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## **Minimum Standards for Heritage Specialist Studies in terms of Section 38 of the National Heritage Resources Act (No. 25 of 1999)**

### **Index**

1. Heritage Impact Assessments and their legal mandate .....	7
2. How do HIAs fit into Development Applications? .....	8
3. Heritage Specialist Studies and the National Inventory.....	9
4. Specialist Studies conducted as part of the HIA.....	9
4.1. Archaeological Impact Assessment .....	9
4.2. Palaeontological Impact Assessment.....	9
4.3. Maritime Heritage Impact Assessment.....	10
4.4. Built Environment Impact Assessment.....	10
5. Impact Assessment Methodology .....	10
6. Heritage-specific Consultation.....	11
7. Stages of Assessment .....	12
8. Section 38(1) Document Templates.....	17
8.1. Notification of Intent to Develop as per section 38(1) of the NHRA.....	17
8.1.1. Title Page .....	17
8.1.2. Introduction.....	17
8.1.3. Legislative Requirements .....	17
8.1.4. Project Description .....	17
8.1.5. Land Use and History .....	18
8.1.6. Recommendations for Further Studies .....	18
9. Section 38 (1 and 8) Document Templates.....	18
9.1. Section 38(8) Heritage Scoping Report.....	18
9.1.1. Title Page .....	18



an agency of the  
Department of Arts and Culture

9.1.2.	Executive Summary.....	19
9.1.3.	Declaration of Independence and CV.....	19
9.1.4.	Contents Page.....	19
9.1.5.	Introduction and Terms of Reference.....	19
9.1.6.	Project Description.....	19
9.1.7.	Legislative Framework.....	20
9.1.8.	Methodology.....	21
9.1.9.	Assumptions, Gaps, Restrictions and Limitations.....	22
9.1.10.	Description of the Socio-Economic Environment.....	22
9.1.11.	Description of the Physical Environment.....	22
9.1.12.	Proposed Heritage-specific Consultation.....	22
9.1.13.	Literature/Background.....	22
9.1.14.	Anticipated Findings and Sensitivity.....	23
9.1.15.	Conclusions and Recommended Studies.....	23
9.1.16.	References.....	24
9.1.17.	Appendices.....	24
9.2.	Section 38 (1 and 8) HIA.....	24
9.2.1.	Title Page.....	24
9.2.2.	Executive Summary.....	25
9.2.3.	Declaration of Independence and CV.....	25
9.2.4.	Contents Page.....	25
9.2.5.	Introduction and Terms of Reference.....	25
9.2.6.	Project Description.....	26
9.2.7.	Legislative Framework.....	26
9.2.8.	Methodology.....	27
9.2.9.	Assumptions, Gaps, Restriction and Limitations.....	31



an agency of the  
Department of Arts and Culture

9.2.10.	Description of the Socio-Economic Environment.....	32
9.2.11.	Description of the Physical Environment .....	32
9.2.12.	Results of Heritage-Specific Consultation .....	32
9.2.13.	Literature / Background .....	32
9.2.14.	Results of Survey and the Assigned Significance Field Rating .....	33
9.2.15.	Cultural Significance/Field Rating.....	39
9.2.16.	Impact Assessment.....	40
9.2.17.	Conclusions, Recommendations and Reasoned Opinion .....	40
9.2.18.	Recommendations to be incorporated in the EMPr and EA .....	41
9.2.19.	References .....	41
9.2.20.	Appendices .....	41

## List of tables

Table 1: Section 38(1) application process .....	12
Table 2: Section 38(8) Process, Basic Assessment Application process (Section 19 of the NEMA EIA Regulations) .....	13
Table 3: Section 38(8) Process, Scoping and EIA Application Process (Section 21 and 23 of the NEMA EIA Regulations) .....	14
Table 4: Section 38(8) Process, Amendment application process (Section 31 of NEMA EIA Regulations) .....	15

## Definitions

In this document, any word or expression which has been defined in the National Heritage Resources Act No 25 of 1999 shall have the meaning assigned to it in that Act.

Competent Authority	An Authority, local or national, given the mandate to issue a final decision.
Developer	Person or company wishing to develop, construct or alter a given portion



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	of land.
Development Footprint	The extent of a proposed development, structure on land.
Excavation	Excavation means the physical mitigation and/or removal of heritage sites by a qualified heritage specialist who has obtained a permit from SAHRA or a Provincial Heritage Resources Authority (PHRA) for the work being undertaken.
Heritage Specialists	A person who is suitably qualified in one or more of the various types of heritage resources as defined in section 3 of the NHRA.
Impact Assessment	An assessment of potential impacts by a proposed development on identified natural and anthropogenic resources.
Impact Zone	This is the area that will be impacted through development. This includes indirect impact areas such as dust fallout areas and viewshed areas.
<i>In Situ</i>	Situated in the original, natural, or existing place or position.
Mitigation	The act or effort by a qualified heritage specialist appointed by a developer to lessen the impact of a development on heritage resources within or near the development footprint.
Public Review Period	A period in which any document submitted to SAHRA or issued by SAHRA must be circulated for the general public to comment on.
Registered Conservation Bodies	A group or body of interest or concerned persons with a background in heritage management or specialised field of study that is recognised by SAHRA.
Stakeholder	A person, company, community and organisation with a vested interest in heritage, in a particular development, that may be affected by decisions made by the SAHRA.



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## Acronyms

BAR	Basic Assessment Report
BID	Background Information Document
DAC	Department of Arts and Culture
DEA	Department of Environmental Affairs
DEAT	Department of Environmental Affairs and Tourism (Now DEA)
dHIA	Draft Heritage Impact Assessment
DMR	Department of Mineral Rights
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
fBAR	Final Basic Assessment Report
fHIA	Final Heritage Impact Assessment
GIS	Geographic Information System
HIA	Heritage Impact Assessment
HRA	Heritage Resources Authority
I&APs	Interested and Affected Parties
ICOMOS	International Council of Monuments and Sites
IDP	Integrated Development Plan
IFC	International Finance Corporation



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NEMA	National Environmental Management Act
NEMA	National Environmental Management Act
NID	Notification of Intent to Develop
NHRA	National Heritage Resources Act, Act 25 of 1999
PHRA	Provincial Heritage Resources Authority
REDZ	Renewable Energy Development Zone
S&EIA	Scoping and Environmental Impact Assessment
SAHRA	South African Heritage Resources Agency
SAHRIS	South African Heritage Resources Information System
SDF	Spatial Development Framework
VIA	Visual Impact Assessment

## Preamble

These Minimum Standards for Heritage Input into section 38(1) and/or 38(8) processes will substitute the previous Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports (2007) to include all heritage resources in an integrated report and streamline the processes for development applications following both sections 38(1) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

This document stipulates when an application should be made on SAHRIS, which heritage studies will be required depending on the type of application process triggered by the development and when to submit documents to be processed.

Failure to notify SAHRA about a development that triggers legislated requirement in terms of sections 38(1) and 38(8) is in contravention of section 51(5) of the NHRA.



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Reports that do not comply with section 38(3) and the Minimum Standards as set out in this document will be rejected. It will be incumbent on the application to address the incomplete report, and re-apply with the accompanying fee, if applicable.

## Part I: General Information

### 1. Heritage Impact Assessments and their legal mandate

Heritage Impact Assessments (HIAs) are studies conducted by qualified heritage specialists that aim to identify heritage resources within a proposed development area, assess their significance, assess the impact of the development on the heritage resources and provide relevant mitigation measures to alleviate impacts to the heritage resources. An assessment of impacts on heritage resources defined in section 3 of the NHRA, by a development is required in terms of section 38 of the NHRA.

