emphasise that we are managing heritage for the good of all, including the next generation, and then to try and understand the particular circumstances of each case. To do this effectively, we need to understand and also be able to fluently discuss the relevant provisions of the NHR Act and other heritage related legislation (see Module 1; MPRDA 2002, NEMA 1998, 2006 & 2008; EIA Regulations 2010).

We need to also consider the effects of other legislation, such as the Land Restitution Act, on the heritage resources we assess.

As professionals, we need to make it clear that our intention is to work *with* developers to not only ensure that the law is properly applied but that concerns are taken into account. After all, impact assessments are for the benefit of all South Africans which includes developers and heritage conservation practitioners.

Under the NHR Act, any development or action that affects the following sites, which are *formally* and *generally* protected, may demand a Heritage Impact Assessment.

Formally protected sites:
- World Heritage Sites
- Grade 1 or national heritage sites, which are managed by SAHRA

> Useful tables can be found in Deacon 2003.

> **Note**
> An EMP (or Conservation Management Plan) usually involves an area, or more than one site, whereas a Heritage Site Management Plan is focused on a single site and its management and monitoring.

14

- Grade 2 or provincial heritage sites, which are managed by the relevant Provincial Heritage Resources Authority.
- Grade 3 or local heritage sites, which may be managed by the local authority once competency has been established.

Generally protected sites:
- Human burials older than 60 years; and also human burials younger than 60 years (the latter are governed by the Human Tissue Act 65 1983 as amended Archaeological and palaeontological sites).
- Shipwrecks and associated remains older than 70 years.
- Structures older than 60 years.

Additionally, section 38 of the NHR Act stipulates that a Heritage Impact Assessment is required in the following circumstances:
- The construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300 metres in length.
- The construction of a bridge or similar structure exceeding 50 metres in length.
- Any development or other activity which will change the character of the site:
  - exceeding 5000 square metres in extent;
  - involving three or more existing erven or subdivisions thereof;
  - involving three or more subdivisions thereof which have been consolidated within the past five years;
  - costs of which will exceed a sum set in terms of regulations by SAHRA or the PHRA.
- The rezoning of a site exceeding 10 000 square metres.
- Any other category of development provided for in regulations by SAHRA or the PHRA.

> **Note**
> All burial sites are protected, so a permit is needed to touch any human remains, no matter what the age is. However the age of the remains triggers different legislation.

> Consider which of the circumstances in these five points might apply to the case of the Graaff-Rienet filling station.

GROUP ACTIVITY 2

The definition of development and development types

Activity outcome: A clearer understanding of how the NHR Act defines the term 'development', and of the specific development types covered.

In pairs or small groups discuss and respond to the following questions:

1. Do you think that the list of development types for which a Heritage Impact Assessment is required is useful and practical? (Refer to the list above and section 38 (1) of the NHR Act) What other developments, or actions that could affect heritage, do you think should be included in relation to mandatory HIAs?

15

2. What aspects of heritage does the definition of 'development' contained in the NHR Act emphasise, under emphasise, or fail to cover at all? (Note: This is an important question for heritage managers so you are advised to set aside at least 10 minutes for this discussion.)

Reflection

The sections of the NHR Act that regulate specific requirements and set conditions for conserving and protecting heritage resources were discussed in Module 1. Make sure that you know what the implications are of these sections of the legislation within your own heritage management practice. Table 2 lists sections of the NHR Act that are relevant to HIAs along with the associated actions or rules. The last column has been left blank so that you may list and then discuss any challenges that you typically face in relation to that specific section.

Table 2: Sections of the NHR Act with specific relevance to HIAs

Section	Action	Challenges that heritage practitioners have faced or typically face
38(1)	Initiation: notification of a development to the responsible heritage authority	
38(2)	Heritage Authority required to respond within 14 days to notify if a permit is required	
34(1)	Any structure that is more than 60 years old requires a permit for alterations or restoration	
38(1)	Description of developments requiring a permit	
27	Building and/or provincial heritage site require a permit to alter, restore, excavate, subdivide, rezone, landscape an existing site	
38(3)	Requirements to furnish details of the location, nature and extent of the proposed development	
48(1)	Relevant heritage Authority prescribes manner and format of the application for a permit	
5(7)	Relevant Heritage Authority prescribes method of assessing the Application for a permit	
7(1)	SAHRA and the PRHA sets the grading system for assessing the National Estate; this identifies the relevant responsible heritage authority	
3(3)	Criteria set by the PRHA and a local Authority for assessing the value and cultural significance of the resource	
48(2)	The PRHA issues the permit subject to pre-determined conditions	
49	Systems of appeal against a heritage resource authority decision for an application for a permit	

Section	Action	Challenges that heritage practitioners have faced or typically face
50(1)	Appointment of heritage inspectors	
51(5)	Misdemeanours prescribed	
53(b)	The serving of a notice for contraventions	
35 (3)	Archaeological and paleontological heritage sites are generally protected and may not be disturbed at all without a permit from the relevant heritage resources authority.	

