



EASTERN CAPE PROVINCIAL HERITAGE RESOURCES AUTHORITY (ECPHRA)

NATIONAL HERITAGE RESOURCES ACT NO. 25 OF 1999 (NHRA 1999)

ECPHRA GUIDELINES: INCLUSION OF A STATEMENT OF ASSESSMENT OF INTANGIBLE, LIVING HERITAGE AND CULTURAL LANDSCAPES IN PHASE 1 HERITAGE IMPACT ASSESSMENT (HIA) REPORTS

The National Heritage Resources Act No. 25 of 1999 (NHRA 1999) mandates the South African Heritage Resources Agency (SAHRA) and the Provincial Heritage Resources Authorities (PHRAs) – in this case the Eastern Cape Provincial Heritage Resources Authority (ECPHRA) in the Eastern Cape Province – to manage, research, conserve and promote the heritage of South Africa on national and provincial levels.

1. The ECPHRA Archaeology, Palaeontology and Meteorites (APM) Unit is tasked with heritage resources management in a development context – including the development application process – for all development projects situated in the Eastern Cape Province or the Eastern Cape components of trans-provincial projects. Heritage is managed according to a three-tiered Phase 1–3 process that corresponds roughly with the three main phases of development: 1) planning, 2) construction and 3) implementation, as outlined in the NHRA 1999 Section 38.

Table 1: The three main phases of development and the Phase 1–3 heritage resources management process.

DEVELOPMENT AND HERITAGE RESOURCES MANAGEMENT		
	DEVELOPMENT PHASE	HERITAGE RESOURCES MANAGEMENT PHASE
1.	Planning	Phase 1 – Heritage Impact Assessment (HIA)
2.	Construction	Phase 2 – Pre/construction phase heritage management
3.	Implementation	Phase 3 – Permanent site conservation/management

2. The NHRA 1999 formally protects intangible or living heritage, defined in the NHRA 1999 Section 2(xxi).

Table 2: NHRA 1999 Section 2(xxi) definition of “living heritage”.

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SECTION 2 – DEFINITIONS	
xxi	“Living heritage” means the intangible aspects of inherited culture, and may include— (a) Cultural tradition. (b) Oral history. (c) Performance.

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- (d) Ritual.
 - (e) Popular memory.
 - (f) Skills and techniques.
 - (g) Indigenous knowledge systems, and
 - (h) The holistic approach to nature, society and social relationships.
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3. This definition recognises that places, objects, structures and landscapes are tied to the beliefs, practices, memories, knowledge and identity of people. It is essential to document and expose the intangible aspects of these places, objects, structures and landscapes to ensure they are recorded, conserved and made available via the scientific/public heritage record as development proceeds.

Therefore, all Phase 1 Heritage Impact Assessments (HIA) must include a **statement of assessment of intangible, living heritage and cultural landscapes**, and this inclusion is critical for large development projects which impact extended sections of landscapes.

The Public Participation Process (PPP) and Social Impact Assessments (SIA) that Environmental Assessment Practitioners (EAP) follow should include questions regarding intangible, living heritage in addition to the tangible heritage of a development site. This information, if any, should be shared with the heritage practitioners undertaking the Phase 1 HIA to include in their statements of assessment. ECPHRA emphasises its right to request the PPP and/or SIA of a project and corroborate these reports for decision-making purposes.

4. The Phase 1 HIA statement of assessment regarding intangible, living heritage and cultural landscape aspects of places, objects and structures may be preliminary, and depending on the findings lead to further Phase 2 or 3 investigation/research requested by ECPHRA for a project in terms of the NHRA 1999 Section 38(4) as part of the Phase 1 HIA Final Comment.

For any questions relating to these guidelines, please contact:

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