South Africa's historical, archaeological and palaeontological heritage resources are unique and non-renewable as defined in section 3 of the NHRA. Heritage Resources as defined in section 3 of the NHRA are given "formal" protection in terms of sections 27-29 and 31-32 of the NHRA and "general" protection in terms of sections 33, 34, 35, 36 and 37 of the NHRA. Therefore, no damage, destruction or alteration may occur to heritage resources without a permit issued by a relevant heritage authority.

An assessment of impacts on heritage resources of a development is required in terms of section 38(1 and 8) of the NHRA. Where possible, heritage resources should be preserved *in situ* and conserved for future generations. This can be achieved through a monitoring and management plan that may be stipulated in the conditions issued on a development by an authority as per section 38(4)c of the NHRA. Where it is not possible to retain the heritage resources *in situ*, and the heritage resources are not deemed significant, the loss of information can be reduced by recording and mitigation of the heritage resources through a process of excavation (or sampling) by a qualified specialist as a condition on the development in terms of section 38(4)d and e, after obtaining a permit from the relevant Heritage Resource Authority (HRA), at the cost of the developer. This allows us to record a part of the history of the place as part of the national inventory. Assessment and mitigation in the early phase of the development may save the developer considerable delays and related costs.



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## 2. How do HIAs fit into Development Applications?

If the scope of the development triggers the National Environmental Management Act, Act No. 107 of 1998 (NEMA) or the Minerals and Petroleum Resources Development Act (MPRDA, Act No. 28 of 2002) then a HIA will form part of the specialist reports in an Environmental Authorisation (EA) Application process required in terms of the NEMA and the NEMA Environmental Impact Assessment (EIA) Regulations, 2014/2017. The NEMA process includes reports such as Basic Assessment Reports (BAR), Scoping Reports and EIAs/Environmental Management Programmes (EMPr).

In terms of the NEMA regulations, every Environmental Authorisation application should be accompanied by HIA reports which have been commissioned by independent specialists as part of the application for an EA. These specialists can include but are not limited to archaeologists, palaeontologist, historians, anthropologists, historical architects and archivists. The HIA reports must identify, assess and record current conditions and locations of all heritage resources in the area proposed for development and impact zone, the impact of the development on the identified heritage resources or landscapes and make recommendations for protection or mitigation to reduce the impact on the resources. Such professionals must acknowledge their limits of expertise or capacity to assess other heritage components for which they are not qualified and ensure that they work in co-operation or consultation with other heritage practitioners or refer heritage components to appropriate specialists.

These separate heritage component studies must all be compiled into a single HIA report. The minimum standards stipulate the information required by SAHRA to be included in the aforementioned HIA report, to assess the impact and management of heritage resources within a proposed development. SAHRA is required by law to provide comments for the protection and management of heritage resources within an appropriate period as a Commenting Authority in the NEMA process.

All Final Comments or Final Decisions letters issued by SAHRA with regards to a proposed development are issued in terms of section 38(4) of the NHRA as consent or objection for a development. Where heritage resources have been disturbed or damaged from development activities that trigger the legislation, without the consent letters and permits, the developer will be found liable in terms of section 51(1) and 51(5) of the NHRA. A cease works order in terms of section 35(5) will be issued until an investigation is completed.





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### 3. Heritage Specialist Studies and the National Inventory

Often, HIAs are the last opportunity to rescue the heritage resources by recording the remains or evidence of people who lived in this country before us, or the fossil record at the site. These records are immensely important to our understanding of the past and as such the data as presented in the Impact Assessment reports should be captured or form part of the Inventory of the National Estate in terms of section 39 of the NHRA. This contributes to the progressive growth of the inventory. This inventory serves also as a resource that can be used by developers and specialists to provide initial sense of the heritage resources density in the area to be surveyed, and inform consultations when preparing HIAs in surrounding areas. The data in the Impact Assessment reports therefore need to be of a high quality and must be uploaded to the South Africa Heritage Resources Information System (SAHRIS) in the format as per section 9.2.14 of this document so that the data pertaining to identified resources may be incorporated into the Inventory of the National Estate.

### 4. Specialist Studies conducted as part of the HIA

Specialist assessment studies in an HIA can include but are not limited to AIAs, PIAs, HIAs in the Maritime Cultural Zone, and Impact Assessment on the historical built environments as defined under section 3 of the NHRA etc. These reports as mention above must be compiled into the HIA and not submitted to SAHRA as individual reports for a proposed development. However, they should be included as addendums to the HIA report. This is to prevent a fragmented approach to impact assessments.

#### 4.1. Archaeological Impact Assessment

An AIA assesses all heritage resources that are over 100 years in age and structures not in use as set out in section 9 of the NHRA.

#### 4.2. Palaeontological Impact Assessment

PIAs are required wherever palaeontological resources are affected by proposed developments. This is especially necessary where there is disturbance of rock layers that may contain palaeontological remains. Like AIAs, PIAs must form part of the overall HIA, meaning no HIA is complete without an assessment of palaeontological resources.



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### 4.3. Maritime Heritage Impact Assessment

In terms of the NHRA, protected maritime and underwater cultural heritage comprises those resources located within the South African territorial sea (i.e. up to 12 nautical miles offshore), the Contiguous Zone (i.e. up to 24 nautical miles offshore), the intertidal zone, South Africa's inland waters (i.e. rivers, lakes etc) and terrestrial sites associated with maritime and underwater cultural heritage e.g. rock art sites, shipwreck monuments and memorials etc. If the development is located within South Africa's maritime zone, a desktop study that details the historical context of the development area and assesses the impact on any identified maritime and/or underwater cultural heritage resources must form part of the HIA. Where the area to be developed is offshore and within the boundaries of the territorial sea or the contiguous zone, the area must be subjected to full seabed insonification and the results of the survey must be assessed by a suitably qualified maritime archaeologist.

### 4.4. Built Environment Impact Assessment

The built environment includes all built structures, townscapes, cities and cultural landscapes older than 60 years. The assessment must consider old maps to determine relative age of a building and no assessment of a structure is complete without a detail discussion of the architectural style, materials used and layout.

## 5. Impact Assessment Methodology

As part of a NEMA EA Application, the impact assessment methodologies that must be used will be that of the Environmental Assessment Practitioners (EAPs) preference. The assessment of heritage must follow that methodology so that the results of the assessment can be incorporated into the BAR/EIA with ease. The generally accepted methodology is the formula<sup>1</sup> below:

**Severity of the impact = Consequence x Probability x Nature (either +/-)**

**Where**

**Consequence = Intensity + Extent + Duration<sup>2</sup>**

<sup>1</sup> This is also known as risk evaluation as referred to in *DEAT (2006) Risk Management, Integrated Environmental Management Information Series 23, Department of Environmental Affairs and Tourism (DEAT), Pretoria.*

<sup>2</sup> Each variable used in the formula must be defined and the ranking system used to assign the variables must be described e.g. duration=1, 2 or 3 where 1=instant, 2=50% of the time, 3=100% of the time etc. Same will apply the other variables in the formula; as long as they remain constant i.e. always use a 1, 2, 3 ranking system.



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In order to incorporate the significance of the identified heritage, the formula is adapted as follows:

$$\text{Severity of the impact} = \text{Consequence} \times \text{Probability} \times \text{Nature (either +/-)} \\ \times \text{Field-Rating}$$

Numerical values are not assigned to the field-rating/significance of heritage resources; however, numerical values are assigned to each variable in the impact assessment formula. In this case, a ranking system for the field-rating must be developed and defined by the heritage practitioner so that it can be used as part of the impact assessment formula.