Additional reading and references:
Deacon 2003; NHRA 1999; www.eiatoolkit.ewt.org.za; Lochner 2005; MPRDA 2002; NEMA 1998, 2006 & 2008; Winter & Baumann 2005.

SECTION 3

Conducting a Heritage Impact Assessment

There are potentially three phases to a Heritage Impact Assessment. We start with a summary of the phases then go into detail about the stages within each phase.

Phase 1

This phase involves the planning of the HIA process; the public participation process; the site research, scoping and significance assessment; impact evaluation and recommended measures for management; compiling the report; and the submission of the report. Once the regulatory authority has commented on the report, Phase 2 management may be necessary.

Phase 2

The regulatory authority will assess the HIA report and recommendations and then provide government approved requirements and minimum standards for the management of the heritage resources identified. These requirements and standards will be addressed in the Environmental/ Conservation Management Plan. In other words, the EMP will ensure that the recommendations of the HIA and the government approved guidelines and minimum standards are implemented and monitored. Among other aspects these guidelines cover destruction with a permit, site alteration with a permit, site conservation, heritage monitoring, and Phase 2 archaeological or palaeontological mitigation with an excavation permit (rescue excavation).

Phase 3

In certain cases, the regulatory authority may require that sites of particular significance are properly conserved before any development can take place. This may mean a portion of a site is conserved and developed for tourism or further research purposes, but it may also mean that no development can take place because of the significance of the heritage site. The conservation and development of the site would require a heritage site management plan (see the SAHRA website for details on heritage site management plans).

These interlinked phases help to ensure that HIAs are conducted in a way that is both thorough and effective. Heritage managers should make sure that those conducting HIAs have not understated potential impacts in a bid to get a quick permit from the relevant heritage authority. It is your job to keep the HIA process on track and moving so that it is conducted efficiently within stated time frames.

See the SAHRA website for minimum standards; see also http://www.asapa.org.za; http://sheqafrica.com for more information on Phase 2 & 3.

Discussion: What are some of the factors that typically cause delays in the HIA process? How can HIAs be better managed so as to make sure they are both *comprehensive* AND *efficient*?

Now we take a closer look at the main interrelated processes in conducting an HIA.

Planning the HIA process

Note that this process, research and writing of the HIA report run in parallel. You need to remain flexible, allowing new information coming out of either process to feed into your other processes and the report.

Proper planning for the HIA process is essential. For each stage you need to identify and specify the following:
- Who is involved in conducting the HIA, including those affected.
- What resources are needed to carry out the assessment, including human resources, equipment, facilities, time and money.
- Where the heritage resources are located.
- How the assessment will be conducted.

This is also a good time to identify the need for specialist inputs. For example, if you are surveying an area that is known to be rich in fossils, you will need a palaeontologist on board from the start to advise and assist you. In the long term you are likely to save money if you call in the appropriate skills and specialists from the outset. The specialists you choose must be qualified to undertake the work. This is also the best time to plan your public participation process.

RESOURCE 13: Winter & Baumann 2005: 38-44 Table 4, details on selecting the right approach to various resources.

Public participation

You will already know from studying Module 3 that many of the contentious issues in heritage management are the result of inadequate consultation and public participation. This was clearly demonstrated in our Shell Service Station case study. Public participation forms part of your research and plays a core role in the assessment and implementation of any heritage practice, from formulating and implementing legislation, to undertaking a site management plan.

Why is public participation important?

In Module 3 we learnt that the primary objectives of public participation are to exchange information and give the public a voice. The public participation process required for an HIA (or other assessment for development) is a formal process with specific procedures that have to be followed culminating in formal meetings (See Table 3 below).

> Remember that compiling the HIA report, including all the research required, will run in parallel to this process.

