

**GEORGE****TEL:** +27 (0) 44 873 4923 **FAX:** +27 (0) 44 874 5953**EMAIL:** info@sesc.net **WEBSITE:** www.sesc.net**ADDRESS:** 102 Merriman Street, George 6530**PO BOX:** 9087, George, 6530**CAPE TOWN****TEL:** +27 (0) 21 554 5195 **FAX:** +27 (0) 86 575 2869**EMAIL:** betsy@sesc.net **WEBSITE:** www.sesc.net**ADDRESS:** Tableview, Cape Town, 7441**PO BOX:** 443, Milnerton, 7435

TERMS OF REFERENCE FOR A NID & PALAEOLOGICAL & ARCHAEOLOGICAL COMPLIANCE STATEMENT OR IMPACT ASSESSMENT

Dear Specialist,

PROPOSED REHABILITATION OF THE ROAD TR75/1 (N12 HIGHWAY) NEAR OUDTSHOORN, OUDTSHOORN LOCAL MUNICIPALITY, GARDEN ROUTE DISTRICT MUNICIPALITY, WESTERN CAPE.

1. Introduction

Sharples Environmental Services cc (SES) has been appointed by the Western Cape Government: Department of Public Works – Roads Branch (hereafter referred to as the applicant), as the independent Environmental Assessment Practitioner (EAP) to conduct the Application for Environmental Authorisation, in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998) and the 2014 Environmental Impact Assessment (EIA) Regulations of 2014, as amended (GNR 326 of 2017), for the Proposed rehabilitation of the road TR75/1 (N12 Highway), near Oudtshoorn within the Oudtshoorn Local Municipality, which forms part of the Garden Route District Municipality, Western Cape (see Figure 1).

TOR FOR HERITAGE AND PALAEOANTHOLOGICAL ASSESSMENT: PROPOSED REHABILITATION OF THE ROAD TR75/1 (N12 HIGHWAY) NEAR OUDTSHOORN, OUDTSHOORN LOCAL MUNICIPALITY, GARDEN ROUTE DISTRICT MUNICIPALITY, WESTERN CAPE.

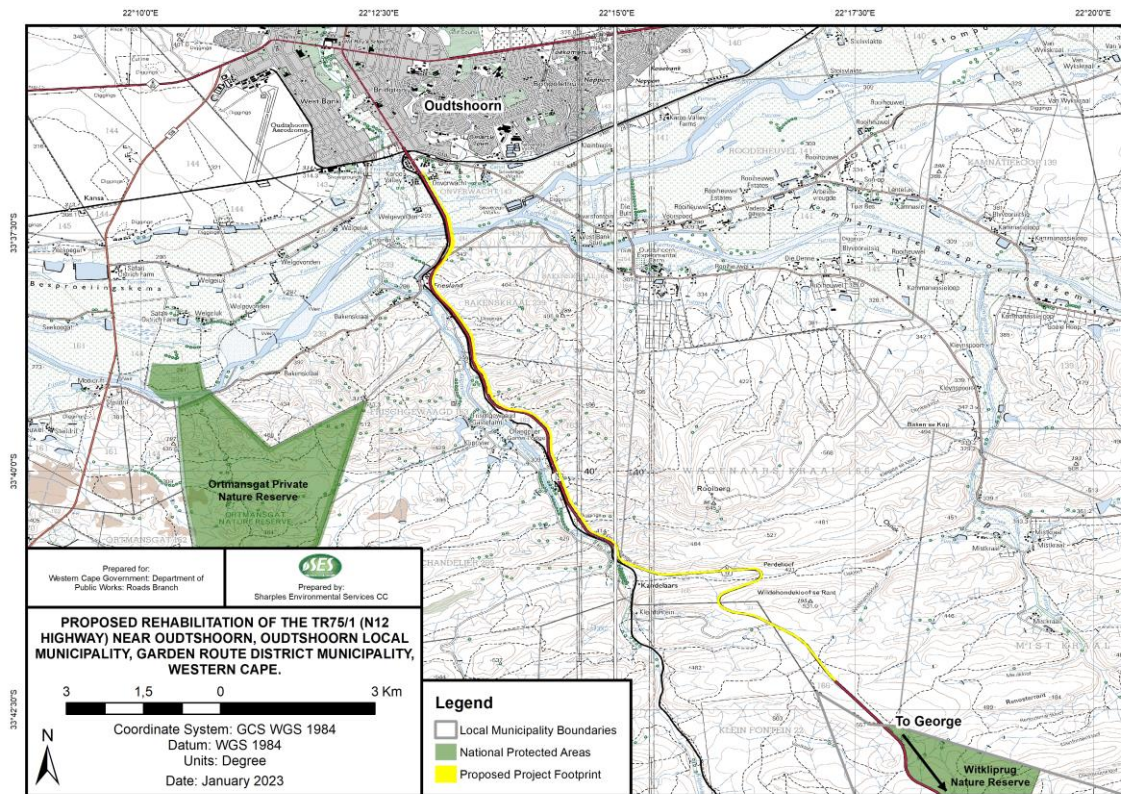


Figure 1: Location map of the proposed project.