While the above methodology is accepted by the Environmental Assessment professional field, there is no set methodology for assessing impacts to heritage within the heritage professional field. In order for the various assessments to be compatible with each other, and to avoid confusion, the methodology described above must be used by heritage practitioners during an assessment of heritage in terms of section 38(1) applications.

With regards to the ranking system to be used on each variable, this is an industry/professional body decision with regards to standards of professional practice, much the same as with excavation protocols and standards. If the formula described above is used, the variable within the formula can differ, provided they are clearly defined and constant.

## 6. Heritage-specific Consultation

All heritage practitioners should keep a database of heritage and conservation bodies and other Interested and Affected Parties (I&APs), which must be consulted when a development occurs within the bodies' and I&APs' areas of interests. Local communities must also be consulted as part of the assessment process and a record of all efforts at consultation, if no comments were attained, should be included in all heritage documents submitted to SAHRA.

All HIAs should contain a component of heritage specific consultation as mandated in section 38(3)e. A description of the methods used to identify I&APs that have a stake or raised concern about the alteration, damage, destruction of any heritage resources should form part of either the Draft HIA (dHIA) [Section 38(1) application] or the



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Heritage Scoping Report [38(8) application]. The Final HIA (fHIA) or HIA should contain the results of the consultation and how it may affect the significance of the identified heritage resources. The consultation may be carried out by the EAP after consultation with the heritage specialist with regards to the information required.

In a Section 38(1) application, all stakeholder engagement and results must be conducted and form part of the dHIA. The summary of the comments received in the public review period must then be added to the fHIA, along with any comments received from SAHRA.

SAHRA does not require all comments collected as part of the NEMA Consultation process i.e. comments raised during the Scoping phase or prior to the EIA Public Review period. ONLY comments pertaining to heritage must be discussed and addressed here. Should any additional comments be raised during the EIA Public Review Period, the heritage practitioner must address these comments and provide an addendum to the HIA that must be submitted as part of the Final EIA that must be submitted to the relevant HRA. Or if the issues are so great that it requires a full update of the HIA, a new HIA must be completed that addresses all concerns raised.

## 7. Stages of Assessment

When an application in terms of Section 38(1) of the NHRA is submitted to SAHRA, the process as shown in Table 1 must be followed.

**Table 1: Section 38(1) application process**

<b>Section 38(1) process</b>	<b>SAHRA Procedure</b>
Application Phase	Create case on South African Heritage Resources Information System (SAHRIS) and submit Notification of Intent to Develop (NID) to SAHRA. Map location of development area on GIS layer of the case in a .kml format. Change case status to SUBMITTED once all documents are uploaded.
SAHRA Commenting period	SAHRA provides comment in terms of section 38(2).
Public review period - Mandatory 30 day public review period	Upload dHIA and change case status to SUBMITTED. SAHRA will provide comment with regards to compliance in terms of section 38(3) of the NHRA within the public review period, to be



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	incorporated into the fHIA.
Final Submission	Upload fHIA inclusive of public review comments and change case status to SUBMITTED.
SAHRA Commenting period	SAHRA will issue a Final Decision in terms of section 38(4).

When an application in terms of Section 38(8) of the NHRA is submitted to SAHRA, the process as shown in Table 2, Table 3 and Table 4 below must be followed.

**Table 2: Section 38(8) Process, Basic Assessment Application process (Section 19 of the NEMA EIA Regulations)**

Basic Assessment Process	SAHRA Procedure
Submit Application to Competent Authority	No action required.
Announcement Phase: Authority confirms application and issues a reference number	Create SAHRIS Case and submit Background Information Document (BID) or project announcement letter to SAHRA. Map location of development area on GIS layer of the case in a .kml format. Change case status SUBMITTED once all documents are uploaded.
Public Review Period – Draft BAR	Upload draft BAR and all appendices including HIA and change case status to SUBMITTED. SAHRA will provide comment in terms of section 38(4) of NHRA within the public review period, to be incorporated into the final BAR.
Submit Final BAR to Competent Authority	Upload Final BAR and all appendices and change case status to SUBMITTED. SAHRA will provide additional comments if necessary. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Submit Final amended BAR to Competent Authority if significant changes were required	Submit Final amended BAR and all appendices to SAHRA via the SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Decision Making Process by Competent	No action required.



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Authority	
Deadline to inform I&AP and stakeholders of the Competent Authority decision	EAP to notify SAHRA of decision and upload decision to SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide further comments if necessary.

**Table 3: Section 38(8) Process, Scoping and EIA Application Process (Section 21 and 23 of the NEMA EIA Regulations)**

<b>EIA Process</b>	<b>SAHRA Procedure</b>
Submit Application to Competent Authority	No action required.
Competent Authority confirms application and issues a reference number	Create SAHRIS Case and submit BID or project announcement letter to SAHRA. Map location of development area on GIS layer of the case in a .kml format. Change case status SUBMITTED once all documents are uploaded.
Public Review Period – Draft Scoping	Submit Draft Scoping Report and all appendices inclusive of Heritage Scoping Report to SAHRA via the SAHRIS Case for comment. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide comment by the end of the public review period, to be incorporated into the final Scoping Report.
Submit Final Scoping Report to Competent Authority	Submit Final Scoping Report and all appendices to SAHRA via the SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide additional comments if necessary. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Decision Making Process/Review by Competent Authority on Scoping Report	No action required



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Public Review Period – Draft EIA	Submit Draft EIA and all appendices inclusive of HIA to SAHRA via the SAHRIS Case for comment in terms of section 38(4). Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide comment by the end of the public review period, to be incorporated into the final EIA.
Submit Final EIA to Competent Authority	Submit Final EIA and all appendices to SAHRA via the SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide additional comments if necessary. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Submit Final amended EIA to Competent Authority if significant changes were required	Submit Final amended EIA and all appendices to SAHRA via the SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide additional comments if necessary. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Decision Making Process/Review by Competent Authority	No action required
Deadline to inform I&AP and stakeholders of the Competent Authority decision	EAP to notify SAHRA and upload decision to SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide further comments if necessary.

**Table 4: Section 38(8) Process, Amendment application process (Section 31 of NEMA EIA Regulations)**

<b>Amendment Process</b>	<b>SAHRA Procedure</b>
Submit Application to Competent Authority	No action required.
Competent Authority confirms application and issues a reference number	Create SAHRIS Case and submit BID or project announcement letter to SAHRA. Map location of development area on GIS layer of the case in a .kml format. Change case



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	status SUBMITTED once all documents are uploaded.
Public Review as agreed upon by the Competent Authority	Submit draft Amendment report and all appendices inclusive of HIA to SAHRA via the SAHRIS Case for comment. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide comment by the end of the public review period, to be incorporated into the final amendment report.
Submit Final Amendment report to Competent Authority	Submit Final Amendment report and all appendices to SAHRA for comment in terms of section 38(4). Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide additional comments if necessary. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Submit amended Amendment report to Competent Authority if significant changes were required	Submit Final amended Amendment report and all appendices to SAHRA for comment in terms of section 38(4). Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide additional comments if necessary. SAHRA comments must be forwarded directly to Competent Authority as part of the Decision Making Process.
Decision Making Process/Review by Competent Authority	No action required.
Deadline to inform I&AP and stakeholders of the Competent Authority decision	EAP to notify SAHRA and upload decision to SAHRIS Case. Case status to be changed to SUBMITTED once all documents are uploaded. SAHRA will provide further comments if necessary.