Table 3: Formal HIA process integrating public participation

Action	Description	Time period
Start of HIA. Notification to interested and affected parties containing all the relevant information.	• Erect conspicuous notice board at site/s (minimum 600 x 420 mm). • Give written notice to owners of land and all neighbours within 100 m (larger with farm land), ward councillor, ratepayers association, local and/or district municipality, organised agricultural, tourism, heritage associations, relevant organs of the state (PHRA, Department of Economic Development and Environmental Affairs (DEDEA), Department of Sport, Recreation, Arts and Culture (DSRAC), etc). • Place adverts in 1 local, 1 provincial and where relevant, 1 national newspaper, and an official gazette.	Depends on scope of assessment. Usually within 1 month
Disseminate information about the application.	• Leave copies of application at central, easily accessed points such as a public library or tourism information office for public to read and comment on. • Email PDF copies of application to all interested and affected parties. • In rural areas, where transport may be a problem, ensure that Headmen or suitable community leaders are notified and given copies of application.	On notification
Create register of all interested and affected parties	Names and addresses of all governmental and private interested and affected parties recorded.	Depending on scope of project, 3 weeks and also throughout project duration
Hold formal meeting	All interested and affected parties invited to formal meeting where they are given the opportunity to comment on the application and provide any relevant information. This meeting will also determine how many meetings will be necessary within the HIA process. If there are contestations, more meetings will have to be held to deal with whatever issues arise.	Within 6 weeks of notification

Action	Description	Time period
Record and distribution of minutes of meeting	All meetings must be extensively recorded and any issues raised must be addressed in the HIA process.	Within 1 week of first meeting and for the duration of the HIA
Record of public information	Any relevant information provided by the public must be recorded and where possible, members of the public should be involved in the research process.	Duration of HIA
Report back on research, draft HIA	Draft HIA presented to interested and affected parties by any means that ensures they have access to it. For example: by hand, email, hard copies left in a public place.	Depends on scope of HIA.
Formal meeting	All interested and affected parties invited to formal meeting where they are given the opportunity to comment on the draft HIA and raise any issues or provide suggestions.	1 month after circulation of draft HIA. Remember to give people in rural areas more time to comment as they may be isolated.
HIA report finalised	All comments, suggestions and issues raised by the interested and affected parties need to be reflected in the HIA report.	Depends on scope of HIA and issues raised, but usually within 2 weeks of formal meeting
HIA report submitted and record of decision (RoD)	Completed HIA submitted and record of decision received	80 days
RoD disseminated. Formal meeting	Record of decision communicated to all interested and affected parties. If relevant, a final formal meeting can be held to discuss the way forward.	Within 1 month of RoD

Limited or inadequate public participation is often the reason for contentious issues that crop up in heritage management. The consultation process must therefore be properly planned and comprehensively implemented. It is very important that heritage practitioners explain clearly to communities what the requirements of the law are, and what their rights are in relation to a proposed development.

In the planning process you need to ensure that the budget for the public participation process covers all the steps required. In fact the largest proportion of the resources (time and money) should go to research and public participation. As discussed in Module 3, it doesn't pay to cut corners in this process, and you need to remember that *consultation is not complete until you have shared the outcomes of the process.*

In the course of the public participation process conflict can arise so heritage practitioners need to have a strategy to manage conflict. In this regard it helps if you are able to view conflict and differing viewpoints as a necessary part of heritage management which can be used to expand people's perspectives, including our own (see the Burra Charter; ICOMOS 2010: 4 - 5).

> Discussion: In groups, list the aspects of public participation that you find challenging. Suggest some ways to overcome the obstacles you face. Share your group's suggestions with the other course participants.

Here are some observations and tips from a heritage practitioner who has been involved in conflict management:

1. The laws governing heritage management should inform all decisions taken, so it helps to see each case as an opportunity to enrich our understanding of the law.
2. Conflict can be positive because it challenges us to examine the way we think about and do things.
3. In relation to participating communities, our role as heritage practitioners is to listen, and not to judge.
4. Do not interview conflicting groups individually as this can lead to polarisation and might lead to mistrust.
5. Power relations among community groups need to be challenged so people can meet on an equal footing to find equitable solutions.

> Heritage can heal – it can be a focal point around which we can discuss our differences and come to a resolution.

It is very important that heritage practitioners and the consultants whom they are managing recognise their own limitations. Never be afraid to ask for help. If conflicts between interest groups start to get out of hand you will need to call in more experienced heritage practitioners or professional mediators.

GROUP ACTIVITY 3

Community engagement

Activity outcome: A clearer understanding of how to engage communities in the HIA process.

This activity is in two parts.