A screening report was completed on the 12th of January 2023. With a **“Very High”** environmental sensitivity rating and in terms of the Archaeological Theme (Figure 2) and a **“Very High”** sensitivity rating in terms of the Palaeontological Theme (Figure 3).

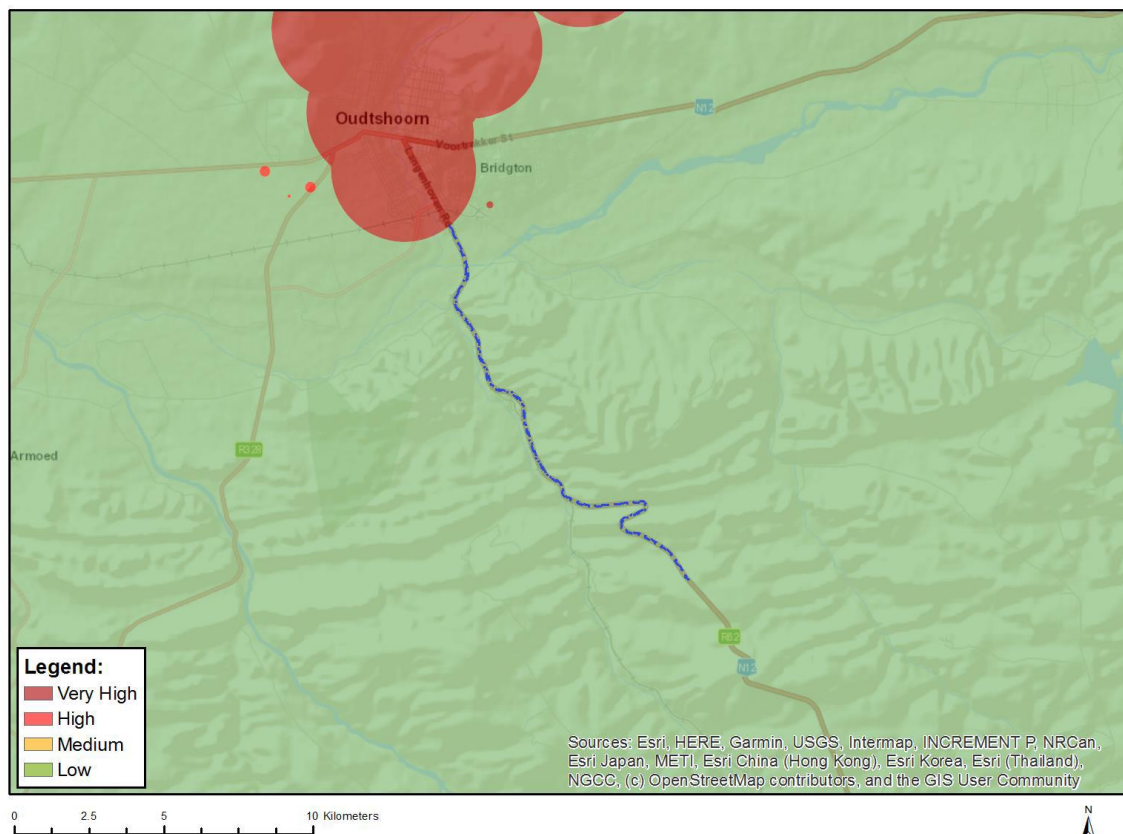


Figure 2: Suggested DEA Screening Tool sensitivity – Archaeological Theme (2022).

Table 1: Sensitivity features as per Screening Tool Archaeological Theme.