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## Part II: Heritage Report Minimum Standards

### 8. Section 38(1) Document Templates

#### **8.1. Notification of Intent to Develop as per section 38(1) of the NHRA**

Every NID must include:

##### **8.1.1. Title Page**

- Name of the development and the developer/companies name<sup>3</sup>
- Subheading must provide geographical location: farm name, Local Municipality, District Municipality and Province;
- Type of Development;
- Author of the NID; and
- Date of the NID.

##### **8.1.2. Introduction**

- Summary of the application for approvals process, the name of the local planning department and the name of the architect and/or architectural company who designed the building/development plans;
- Summary of project description and why the developer is proposing to construct and/or develop and how it will benefit local economic market needs;
- Indicate relevant timeline for approval by local planning office and commenting periods.

##### **8.1.3. Legislative Requirements**

- A table must be provided showing a summary of which legislation (including the relevant NHRA section) and local by-laws are triggered by the proposed development, and those identified must be subsequently outlined and quoted.
- Governmental zoning e.g. REDZ, Key Development Area.

##### **8.1.4. Project Description**

- Type of development;
- A table listing the following:

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<sup>3</sup> Please note that no personal details should be provided in any reports, i.e. personal contact numbers, ID Numbers and addresses.



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Size of farm and/or portions	
Magisterial District	
1: 50 000 map sheet number	
Central co-ordinate of the development	
Size of development footprint	
Zoning (and Change if applicable)	

- A regional topographical map indicating location of development;
- A description of the proposed activities on the site;
- Project phases of construction and description of each phase of the development.

#### **8.1.5. Land Use and History**

- Description of the local environment and the dominant land use of the region must be discussed;
- Any known heritage resources of the region must be listed and briefly discussed.

#### **8.1.6. Recommendations for Further Studies**

- Recommendations for further heritage studies i.e. specific components to be included in the HIA such as a PIA, Built Environment, landscape etc.

## 9. Section 38 (1 and 8) Document Templates

### **9.1. Section 38(8) Heritage Scoping Report**

#### **9.1.1. Title Page**

- Title of the report: Heritage Scoping Report for (name of development)
- Subheading: property name and portion (where applicable), Local Municipality, Magisterial District, Province;
- Type of Development;
- All relevant application reference numbers from authorities if available (DEA, DMR, SAHRIS Case ID);
- Author of the Heritage Scoping Report;
- Names of EAP, developer;
- Reviewers (Relevant specialist(s));
- Date of the Heritage Scoping Report.



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### **9.1.2. Executive Summary**

- The purpose of the study;
- A brief description of the development project;
- Brief methodology of the desktop study;
- Identification of interested and affected parties relating specifically to heritage resources;
- Findings: brief description of potential and surrounding heritage resources;
- Predictive heritage sensitivity map of the development area identifying key areas of high to low sensitivity;
- Potential impacts and risks to heritage resources relative to proposed project activities;
- Recommendations for further studies.

### **9.1.3. Declaration of Independence and CV**

- Heritage specialists must provide a very brief summary of their experience, qualifications, membership numbers and accreditation level (this must be kept very brief, a detailed CV must be included in the appendices);
- Heritage consultants must declare (and sign) their independence from the developer as stipulated in Appendix 6 of the NEMA 2014 EIA Regulations. The declaration must reference the project title and name of the development company on the same page and must be dated.

### **9.1.4. Contents Page**

- Contents page must preferably be cross-referenced and linked for ease of use;
- List of acronyms used in the report and glossary;

### **9.1.5. Introduction and Terms of Reference**

- Detailed terms of reference as provided to the heritage specialist by the commissioning body, either the developer or the EAP; and/or terms of reference based on comments from the relevant heritage authority;
- Details of the applicant and EAP.

### **9.1.6. Project Description**

Two tables must be provided for the general project area including the specifics of the development. The first table must include the following but not be limited to:



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Size of farm and portions:	
Magisterial District:	
Current zoning of the development	
1: 50 000 map sheet number:	
Central co-ordinate of the development:	

The second table must include, but not be limited to, the following development specifics:

- Type and extent of the development;
- Details of the proposed activities of the project (if available at the time of writing of the Heritage Scoping Report) including any NHRA section 38 triggers, size of project components, site clearance, blasting, phases of construction, proposed developments, description of each phase of development, expected impacts for each phase, temporary infrastructure such as lay-down area, temporary roads, construction camps etc.;
- A map showing the regional context of the development and a site specific map / satellite image outlining the layout or boundary of the development infrastructure must be provided.

#### **9.1.7. Legislative Framework**

- A table must be provided showing a summary of which legislation (including the relevant NHRA section) and local by-laws are triggered by the proposed development, and those identified must be subsequently outlined and quoted.
- Governmental zoning e.g. Renewable Energy Development Zone (REDZ), Key Development Area;
- Note which heritage guidelines are relevant with regards to various provincial authorities and their legislation;
- International heritage legislation where developments impact on World Heritage Sites or if the project will require international funding i.e. International Finance Corporation (IFC) Performance Standards and Equator Principles, World Heritage Convention, ICOMOS Charters.



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## 9.1.8. Methodology

### 9.1.8.1. Literature/Background

- The use of as many of the following as possible is recommended: historical maps and historical aerial photography, archival research, journal articles and related publications, Surveyor General maps, geological maps, referencing and engaging with nearby and related heritage resources, collections, contemporary or historical salvages (catalogues must be provided), cases from the SAHRIS database and the associated comments / recommendations, other databases such as museum collections and StatsSA, Spatial Development Framework (SDF) and/or Integrated Development Plan (IDP);
- Reference to other specialist desktop studies, e.g.: Social, Visual etc if available at the time of compiling the Heritage Scoping Report. Consultants are urged to incorporate this information.
- All sources used must be referenced in a reference list within the respective report.

### 9.1.8.2. Heritage-specific Consultation

- Describe how heritage specific stakeholders and interested and affected parties were identified and the means by which they were notified of the development, and how they will be consulted during the EIA phase.

### 9.1.8.3. Site identification

- How resources were identified and described in previous reports, their assigned significance and/or field-rating.

### 9.1.8.4. Potential Impact and Risks

- The methodology used to identify potential impacts and risks to heritage resources. This includes an assessment of all associated activities for the proposed development (duration, phase of development, type of impact, vegetation clearance, temporary infrastructure);
- Integration of cumulative impacts e.g. by neighbouring developments. These may be factors like increased foot traffic, encroachment, scope-creep on local and/or regional development expansion, visual impacts, economic development etc;
- Consideration of potential indirect impacts (in addition to the direct impacts).



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#### 9.1.8.5. Peer review

- Provide details and methodology of the reviewer of the pending HIA if deemed necessary.

#### 9.1.9. Assumptions, Gaps, Restrictions and Limitations

- SAHRA accepts that problems and a range of constraints can hinder any project and as such the heritage practitioners are asked to describe the restrictions and limitations faced in the production of the heritage report, i.e. community involvements, availability of information, no finalised development plans from the EAP at the time of the field work.

#### 9.1.10. Description of the Socio-Economic Environment<sup>4</sup>

- A summary of the socio-economic and cultural environment needs to be described for the region. This information can be sourced from the EAP via the Social Scoping Report/Input and public resource such as StatsSA and relevant Municipal IDPs and SDFs.

#### 9.1.11. Description of the Physical Environment

- Effects of predominant anthropogenic activities on the environment, e.g. ploughing;
- Description of soil and basic geology (this may be used as an indicator for heritage sensitivity in specific cases or areas);
- Prior activities on the proposed development area, e.g. agriculture.

#### 9.1.12. Proposed Heritage-specific Consultation<sup>5</sup>

- A list of all potential stakeholders who have an interest in heritage must be provided, highlighting any anticipated issues or concerns, and noting proposed further consultation during the EIA phase (a list of e-mails and public notes and media announcements must be provided where relevant).