Part 1 – work individually

Write down your thoughts about the following based on your own experience in working with HIAs and other types of impact assessment:
- The level of community participation undertaken
- The extent to which the views of communities are considered in deciding the outcome of HIAs
- The manner in which community members are invited to or identified for public participation meetings
- The level of knowledge that communities have about issues that are typically discussed in public participation meetings
- The language used in most public participation meetings

Part 2 – work in groups of 5 to 10

Discuss your thoughts about community participation then present recommendations for more effective community engagement in the HIA process in a plenary session.

Now let's look more closely at the research and writing component of the HIA process.

Research, scoping and significance assessment

In this part of the process, the person conducting the HIA will undertake a comprehensive survey of the site or area affected by the proposed development. This will involve the identification, mapping and assessment of heritage resources, both tangible and intangible. The heritage resource is recorded, described, and categorised, including an assessment of the significance and value of the resource.

> The set criteria for these assessments are found in section 6(2) and section 7 of the NHR Act. Make sure you are familiar with these sections.

Most heritage practitioners make use of a **significance matrix** such as the ones in Tables 4a and b. These are tools to help practitioners determine the level of significance of heritage sites and go they together with a full, written Statement of Significance along with supporting references.

> See ICOMOS 2010: 13 – 15 Establishing significance values.

Table 4a: Heritage Impact Matrix

NHRA Criteria	Heritage Significance		
	Mainly Local	Mainly Provincial	Mainly National
HISTORIC VALUE			
It has importance to the community or pattern of South Africa's history or pre-colonial history			
It has a strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa			
It has significance relating to the history of slavery in South Africa			
AESTHETIC VALUE			
It has importance in exhibiting particular aesthetic characteristics valued by a particular community or cultural group			
SCIENTIFIC/RESEARCH VALUE			
It has potential to yield information that will contribute to an understanding of South Africa's natural and cultural heritage			
It has importance in demonstrating a high degree of creative or technical achievement at a particular period			
It has importance to the wider understanding of temporal changes within cultural landscapes, settlement patterns and human occupation			
SOCIAL VALUE			
It has marked or special association with a particular community or cultural group for social, cultural or spiritual reasons			

NHRA Criteria	Heritage Significance		
	Mainly Local	Mainly Provincial	Mainly National
TOURISM VALUE			
It has significance through contributing towards the promotion of a local socio-cultural identity and can be developed as a tourist attraction			
RARITY VALUE			
It possesses unique, uncommon, rare or endangered aspects of South Africa's natural or cultural heritage			
REPRESENTATIVE VALUE			
It is of importance in demonstrating the principle characteristics of a particular class of South Africa's natural or cultural places or objects			
REGIONAL CONTEXT Other similar sites in the landscape			

Table 4b: Summary of Heritage Significance Matrix

CONDITION OF SITE			
International			
SPHERE OF SIGNIFICANCE	HIGH	MEDIUM	LOW
International			
National			
Provincial			
Local			
Specific community			
FIELD REGISTER RATING			LOW
National/Grade 1 (should be registered/retained)			
Provincial Grade 2 (should be registered/retained)			
Local/ Grade 3A (should be registered, mitigation not advised)			
Local/ Grade 3B (High significance; mitigation, partly retained)			
Generally Protected A (High/Medium significance, mitigation)			
Generally Protected B (Medium significance, to be recorded)			
Generally Protected C (Low significance, no further action)			
GENERAL STATEMENT OF SITE SIGNIFICANCE			
Low			
Medium			
High			

Remember when assessing the significance of a site to include the non-visual or intangible aspects. You should also describe any constraints you have experienced in establishing significance – for example, you may have been denied access to important information, or a specific community may have refused to participate. The impact evaluation with associated management measures relies on your assessment of the significance of a heritage resource so make sure that your research has been comprehensive and has involved surrounding/affected communities as much as possible.

> Read RESOURCE 15 for a fuller explanation of impact evaluation.

Impact evaluation and management measures

a) Impact evaluation

In predicting the impact of a development on the significance of a heritage resource, the person conducting the HIA begins by assessing the nature of the impact on all identified values – such as historical, aesthetic, social, scientific – as well as giving some indication of the positive and/or negative effects of this impact (ICOMOS 2010: 7 – 10; Winter & Baumann 2005:50). An impact matrix such as the one in Table 5 can be used. Start by filling in what the predicted impact on each aspect of significance will be, then rate the impact from 'none' to 'very high'. For example, if the resource is important in the community and the development will result in access being denied, the predicted impact of the development is 'very high' and the effects are 'negative' under social value.