Sensitivity	Feature(s)
Low	Low Sensitivity
Very High	Within 2km of a Grade II Heritage site

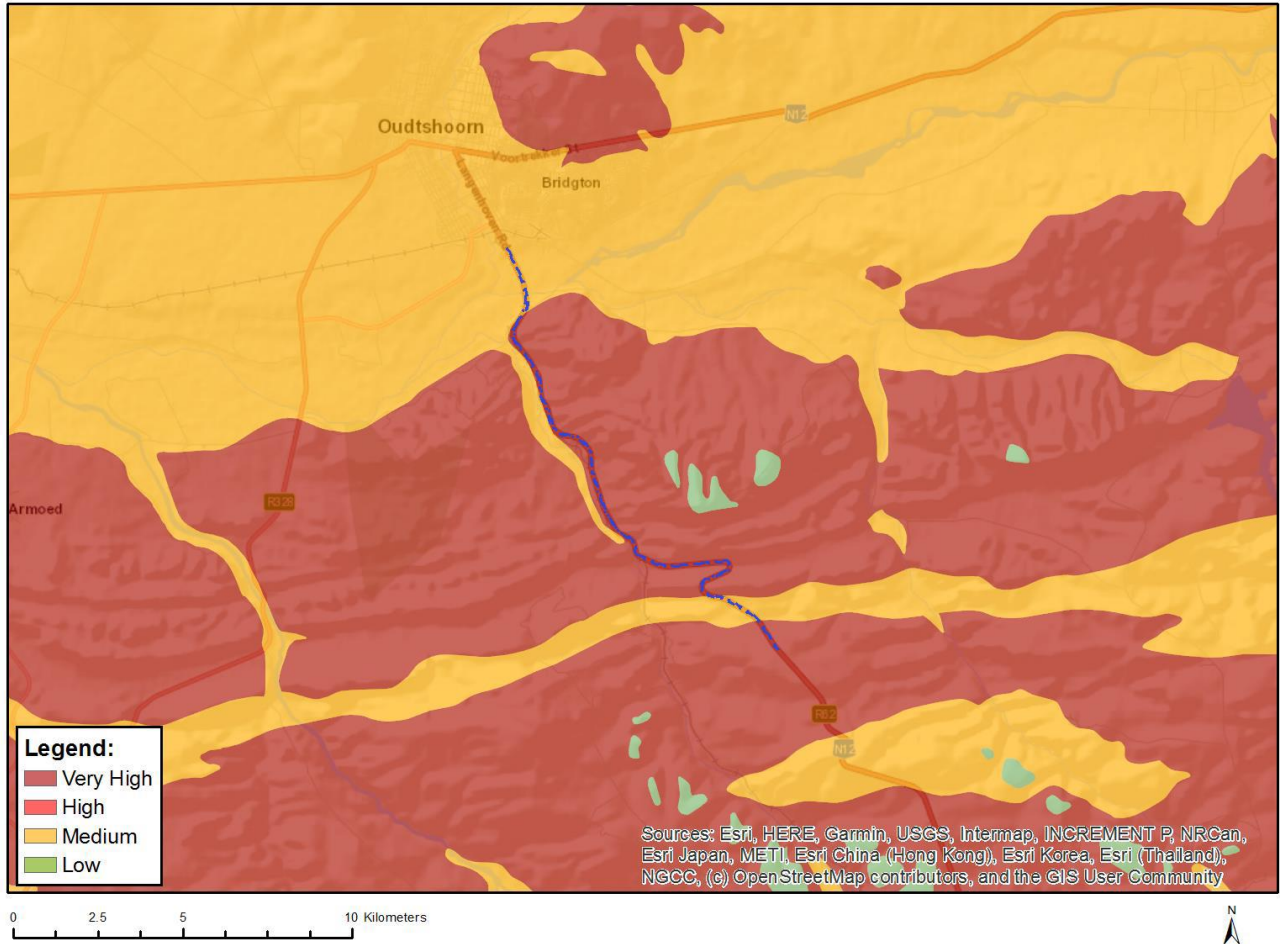


Figure 3: Suggested DEA Screening Tool sensitivity – Paleontological Theme.

Table 2: Sensitivity features as per Screening Tool Paleontological Theme.

Sensitivity	Feature(s)
Medium	Features with a Medium palaeontological sensitivity
Very High	Features with a Very High palaeontological sensitivity

2. Specialist involvement

The purpose of this study is to conduct a Site Verification, to determine if a Compliance Statements or full Heritage and Palaeontological Impact Assessments, respectively, will be required, to ascertain the status of the heritage resources and assess the potential impact of the proposed development on the resources. The report should not be limited to this brief. Where the specialist sees the necessity for providing other vital information or investigations, this should be included.

The specialist conducting this study must:

- Be independent and have expertise in conducting similar assessments.

- Have a suitable academic qualification in the relative field.
- Be registered with the Association of Professional Heritage Practitioners (APHP).
- Be familiar with the assessment criteria commonly used in the EIA Process to assess and evaluate impacts.
- Have good knowledge relating to assessment techniques and to relevant legislation, policies and guidelines.
- Perform the work in an objective manner, even if this results in views and findings that are not favourable to the applicant.