#### 9.1.13. Literature/Background

- Relevant background on the region (ranging from palaeontological resources to contemporary social history) discussed in chronological order (a broad outline of

<sup>4</sup> This is required in terms of NHRA section 38(3)d.

<sup>5</sup> This is required in terms of NHRA section 38(3)e.



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the various periods and technological periods must be included as an appendix and not in the body of the document);

- All identified resources within a 500m<sup>6</sup> radius of the development boundary including those identified in previous HIAs must be described including their significance/field-rating and distance from the proposed development as well as a map showing all identified resources;
- All heritage resources within the broader region that may impact the significance of or whose significance may be impacted on by the identified heritage resources within the development must be discussed;
- Contemporary and social history of the region must also be discussed, (e.g. forced removals, sites of local significance and socio-cultural importance, scenic aesthetic value, related nearby shipwrecks and possible associated terrestrial survivor camps).

#### **9.1.14. Anticipated Findings and Sensitivity**

- A map showing the location of identified heritage resources relative to the development footprint and potential impact zones as a result of the literature review;
- A sensitivity map highlighting the possible sensitive areas for heritage resources, this may be based on a range of potential indicators including, but not limited to, results of the literature review, palaeontological sensitivity map on SAHRIS, aerial photographs, satellite images and topographical maps, built structures, soil types as well as landscape features such as river courses, pans, hills/koppies, slopes, clusters of trees and changes in vegetation, rocky outcrops and erosion gullies.

#### **9.1.15. Conclusions and Recommended Studies**

- Description and discussion of any no-go areas that have already been identified at this stage and must be further examined during the HIA;
- Recommended further studies that must be conducted during the EIA phase of development, which can include specialist field assessment studies examining aspects such as geological sites of scientific and cultural significance, palaeontology and meteorites, archaeology, built environment, burial grounds

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<sup>6</sup> This distance was chosen as this is the usual blast radius of explosives used by mines. This will be the extent of the direct impact zone, however there will be exceptions.



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and graves, battlefields and concentration camps, history of slavery, maritime and intertidal, living and intangible heritage (including liberation and struggle era resources) and cultural landscapes;

- Recommendations must be made for other studies commissioned as part of the NEMA EIA process, to take cognisance of heritage resources for their impact assessment during the EIA phase, for example heritage resources as sensitive visual receptors during the VIA and heritage specific public and social consultation.

#### **9.1.16. References**

- All literature references must be listed following a common academic referencing convention; this must include newspapers, website links and archival documents.

#### **9.1.17. Appendices**

- This can include, but is not limited to, CV, additional maps, photographs, extended methodologies and heritage specialist studies.

### **9.2. Section 38 (1 and 8) HIA**

Sections in italics are not applicable to section 38(1) HIAs. All references to NEMA indicators do not apply to section 38(1) applications.

Every HIA Report must include the following:

#### **9.2.1. Title Page**

- Title of the report, e.g. Heritage Impact Assessment for (name of development);
- Subheading: Property name and portion (where applicable), Local Municipality, District Municipality, Province;
- Type of development;
- All relevant reference numbers with authorities if available *DEA*, *DMR*, SAHRIS case ID;
- Author of the HIA;
- Name of *EAP*, Developer, Consultant;
- Reviewers (Relevant Specialist(s));
- Date of the HIA.





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### 9.2.2. Executive Summary

- The purpose of the study;
- A brief development project description;
- Brief methodology including desktop study and fieldwork;
- Identification and/or outline of consultation with interested and affected parties relating specifically to heritage resources;
- Findings: Brief description of heritage resources, significance of the resources and potential impacts. These findings must be presented in the form of a table (see below), followed by a brief description;
- Recommendations for mitigation/management/protection and reasoned opinion.

Site name	Short description	Location in relation to closest development components	Significance/field rating	Impact rating before mitigation	Impact rating after mitigation	Recommended mitigation measures

### 9.2.3. Declaration of Independence and CV<sup>7</sup>

- Heritage consultants must provide a very brief summary of their experience, qualifications, membership affiliations and membership numbers, and accreditation level if relevant (this must be kept very brief, a detailed CV must be included in the Appendix);
- Heritage consultants must declare (and sign) their independence from the developer;
- The declaration must reference the project and developer, and must be dated.

### 9.2.4. Contents Page

- Contents page must be preferably cross referenced and linked for ease of use;
- List of acronyms used in the report and glossary.

### 9.2.5. Introduction and Terms of Reference

- Introduction to the development project;

<sup>7</sup> Please do not include personal details such as cell phone numbers or addresses.



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- Detailed terms of reference as provided to the heritage consultant from the commissioning body, either the developer *or the EAP*; or terms of reference based on comments from the relevant heritage authority<sup>8</sup>;
- Applicant and *EAP* details<sup>9</sup>.

### 9.2.6. Project Description

Two tables must be provided one for the general project area and a second for the specifics of the development. The first table must include the following but not be limited to information regarding the general project area:

Size of farm and portions	
Magisterial District	
Current zoning of the properties	
1: 50 000 map sheet number	
Central co-ordinate of the development	

The second table must include, but not be limited to, the following information regarding the infrastructure and project activities:

- Type of development;
- Detail the proposed activities of the project (including any NHRA section 38 triggers), size of project components, site clearance, blasting, phases of construction, proposed developments, description of each phase of development, expected impacts for each phase, temporary infrastructure such as lay-down area, temporary roads, construction camps etc.
- A map showing the regional context of the development and a site specific map / satellite image outlining the layout of the development infrastructure must be provided.

### 9.2.7. Legislative Framework

- A table must be provided showing a summary of which legislation (including the relevant NHRA section) and local by-laws<sup>10</sup> are triggered by the proposed development, and those identified must be subsequently outlined and quoted;

<sup>8</sup> Any directive or conditions that must be complied as stipulated by SAHRA must be highlighted and addressed as part of the HIA.

<sup>9</sup> See previous footnote regarding personal details.



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- Governmental zoning e.g. REDZ, Key Development Areas;
- Which heritage guidelines are relevant with regard to various provincial authorities and their legislation<sup>11</sup>;
- International heritage legislation where developments impact on World Heritage Sites or if the project will require international funding i.e. IFC Performance Standards and Equator Principles, World Heritage Convention, Burra Charter, etc.

### **9.2.8. Methodology**

#### **9.2.8.1. Literature Review**

- Use of as many of the following as possible is recommended: historical maps and historical aerial photography, archival research, journal articles and related publications, Surveyor General maps, geological maps, referencing and engaging with nearby and related heritage resources, reports of museum collections, contemporary or historical salvages (catalogues must be provided), cases from the SAHRIS database and the associated comments/recommendations, other databases such as museum collections and StatsSA, SDFs and IDPs;
- Reference to other specialist assessment reports, e.g. Social, Visual, if available.

#### **9.2.8.2. Heritage-specific Consultation<sup>12</sup>**

- Description of how heritage specific public consultation was conducted, identification of heritage stakeholders, noting number and types of meetings and where they were held, media and related material;
- What was the purpose of the stakeholder engagement and what information was being sought during this process;

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<sup>10</sup> Several by-laws have specific reference to heritage resources and the requirements of these by-laws must be taken into consideration e.g. City of Cape Town Municipal Planning By-Law 2015 regarding Heritage Protection Overlay Zones.

<sup>11</sup> This is crucial with regards to cross-provincial border projects. Additionally, the province of each identified heritage resource must be highlighted to ensure the correct HRA provides comments and conditions.