Table 5: Heritage Impact Matrix

HERITAGE RESOURCE VALUES	Nature of Impact					
	None	Low	Medium	High	Very High	Positive (P) Negative (N)
HISTORIC VALUE						
It has importance to the community or pattern of South Africa's history or pre-colonial history						
It has a strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa						
It has significance relating to the history of slavery in South Africa						
AESTHETIC VALUE						
It has importance in exhibiting particular aesthetic characteristics valued by a particular community or cultural group						
SCIENTIFIC/RESEARCH VALUE						
It has potential to yield information that will contribute to an understanding of South Africa's natural and cultural heritage						

HERITAGE RESOURCE VALUES	Nature of Impact					
	None	Low	Medium	High	Very High	Positive (P) Negative (N)
It has importance in demonstrating a high degree of creative or technical achievement at a particular period						
It has importance to the wider understanding of temporal changes within cultural landscapes, settlement patterns and human occupation						
SOCIAL VALUE						
It has marked or special association with a particular community or cultural group for social, cultural or spiritual reasons						
TOURISM VALUE						
It has significance through contributing towards the promotion of a local socio-cultural identity and can be developed as a tourist attraction						
RARITY VALUE						
It possesses unique, uncommon, rare or endangered aspects of South Africa's natural or cultural heritage						
REPRESENTATIVE VALUE						
It is of importance in demonstrating the principle characteristics of a particular class of South Africa's natural or cultural places or objects						

Once the person conducting the HIA has established the nature of the impact, they need to consider the following aspects:
- **Extent** of the impact (on a site scale, site and immediate surroundings, town, region, national or international).
- **Duration** of the impact (short, medium, long term or permanent).
- **Intensity** of the impact (low: no effect on heritage value, medium: some modification to heritage values, or high: temporary or permanent alteration or destruction of heritage values).
- **Probability** of the impact occurring as identified (improbable, probable, highly probable, definite).
- **Confidence** of the heritage practitioner in their impact assessment (high, medium and low).

(ICOMOS 2010: 7 – 10, 15 - 16; Winter & Baumann 2005:50 - 51)

It is also important, in relation to each site, to suggest how the predicted impacts may change over time and under what circumstances. For example, you may have identified a 200-year-old cut-sandstone bridge located in the direct vicinity of a proposed brick-making facility in a rural area. From your calculations based on the size of the facility and current demand, you have predicted that the impact of increased traffic on the bridge would be negligible, and thus low. However, once the brick-making facility is successfully operational, it may decide to expand. In this case, the increased traffic may begin to have more of an impact on the bridge, and thus the predicted impact could change from low to medium, and even high.

An assessment of the potential changes in predicted impacts is important because it gives criteria for the on-going monitoring of the effects of development on heritage resources. However, these potential effects may be difficult to determine because they are often based on subjective factors and bias (see Module 3).

See ICOMOS 2010: 4, 7 -10; and Winter & Baumann 2005:28 – 29 for the relationship between the significance of a heritage context, the intensity of development, and the significance of heritage impacts to be expected.

GROUP ACTIVITY 4

Assessment of the role of bias in HIAs

Activity outcome: Ability to critically reflect on individual and general bias and the way it changes over time.

1. Write down which subjective factors and issues of bias you think may influence the way we currently undertake impact assessments. Suggest how these might be mitigated.

2. Now in groups of 5 to 10, discuss these forms of bias. Project 10 years into the future and consider whether the same forms of bias are likely to still apply. Share your group's thoughts about possible future forms of bias with the rest of the course participants.

In summary we can say that the impact assessment predicts the scale or severity of impacts or changes on a heritage resource by considering the following:
- the direct and the indirect effects
- whether the effects are temporary or permanent
- whether the effects are positive or negative, and
- whether the effects are reversible or irreversible.

Management recommendations

Once you have identified the likely impacts of a proposed development on a resource, you need to consider what management options are best. Management options include:
- Avoidance (impacts are very high and no mitigation measures are possible).

See ICOMOS 2010: 20 – 11; Winter & Baumann 2005: 53 –54; www.sahra. org.za

- Reduction and mitigation (measures can be taken to keep the impact on the heritage resource at a low to medium level)
- Rehabilitation
- Compensation
- Enhancement
- Interpretation

The management recommendations need to be acceptable in terms of sustaining the intrinsic value of the resource, including the authenticity and integrity of the site, property or area.

In situ mitigation involves making changes to the proposed development until the impact is reduced to an acceptable level for the assessed significance of the resource. *Preservation by record* is how we describe the full recording of the resource before development, for example, by fullly excavating an archaeological site. Often this is done where the impact of development would destroy the resource but it is not considered sufficiently conservation-worthy to warrant preservation.

