



an agency of the
Department of Arts and Culture

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CaseID: 14785

Date: Monday March 16, 2020
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Letter

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

Attention: Balwin Properties Limited

The proposed amendment is for a change in layout of the approved mixed use development in order to: - Include a recreational lagoon at Jukskei View X118; - Increase the development density of the residential component of the development; - Change the layout of other land-uses and introduce additional facilities where required and to link the development clusters on the other side of Maxwell Drive with the lagoon development node; - Amend the storm water, water, sewer, road pedestrian walkway, access point layouts/concepts/alignments in order to accommodate the amendments in the layout and facilities associated with the development; - To allow for the introduction of low impact recreational facilities in the areas below the 1:100 year flood line and within the 32m watercourse/ river buffer. The activities will amongst others include pedestrian walkways, wooden decks/boardwalks, jetty's, low impact pedestrian crossings, the possible placing of rocks/objects in areas where river is to be crossed on natural rocks, the rehabilitation of vegetation, the establishment of man-made eco-systems/ wetlands in order to improve the water quality, the possible placement of litter traps in designated areas, the introduction of indigenous vegetation in areas where rehabilitation and beautification are required, the introduction of benches, litter bins, lighting, bird hides and other street furniture/structures in areas as proposed by engineers and landscape architects, the implementation of security measures where required; and - To apply for the amendment of the Environmental Management Programme (EMPr) where required to accommodate the proposed changes. The study area is known as the Remaining extent of Portion 1 of the Farm Waterval 5 IR and the construction of a section of Maxwell Drive on the Remainder of the Farm Longmeadow 710 IR, Midrand, City of Johannesburg Metropolitan Municipality.

Thank you for your notification regarding this development.

In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years, structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority. This means that prior to development it is incumbent on the developer to ensure that a **Heritage Impact**



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Assessment is done. This must include the archaeological component (Phase 1) and any other applicable heritage components. Appropriate (Phase 2) mitigation, which involves recording, sampling and dating sites that are to be destroyed, must be done as required.

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

The Phase 1 Impact Assessment Report will identify the archaeological sites and assess their significance. It should also make recommendations (as indicated in section 38) about the process to be followed. For example, there may need to be a mitigation phase (Phase 2) where the specialist will collect or excavate material and date the site. At the end of the process the heritage authority may give permission for destruction of the sites.

Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in potentially fossiliferous superficial deposits, a Palaeontological Desk Top study must be undertaken to assess whether or not the development will impact upon palaeontological resources - or at least a letter of exemption from a Palaeontologist is needed to indicate that this is unnecessary. If the area is deemed sensitive, a full Phase 1 Palaeontological Impact Assessment will be required and if necessary a Phase 2 rescue operation might be necessary. **Please note that a nationwide fossil sensitivity map is available on SAHRIS to assist applicants with determining the fossil sensitivity of a study area.**

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

Any other heritage resources that may be impacted such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.

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

Yours faithfully

**Jukskei View X118 Mixed-Use Development – now also referred to as The
Munyaka Development**

Our Ref: 14785



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Andrew Salomon
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South African Heritage Resources Agency

Phillip Hine
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South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/533615>