<sup>12</sup> We do not require a summary of the entire EIA Stakeholder consultation, only issues pertaining to heritage. With regards to section 38(1), consultation may be the responsibility of the heritage practitioner depending on the contract with the client. This will include the notification of the development to the public, the 30 day commenting period and the addressing of public comments.



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- It must be reiterated that only those aspects relevant to heritage must be included here.

#### 9.2.8.3. Physical Survey

- Description of how the area was surveyed, date and season of survey, (non-intrusive foot-survey track-logs, mapping, Geographic Positioning System (GPS) recording device and accuracy, all GPS points must be formatted in decimal degrees, co-ordinate system used e.g. WGS 84), number of surveyors and what their respective experience is;
- No “dashboard surveys” will be accepted<sup>13</sup>;
- For all submerged and underwater cultural heritage resources (both marine and inland) geophysical survey data (at least sidescan sonar and magnetometer but preferably also multibeam echosounder), for the development area must be collected and reviewed by a suitably qualified maritime archaeologist. Where a diving survey of the site(s) has been conducted, a log of all dives must be kept, detailing the diving conditions. Accurate GPS coordinates must be taken directly above the site, and any notable landmarks that can aid in the positioned of the site must be described. In instances where geotechnical core samples are collected, the results of the drilling report can be considered by a suitably qualified archaeologist/palaeontologist, to incorporate into the literature review section of the reports i.e. the depth of possible significant and sensitive stratigraphic layers/formations in the project area.

#### 9.2.8.4. Site description

- Naming conventions used, including author definitions of terminology used, e.g. with regards to sites or scatters;
- How resources were identified and described i.e. via a foot survey/vehicle/helicopter;
- How site boundaries and artefact density were defined;

#### 9.2.8.5. Site Significance and Field-Rating

The table below must be used to help explain the rationale behind the assigned cultural significance rating to an identified heritage resource. The sections that

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<sup>13</sup> Walking along roads and access routes, while not surveying the entire footprint of the development, will not be accepted.



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apply to the identified heritage resource must be indicated and the cultural significance of that resource in relation to the specific criteria must be indicated and assessed. The final rating will most likely be the same as the highest rating given to any particular criteria, OR, an averaged value assigned at the discretion of the consultant. An assigned significance rating of Very High will not necessitate a final field-rating/final grading as a Grade I site.

<b>NHRA Section (3) “Without limiting the generality of subsections 1 and 2, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of –“</b>	<b>Applicable or not</b>	<b>Rating</b> Negligible /Low / Low-Medium / Medium / Medium-High / High / Very High <sup>14</sup>
(a) its importance in the community, or pattern of South Africa’s history		
(b) its possession of uncommon, rare or endangered aspects of South Africa’s natural or cultural heritage		
(c) its potential to yield information that will contribute to an understanding of South Africa’s natural or cultural heritage		
(d) its importance in demonstrating the principal characteristics of a particular class of South Africa’s natural or cultural places or objects		
(e) Its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group		
(f) Its importance in demonstrating a high degree of creative or technical achievement at a particular period		
(g) Its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons		

<sup>14</sup> Numerical values are not to be provided as field-ratings as this is a contentious practice.



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(h) Its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa		
(i) Sites of significance relating to the history of slavery in South Africa		
<b>Reasoned assessment of significance using appropriate indicators outlined above:</b>		

A written motivation must be included detailing the rationale behind the assigned significance rating from the above table, this may include any other applicable motivating factors. The discussion following the table (outlined below) must discuss the rationale for the assigned cultural significance rating, as heritage resources are dynamic and may contain multiple layers of significance which need to be considered when assigning a final grading.

$$\text{Field-Rating}^{15} \approx \underline{\text{Cultural Significance}^{16}} \times \text{Integrity}^{17}$$

While **grading** is actually the **responsibility of the heritage resources authorities**, all reports must include **Field Ratings**<sup>18</sup> for the resource(s) discussed (proposals for grading), to comply with section 7(2) and 38(3)b of the NHRA, as described below:

- a. **Proposed Field Rating 1 National Resource:** This resource is considered to be of Field Rating **I** (mention must be made of any relevant international ranking), a protected buffer zone must be proposed/noted (if not in place already), these resources must be maintained *in situ* and a CMP must be recommended for the *in situ* conservation of the site;
- b. **Proposed Field Rating II:** This resource is considered to be of Field Rating **II**, a protected buffer zone must be considered, these resources must be maintained *in situ* and a CMP must be recommended for the *in situ* conservation of the resource;

<sup>15</sup> Designation of final **field-rating** or proposed grading for the heritage resource based on the above factors. This must include a discussion integrating both the cultural significance and the integrity of the resource.

<sup>16</sup> Where **Cultural Significance** = rating from criteria in section 3 of the NHRA.

<sup>17</sup> A discussion on the **integrity** of the resource, preservation issues, weathering, erosion etc.



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- c. **Proposed Field Rating IIIA Local Resource:** The resource must be retained as part of the heritage register (High significance) and so mitigation as part of the development process is not advised, a protected buffer zone must be considered, these resources must be maintained *in situ* and a CMP must be recommended for the *in situ* conservation of the resource;
- d. **Proposed Field Rating IIIB Local Resource:** This resource could be mitigated and (partly) retained as part of the heritage register (High/Medium significance), Mitigation of these resources must be subject to a formal permit application process lodged with the relevant heritage resources authority;
- e. **Proposed Field Rating IIIC Local Resource:** These are resources that have been assigned a Low-Medium/Low field rating which, once adequately described, may be granted authorisation for destruction outside of the formal permitting process at the discretion of the relevant heritage authority, (*with regard to section 38(8) cases, this will be subject to the granting of the Environmental Authorisation*).

#### 9.2.8.6. Impact Assessment Methodology

- See Section 5 of this document;
- Describe the methodology of the impact assessment.

#### 9.2.8.7. Peer Review<sup>19</sup>

- Methodology of peer review of;
- A brief explanation of which sections of the HIA have been reviewed;
- A brief description of expertise or CV of the peer reviewer of the report.

#### 9.2.9. Assumptions, Gaps, Restriction and Limitations

- Outline the restrictions and limitations faced in the production of the heritage report that may affect or influence the result, e.g. environmental constraints<sup>20</sup>, community involvements, availability of information, access to the property, ground visibility, *no finalised development plans from the EAP* at the time of the field work (if none are given it must call for a change in survey strategy).

<sup>19</sup> Specialist must acknowledge limitations of their expertise and seek relevant specialist assistance.

<sup>20</sup> Within reason. Dense vegetation cover should not prevent an area survey. Every effort must be made to survey the development footprint.



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#### **9.2.10. Description of the Socio-Economic Environment<sup>21</sup>**

- The socio-economic and cultural environment of the region needs to be outlined (information can be sourced from the *EAP* and from sources such as StatsSA; IDP etc);
- Brief outline of predominant economic activities.

#### **9.2.11. Description of the Physical Environment**

- Zoning of the area;
- Effects of predominant anthropogenic activities on the environment, e.g. ploughing;
- Description of the vegetation and of landscape features;
- Season in which fieldwork was conducted and its effect on visibility (where relevant);
- Description of soil and basic geology;
- Prior activities on the proposed development area e.g. agriculture;
- Adequate photographic documentation. Photos must be provided with an associated GPS co-ordinate and must be accompanied by a map of their locations. Images both toward and away from the development must be included.

#### **9.2.12. Results of Heritage-Specific Consultation<sup>22</sup>**

- A summary of comments and responses from all identified heritage stakeholders must be provided, highlighting any issues or concerns raised, and noting any need for further consultation<sup>23</sup> (a comprehensive presentation of all interaction must be provided as an appendix, this must include, media announcements, minutes of meetings, copies of e-mails and a list of public comments).