> Critical recommendations are made in the HIA, and, as an outcome of Phase 2, the permitting authority either accepts these or recommends others which are developed and executed in Phase 3.

> Amenity: (see Table 6) refers to a desirable or useful feature of a building or place.

Table 6: Examples of Impacts on Intangible Resources

Description of Impact	Possible Mitigation Measure
A national road encroaching on established views of buildings, structures or landscapes, the disruption or destruction of designed vistas, or light intrusion.	The relocation of an existing national road away from structures, which will result in the removal of severance caused by an existing road.
Changes in the original landscape, townscape or garden setting of a building or the structure, and/or The interruption of linked features such as gardens, outbuildings or lodges.	The relocation of existing national road away from structures, which will result in the removal of severance caused by an existing road.
Loss of amenity (see margin note above), especially where an historic house is open to the public.	The improvement of the amenity, especially where the historic house is open to the public, by the refurbishment and renovation and restoration back to its original form.
General building, amenity, landscape and setting impacts.	• Increased physical separation would improve the aesthetics. • Reduced visual intrusion will enhance and restore the look. • The reunification of structures will reinstate the homogeneity and continuity. • The enhancement of the setting will improve the overall landscape identity. • The enhancement of the amenity will reinstate the loss and add value to the neighbourhood and community.

> ### GROUP ACTIVITY 5
>
> #### Management recommendations
>
> *Activity outcome: A clearer understanding of management recommendations and when to apply them.*
>
> 1. Discuss with your fellow course participants what you think each of the management options listed above means and entails.
>
> 2. In what circumstances would you recommend each of these management options?

Report writing

All the stages undertaken in the assessment must be collated, along with supporting documentation, in the HIA report. This report will be submitted to the regulatory authorities who will use it as a decision-making tool for issuing or refusing a permit for a proposed development and the resultant heritage management actions. The report should therefore be concise (brief), comprehensive (covering all aspects), and understandable.

In some countries a standard format exists for all HIA reports, but not in South Africa. If you look at HIA reports in your office or ones found on the internet, you will see that they come in different formats. Many heritage practitioners make use of peer review for their reports. In other words, they will use an expert in their community of practice to assess their report and identify any flaws or gaps for them to address before submission.

A good HIA report should include the following:
- Identification and mapping of all heritage resources in the affected area including background and literature review.
- Research and assessment of the significance of identified heritage resources.
- Assessment and prediction of the development impact on such heritage resources.
- Evaluation of the development impact versus the sustainable social and economic benefits.
- Results of public consultations with affected communities and interested stakeholders.
- Where the impact is negative, a consideration of alternatives.
- If necessary, a comprehensive management plan.
- References for all sources of information and/or data used.

> Some examples of layout and reporting techniques can be found in Appendices 5, 6 and 7 in RESOURCE 14

> *Note*
>
> While we have no standard format for HIA reports, the South African Heritage Resources Agency does give the minimum standards for a HIA report and permit report, see www.sahra.org.za.

GROUP ACTIVITY 6

Critical assessment of HIA report

Activity outcome: The ability to critically assess an HIA report.

Working in pairs or groups read the copy of a recent HIA report provided (RESOURCE 16), and then discuss the following:

1. What are the topics covered in the report (refer to the section headings)? What topics are *not included* and why do you think they have been left out?

2. Does the information in the report indicate anything about the perspective of the writer who compiled the report?

3. What are the strengths of this HIA report? Give details.

4. Which aspects of the report could be strengthened and how?

5. Comment of the format of the report? Do you think it is easy to understand?

6. If you conducted a HIA report would you do it differently. If so, what changes would you make and why?

Table 7 gives a summary of the activities that typically make up the HIA process (See also ICOMOS 2010: 12).

Table 7: Formulation of the HIA

	Process	Action
Step 1	Establish a study area; the initial development and design	Prepare and plan HIA; prepare a scoping study; consult specialists if necessary; develop an effective public participation plan, so that all stakeholders will be involved; collect and collate data
Step 2	Define the baseline conditions of the affected resource	Characterise the heritage resource, especially in identifying attributes that convey their intrinsic values, both material and non-material
Step 3	Model and assess the direct and indirect impacts	Identify and define the significant impacts
Step 4	Predict the response to the anticipated impacts of the affected communities	Draft a management plan of action for impacts
Step 5	Consider the indirect and cumulative impacts	Prepare a report in draft form
Step 6	Moderate the assessment results and management measures	Recommend new alternatives as required, and which are feasible and pertinent to the subject matter. Consult with specialists
Step 7	Develop a management plan	Prepare a final management plan
Step 9	Disseminate the results	Develop a monitoring plan and programme for the on-site work
Step 10	Conclude the investigation	Finalise the written report, which should include the scoping report, impact assessment and management and monitoring programme. Share findings with affected communities.