2.1 Terms of Reference

The assessment of the proposal will necessitate specialist input which will need to be undertaken with the Terms of Reference listed below and relevant specialist guidelines. The Heritage specialist must have no financial or other vested interest in the proposed development and must be professionally registered with APHP.

Phase 1 (Status Quo Assessment – Site Verification) – Undertake and submit Notice of Intent to Develop to Heritage Western Cape.

- ✓ The assessment must contextualize the study area in order to provide a baseline description of the heritage resources.
- ✓ Review available historic information the AIA.
- ✓ Review legal and planning context.
- ✓ Defining the Heritage and Aesthetic components of the environment.
- ✓ Analyze and identify the types of Historic resources present from tangibles like landscape, to intangibles like traditions, and knowledge.
- ✓ Determine the significance of the identified resources.
- ✓ Grade the heritage resources on site and the site in terms of its context in the landscape.
- ✓ Compile NID and submit with Compliance Statement, or if it is determined that an impact assessment is required, continue on with Phase 2.

Phase 2 (Assessment and analysis)

- ✓ The report must include a heritage resource analysis and constraints map.
- ✓ Provide an assessment of the character of the landscape to determine historic characteristics, scenic resources, historic sensitive areas and historic resources must be included
- ✓ Explain the correlation between the above to determine the varying levels of potential impact.
- ✓ Establish any further heritage constraints to guide the development process through establishing thresholds of impact significance.

Phase 3 (Impact Assessment)

- ✓ Assess the degree of and nature of significance.
- ✓ Assess both positive and negative impacts based on social history, public memory and cultural landscape information.
- ✓ Include an interpretation of the regional cultural landscape issues and the impact of the development in relation to these issues.
- ✓ Address heritage issues that arose during the process.
- ✓ Describe variables that could influence the historic landscape. 6. Incorporating the heritage related studies with an integrated set of recommendations
- ✓ Conclude the Heritage Impact and cumulate impacts.
- ✓ Suggest mitigating and management guidelines.
- ✓ A substantiated statement, based on the findings of the specialist assessment, regarding the acceptability, or not, of the proposed development, if it should receive approval or not must be included

General

- ✓ Reference all sources of information and/or data used.
- ✓ Indicate limitations and assumptions, particularly in relation to seasonality.
- ✓ Description of the methodology adopted in preparing the report
- ✓ Provide a reasoned opinion as to whether the proposed activity should be authorised
- ✓ The report should be prepared in a suitable font and submitted to SES in draft form.

2.2 Quotation Details

Please provide a written quote for all Phases, including:

- ✓ a break-down of costs;
- ✓ an indication of your earliest availability to commence the work;
- ✓ timeframes to conduct activities and for report deliveries, including baseline report, final reports, etc. where applicable.

3. Expected deliverables

If deemed necessary to undertake a Heritage and Palaeontological Compliance Statement(s), an initial draft compliance statement covering the above requirement must be submitted to SES **two weeks after the notice to proceed with the above scope of work.** The final compliance statement (which shall include any reasonable amendments in response to the EAP's comments on the initial draft, if necessary), as well as field survey, shall be delivered within **one week** after receiving comments from the EAP.

If deemed necessary to undertake a full Heritage and Palaeontological Impact Assessment(s), an initial draft report must be submitted to SES **four weeks after the notice to proceed with above scope of work.** The final report (which shall include any reasonable amendments in response to the EAP's comments on the initial draft, if necessary) shall be delivered **two weeks** after receiving comments on the draft report from the EAP.

All reports should cover the requirements detailed in section 2.1, be prepared in a suitable font (such as Arial 12) and the format and content must comply with Appendix 6 of the amended EIA Regulations, 2017.

The EAP must be provided with an opportunity to comment on the initial draft before finalizing.

Please provide a written quote to compile both Compliance Statement and Impact Assessment Phase reports, including:

- ✓ a break-down of costs,
- ✓ timeframes of all activities,
- ✓ and an indication of your earliest availability to commence the study.

Please note: If any of the mitigation measures recommended in the specialist report require additional plans for implementation that need to form a part of the Environmental Management Programme, the specialist is required to compile the report or provide support to the EAP in terms of reviewing the plan that the EAP compiles and ensuring that detailed specialist input is provided in this report. The specialist is further expected to provide responses (specialist input) on the comments received from I&APs during the public participation process, if related to the aspect they have addressed.