#### **9.2.13. Literature / Background**

- Relevant background on the region discussed in chronological order. A broad outline of the various historical periods can be included as an appendix and not in the body of the document;

<sup>21</sup> This is required in terms of NHRA section 38(3)d

<sup>22</sup> This is required in terms of NHRA section 38(3)e

<sup>23</sup> E.g. as part of a grave relocation process





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- All identified resources within a 500m radius<sup>24</sup> of the development boundary must be described. Their significance and distance from the proposed development must be included in addition to a map showing the position(s) of all identified resources;
- All heritage resources within the broader region that may impact the significance of or whose significance may be impacted on by the identified heritage resources within the development must be discussed. This must include resources whose significance may be impacted by the loss of heritage resources identified within the development footprint under investigation, and those resources that may be indirectly impacted by elements such as visual aspects, dust and noise;
- Contemporary and social history of the region must also be discussed e.g. forced removals, sites of local significance and socio-cultural importance, scenic aesthetic value, nearby shipwrecks and possible associated terrestrial survivor camps).

#### **9.2.14. Results of Survey and the Assigned Significance Field Rating**

- The locations of the identified resources in relation to the development footprint must be described and co-ordinates provided<sup>25</sup> e.g. located within the proposed open pit or 10 m from an access road (GPS Coordinates must be provided separately on the Report Header Tab of the Heritage Report content type via a separate Excel Spreadsheet. Examples of these may be found at the following link: <http://sahra.org.za/sahris/content/can-i-bulk-upload-sites-recordings-or-objects>);
- A map showing the location of identified heritage resources relative to the development footprint and impact zones including track logs of survey. The surveyed area must be uploaded as a polygon .kml file to the Heritage Report Location Info tab<sup>26</sup>;
- A detailed .kml file outlining the following: The proposed infrastructural developments (must be available from the *EAP/developer*), identified heritage resources, locations of photographic records, viewshed's (where possible), the track-log showing the consultant's surveyed route (this must be submitted

<sup>24</sup> This distance was chosen as this is the usual blast radius of explosives used by mines and as such it is expected to be the extent of the direct impact zone. There will be exceptions.

<sup>25</sup> This is required in terms of NHRA section 38(3)a.

<sup>26</sup> This helps us understand the exact area surveyed as part of the HIA.



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separately on SAHRIS and is primarily for the confidential use by case officers assessing the case. This must be submitted to the Location Info section of the SAHRIS Case application)<sup>27</sup>;

- Any additional sources of information about past environments, such as stalactites/stalagmites, flowstone, dassie middens, peat or organic rich deposits and natural bone accumulations present near the heritage resource should be described;
  - A description of the immediate physical environment giving special attention to features relating to the site (e.g. dolerite outcrops, overhangs, cliff faces, talus slopes, rivers and streams, erosion gullies etc);
  - Detailed description of each site and its significance (see below sections for guide).
- 
- **Artefact Scatters**
  - Extent of scatter needs to be defined and mapped (represented within the development area as a whole);
  - An approximate artefact density must be calculated  $A^0/m^2$ ;
  - An estimation of time period must be provided detailing the cultural, stylistic or technological tradition present;
  - A description of artefacts including but not limited to raw-material, type, significant attributes and characteristics;
  - A representative sample of the full range of material must be photographed (photographs must contain an appropriate metric scale, a neutral background, and must be in focus. All photographs must have a brief description as a title and be referenced in the text.
- 
- **Bounded Sites and Shelters:**
  - Shelter dimensions must be detailed including: length and breadth, height of overhang, orientation of the site;
  - An approximate artefact density must be calculated  $A^0/m^2$ , for the site itself and for any adjacent features, e.g. talus slope, erosion gullies;

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<sup>27</sup> Maps often do not provide enough detail or are not of sufficient resolution. The separate .kml file should alleviate this problem.



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- An estimation of time period must be provided detailing the cultural, stylistic or technological traditions present;
- The depth of the deposit must be estimated, and a description of any surface sediment trap and depositional processes must be described;
- The shelter or site must be adequately photographed, a wide angle shot of the shelter's position within the landscape, a representative sample of the full range of material must be photographed (photographs must contain an appropriate metric scale, be photographed on a neutral background, and must be clear and must be in focus. All photographs must have a brief description as a title and be referenced in the text.
  
- **Rock Art:** Paintings and engravings (this may also include modern sites of living/intangible cultural significance)
- Rock Art shelters must be documented and their basic dimensions must be detailed, including: length and breadth, height of overhang, orientation of the site, approximate extent of painted panels / or approximate dimensions of boulder;
- The painted or engraved images must be roughly described in terms of their subject matter, colour, style and execution;
- The current condition of the rock art must be documented, as it may bear relevance to issues of impact and conservation, this must include a brief outline of vegetation in and around the site;
- The shelter must be adequately photographed with a wide angle shot of the shelters position within the landscape, images of the panels with an appropriate scale, detailed photographs of some of the more notable/characteristic imagery accompanied by a cm scale; any conservation issues must be photographed, e.g. salt deposits, graffiti; flaking of rock surface, water damage etc. All photographs must have a brief description as a title and be referenced in the text.
  
- **Built Environment, Structures and Settlements:**
- The dimensions of structures must be provided (length and breadth), roof height (estimated where possible), current wall height (max/min), wall thickness, approximate surface area;
- Description of building materials, and where possible description of the foundations;



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- Approximate age of structure (including historical structures older than 60 years such as Later Stone Age, Iron Age and contemporary structures of cultural significance), archaeological period, significant architectural movements or settlement type pattern and/or prominent architects;
- Any relevant historical maps or aerial photography of the structure and surroundings;
- Description of possible uses of the structure and who may have used it;
- Identify and describe related activity areas and/or features;
- Adequate photographic documentation, photographs providing context, situating the structure(s) in the broader landscape, images of the walling with metre scale, detailed images showing building materials also with appropriate metric scale. All photographs must have a brief description as a title and be referenced in the text.
  
- **Burial Grounds and Graves** (If a burial ground or grave forms part of a bounded site, settlement etc., they must be described separately using the requirements below)
  - Total number of graves must be provided;
  - Whether or not the graves form part of a formal graveyard or whether they are informally located within the landscape;
  - Size of the graveyard or burial ground;
  - The orientation of graves must be documented;
  - Where grave markers are present, they must be described and documented (e.g. formal granite headstone, stone cairn, inscription etc);
  - Where no obvious grave markers are present but suspected graves are identified, a justification and rationale for the identification of the grave must be provided and the conditions of the grave site adequately documented;
  - A description of any grave goods or related material, if it occurs exposed, must be described where and when they occur;
  - All associated infrastructure must also be described and documented such as a wall or fence as their association may hold additional significance;
  - The condition of the graves must be detailed, and evidence of visitation to the burials must be sought out and described (e.g. cut grass, flowers, trinkets, grave goods, coins);
  - Approximate age of the grave or graveyard where possible;



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- Listing of any dates for graves (provided in a table form);
  - If graves are identified by a local informant, the details and descriptions they provided must be outlined. Sensitive information such as the informant's details must be submitted to SAHRA via email;
  - Adequate photographic documentation: photographs providing context, situating the grave / graveyard (or suspected grave) in the broader landscape, images of the individual grave sites with an appropriate metric scale, detailed images showing any associated grave goods. All photographs must have a brief description as a title and be referenced in the text.
- 
- **Palaeontological Resources**
  - A description of the fossil/trace fossil (single bone, tooth, bone assemblage, partial skeleton, impression, burrow, etc.);
  - Taxon (if known);
  - The estimated age or period of the resource;
  - A description of the fossil-bearing lithology and surrounding geology including geological maps and photographs;
  - Adequate photographic documentation including suitable scales;
  - Describe the condition of the resource such as weathering including the stability of the surrounding geology.
- 
- **Meteorite Resources**
  - A description of the meteorite remains, e.g., type (chondrite or achondrite), fragmented, rounded, sculpted, ablation marks, indication of orientation (cone-shaped);
  - Estimated age of the resource if possible;
  - A description of the surroundings: Were other meteorite remains found in the vicinity? Did it form a crater?;
  - Adequate photographic documentation including suitable scales;
  - Describe the condition of the resource such as weathering including the stability of the surrounding geology.