Submission of report to the regulating authority

After successfully completing the HIA report and gathering all the support documents needed, the next step is to submit the report and supporting documentation to the regulatory authority as stipulated in the NHR Act. Legally there are timeframes within which the report writer can expect to receive an answer as to whether they have been issued with a permit or not. If the permit is not issued there are opportunities for making an appeal. The flow diagram in Figure 2 (see page 32) gives a summary of the procedures and time frames involved in an HIA. Remember that the regulatory authority's decision must be communicated to the affected communities and stakeholders along with any suggested management plans.

Figure 2: HIA process flow diagram, indicating the points at which the permitting authority and public participation impact on the process
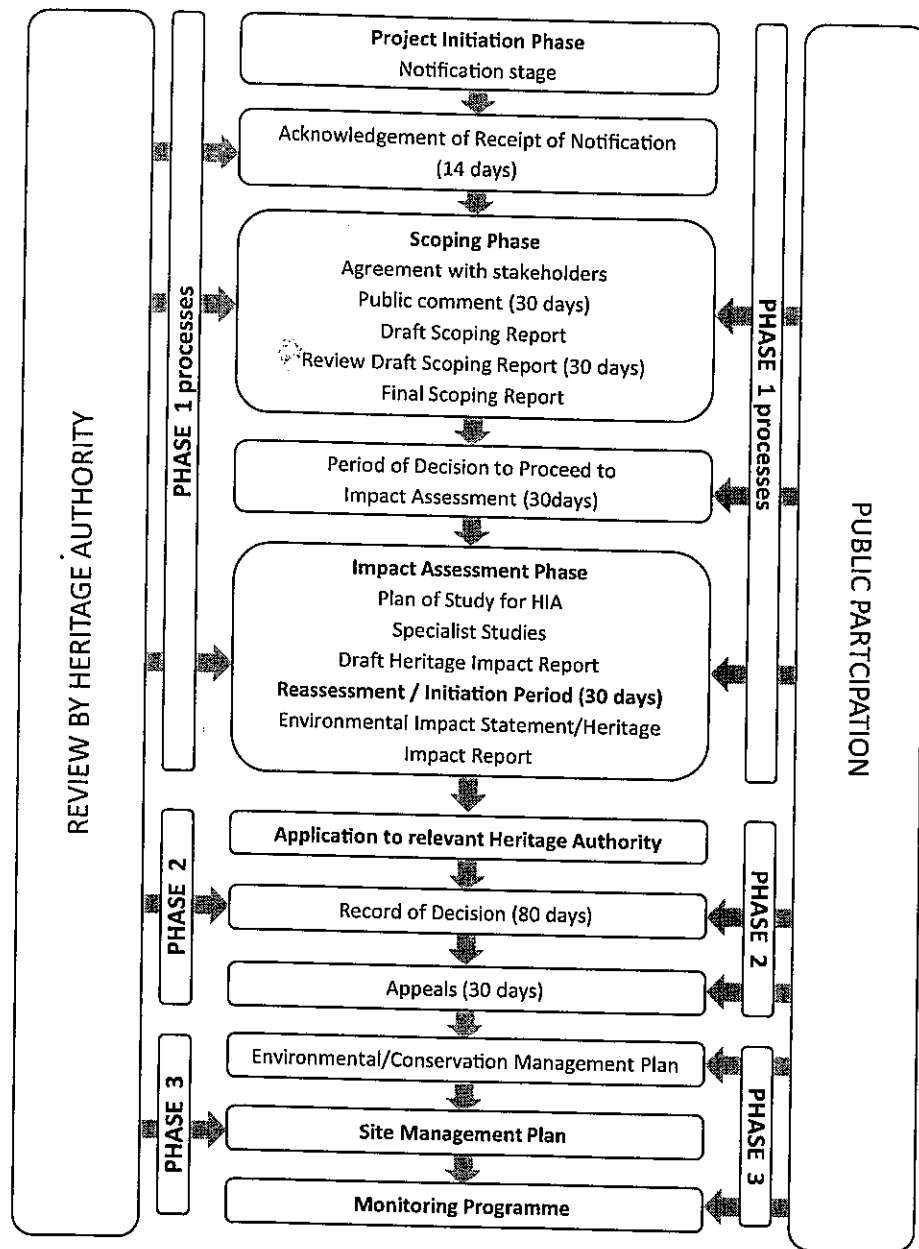
General points to consider in relation to HIAs

We have already discussed some of the issues that you will encounter with regard to HIAs and here are others that you need to consider:

1. There is a risk that HIA reports can be too general and don't actually look at the specifics of the heritage resource and its setting, especially if practitioners simply use a 'copy and paste' method. For example, we cannot simply mention that there are five buildings in an area that are governed by the 60-year clause of the NHR Act. Some indication of their architectural value and significance should also be given.

