



Letter

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)

Attention: Triplo4 Sustainable Solutions (Pty) Ltd

Expansion Of Crematorium at KwaDukuza, KZN

The application for comment has been considered and it is noted that both the initial construction and the more recent expansion of the KwaDukuza Crematorium commenced without the necessary Environmental Authorisation. This implies that the development could have impacted on sites of paleontological significance or sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, traditional burials and cultural landscapes. The general area of where the development activities were initiated is well known for its rich cultural history. Such sites would require public participation or assessment by an archaeo-historians or historians in general.

The National Heritage Resources Act requires developers to notify Amafa before any development activity. Failure by the developer to inform Amafa before commencement of any renders the activity illegal as it constitutes violation of the terms of Section 38 of the National Heritage Resources Act as Amafa was not notified in terms of both Section 38(1) or Section (38(8)) of the heritage legislation. This section seeks to ensure that heritage resources are not compromised by any development.

The developer is therefore required to submit **proof of payment** for Rectification/Condonement of unauthorised work relating to the above-proposed development. Amafa also requires the layout plan, Basic Information Document/ filled in Form I on the Amafa website and also provide Amafa with the documents leading to and also prepared to comply with terms of Section 24G (consequences of unlawful commencement of activity) of the NEMA before issuing further comments. The Amafa fee relating to Rectification/Condonement of unauthorised work is currently R3 500 as per the e-mail I sent to the Heritage Practitioner on Monday 2016/07/04.

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

Yours faithfully





Bernadet Pawandiwa
Senior Heritage Officer
Amafa/Heritage KwaZulu Natal

Annie van de Venter Radford
Deputy Director: Research, Professional Services and Compliance
Amafa/Heritage KwaZulu Natal

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/369823>

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to Amafa immediately.
3. Amafa reserves the right to request additional information as required.