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- **Maritime and Intertidal Heritage Resources:**

- The depth underwater of the site and its dimensions must be documented and described, this must include the full extent of a site and its related infrastructure or debris;
- The construction materials of vessels or structures must be described;
- An estimation of time period, detailing the cultural, stylistic or technological traditions present and a discussion of chronology;
- A catalogue of associated finds housed in repositories must be provided;
- The current condition of the site / wreck must be detailed, including any potential preservation threats;
- The results of any geophysical surveys of the sites;
- Measured drawings of the site;
- Adequate photographic documentation preferably as a photo montage in a suitable software programme, establishing shot situating the site / wreck in the broader land/seascape, images of the full extent of the site and / or its various components, detailed images showing construction materials, any relevant images showing the current condition of the site / wreck, all associated cultural heritage material, all photographs must be accompanied by an appropriate metric scale and an adequate description and brief discussion.

- **Battlefields and Concentration Camps:**

- The approximate extent of the site must be described, documented and mapped;
- Any identified structures must be described and mapped as per the requirements detailed above in the Built Environment/Structure section above;
- The current condition of the landscape and identified features must be described;
- A catalogue of or articles regarding associated finds housed in repositories must be discussed;
- The area must be adequately photographed: A wide angle shot of the site's position within the landscape, identified structures or significant landscape features, a representative sample of the full range of material (photographs must contain an appropriate metric scale, photographs of material resources must be photographed on a neutral background, and must be clear and in focus, all photographs must be accompanied by an appropriate metric scale and an adequate description and brief discussion.



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- **Cultural Landscapes, Intangible and Living Heritage (as defined in Section 2xxi of the NHRA):**
- The Cultural Landscape under discussion must be described including the relative size and extent of the area;
- Specific features which help to define a site must be described (e.g. a clearing, a tree or series of trees, distinctive landscape forms etc);
- Discuss the specifics of the intangible and living heritage, how is it defined and what makes it significant;
- A discussion about the affected community and any identified informants (for sensitive cases informants' names can be provided to SAHRA confidentially), this can be done in conjunction with section 9.2.12 above;
- Is the site still in use? If so how frequently is it used?
- The area must be adequately photographed: A wide angle shot of the site's position within the landscape, identified structures or significant landscape features, a representative sample of the full range of material (photographs must contain an appropriate metric scale, photographs of material resources must be photographed on a neutral background, and must be clear and in focus, all photographs must be accompanied by an appropriate metric scale and an adequate description and brief discussion.
- If possible, the cultural material associated with the living and intangible heritage must be photographed and any rituals or practices must be documented with the permission of the custodians.

#### **9.2.15. Cultural Significance/Field Rating**

- Each resource/site identified within the project boundary and within the impact zone must be given a significance/field rating. This can be presented in the description of each site as above or in a single table format. The rationale behind each statement of significance must be discussed, including the relative significance of resources in relation to surrounding heritage resources;
- A sensitivity map showing areas of high-low sensitivity in relation to the proposed development must be included which takes into account other aspects or indicators such as: biodiversity sensitivity, soil types, topography and the socio-economic results.



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### 9.2.16. Impact Assessment

- The impact on each identified heritage resource/site (including those located within 500m of the proposed development) must be calculated according to the *methodology used by the EAP (Section 38(8) cases)* or the generally accepted formula as described in section 5 of this document. This must be presented in a table format;
- The impacts to all heritage resources within the impact zone<sup>28</sup> must be assessed;
- A short narrative of the most prominent impacts must also be supplied that discusses the impacts relative to the significance of the resources;
- A discussion on the impacts on heritage resources relative to the socio-economic benefits of the proposed development in terms of section 38(3)d of the NHRA<sup>29</sup>;
- *The impact assessment must also take into account the results of other specialist studies such as the VIA for the viewshed analysis, fauna and flora for areas where important traditional medicine is found.*<sup>30</sup>

### 9.2.17. Conclusions, Recommendations and Reasoned Opinion

- Clear site specific recommendations must be supplied. SAHRA will not accept statements such as “if the heritage resources will be impacted...”
- If Field Rating I, Field Rating II or Field Rating IIIA and IIIB heritage resources are to be conserved *in situ* within the boundaries of a development area or impact zone, a Conservation Management Plan must be recommended for the protection of the resources (this can include possible alternatives in the proposed development that might allow for the protection and conservation of the resources);
- Clear discussion for the client of the legal implications and regulated process with regards to mitigation measures for burial grounds (include reference to both the NHRA and the regulations for section 36, and particularly the public participation

<sup>28</sup> This will differ per project. An impact zone may be defined as the direct footprint i.e. area to be developed or the indirect impact footprint i.e. viewshed, dust fallout area etc.

<sup>29</sup> If a community is dependent on a heritage resource as their main source of income i.e. tourism, this must be highlighted and compared to the expected employment opportunities as supplied as part of the Social Impact Assessment.

<sup>30</sup> SAHRA acknowledges that this information may only be available in draft format during the write-up of the HIA, however this can a requirement of the contract between the heritage practitioner and client. Specialist studies are usually completed ahead of the draft EIA public review release date and the heritage practitioner must be proactive in acquiring this information. If this is not possible, these limitations must be discussed.





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process, and whether this must be done by the archaeologist or a social consultant). This can include recommendations for conservation or relocation of burials;

- If a Field Rating IIIB heritage resource requires mitigation, detailed mitigation measures must be recommended which may include detailed mapping, drawing, recording, systematic surface collections, Auger Test Pits (ATP) or Shovel Test Pits (STP), or more extensive archaeological mitigation, collection of oral stories and indigenous knowledge etc;
- For heritage resources designated with a Field Rating IIIC, it must be motivated whether or not destruction of the site is the preferable alternative, motivating why the relevant heritage authority should grant permission for destruction outside of the formal permitting process;
- Description and discussion of any no-go areas or bufferzones to be avoided by the proposed development (indicated on a map superimposing identified heritage resources in relation to the proposed project infrastructure);
- Description of any monitoring such as a Watching Brief, Chance Finds Procedures, monitoring as part of a CMP etc;
- Reasoned opinion whether the proposed development/activities must be authorised, noting that the final decision regarding heritage resources rests with the relevant heritage authority.

#### **9.2.18. Recommendations to be incorporated in the EMP<sub>r</sub> and EA**

- *With regards to Section 38(8) cases, the EAP must supply the heritage practitioner with the relevant EMP<sub>r</sub> tables to incorporate impacts, relevant legislation and recommended mitigation measures. This can be provided as part of the report or as an appendix to the report.*

#### **9.2.19. References**

- All literature references must be listed following a consistent referencing convention; this must include newspapers, website links and archival documents.

#### **9.2.20. Appendices**

- This can include but are not limited to CV, additional maps and photographs, extended methodologies, field-rating tables and impact assessment tables and specialist reports.