In summary the contents of an HIA report should include:

- An outline description of the proposed change or development, providing as much detail as is available at the time of writing.
- A summary of the conditions present on the site and its environs, based on information collated at the time of writing.
- The statement relating to the added value of the development.
- Details of how alternatives to changes are being considered.
- The outline methodology and terms of reference for the HIA as a whole.
- The organizations and people consulted and to be consulted further.
- A topic by topic assessment of the key impacts of the development, which should include details (as known) of the baseline conditions.

2. All of South Africa's land mass has been affected by humans and thus, all landscapes are cultural – this applies whether the value is seen (material) or unseen (non-material). **Any EIA or BA which states that there is no heritage or cultural element without supporting research or documentation should be questioned.**

3. A Heritage Impact Assessment may be biased towards the qualification or research interests of the specialist. Thus, an architect may focus on the built environment, an archaeologist on Stone Age sites, or a palaeontologist on Jurassic fossils, and thus the characterisation of a landscape can become skewed. As professionals who undertake HIAs we need to be aware of our biases (see Module 3) and as managers who assess HIAs we need to ensure that these biases are not left unchallenged.

> One of the challenges for heritage managers is how to characterise cultural landscapes. This is because they are usually complex and involve cross-cutting disciplines.

4. The archiving of HIA material and reports should be shared amongst institutions to improve access to this material. There is a need for information to be stored, both electronically and in hard copy, in local institutions, academic institutions and with the Provincial Heritage Resource Authority or SAHRA. Digitised versions of all materials should be available on-line.

GROUP ACTIVITY 7

Identifying HIA challenges

Activity outcome: A broader understanding of HIA challenges

1. In groups of 5 to 10, discuss any challenging issues that you have faced in relation to HIAs.

2. Choose one of these issues identified to discuss in detail. Share your group's learning with the rest of your course participants.

Conclusion

In summary, the HIA needs to take into account all aspects of the heritage resources found in an area, the level of significance of the resources in question, the scale of the proposed development, the potential impact of this development on the significance of the resources, and what we can do to mitigate the impacts and conserve the heritage resources.

HIAs can be undertaken separately or as a part of Environmental Impact Assessments. They can be small-scale, focusing on a single site, such as an old building in a town, or they can be large scale, involving a whole area, such as Mapungubwe. There are times that you will be able to undertake a Heritage Impact Assessment without additional specialist support, and times that you will work in multi-disciplinary teams.

In the report – whether you are undertaking a Heritage Impact Assessment yourself, or assessing one done by someone else – there must be enough detail to support the decision-making process. Be honest about any constraints or difficulties that you have encountered and don't be afraid to ask for help. There are always time and budget constraints and with experience you will learn how to manage these effectively.

It is important to recognise that our approach to heritage conservation is situated in a specific historical period, and much of what we do is governed by the ideologies that prevail within our socio-economic context (see Module 3). Compare the way in which heritage was conserved 20 years ago to the present. Whether we undertake HIAs or assess them, we must try to be realistic and keep our decision-making firmly grounded in each situation. This means there will be instances where certain types of heritage are lost or altered because of the benefits that certain developments can bring. After all, heritage is ultimately about people. And since it involves people of the past, present and future, it is always subject to change.

> In Module 1 the case study on 'Fracking' raised important questions for those involved in both EIAs and HIAs.

Additional reading and references:
Association of Southern African Professional Archaeologists: www.asapa.org.za; Association of Professional Heritage Practitioners: www.aphp.org.za; Deacon 2003; ICOMOS 2010; NHRA 1999; www.eiatoolkit.ewt.org.za; Lochner 2005; Environmental Impact Assessment Guidelines; Palaeontological Society of Southern Africa: www.pssa.cmc-uct.co.za; www.sahra.org.za; South African Institute of Architects: www.saia.org.za; South African Planning Institute: www.sapi.org.za; Winter & Baumann 2005.

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