

Murray Road Mixed-Use Development, Erf 234 New England, Pietermaritzburg.

Final Comment

IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 41(8) OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)

Attention: Shanbar Property Development cc

The proposed establishment of a 15-ha mixed-use development, located on Erf 234 New England (220 Murray Road), within the Msunduzi Local and uMgungundlovu District Municipality, Pietermaritzburg, KwaZulu-Natal.

The application was considered by the Provincial Heritage Authority, the KZN Amafa and Research Institute's Heritage Officers Committee on 18 January 2023. The Committee reviewed the documents submitted in support of the application, including the HIA, PIA, and the BAR document.

The committee agreed with the heritage practitioner's grading of the main house, the armory and dog house, as all being of IIC significance. It also agreed that the remaining buildings and structures had limited heritage significance rendering them Not Conservation Worthy. It was also noted that the original entrance gate is of high significance and is subject to a permit from the Institute for alteration or removal to another position on the site.

The committee noted that the Amafa Council had previously decided to allow the demolition of all the buildings except for the armory and the dog house (buildings 2 & 3), that had to be retained within a buffer.

Included in the heritage practitioner's report is a mitigation measure that the house (building 1) should be retained and integrated into the development - change of use of the site. The committee agreed with this recommendation, however the committee could not reverse the decision of the previous Council.

A PIA document indicated that the area includes the Dwyka Group tillite and PMB Formation shales of the Ecca Group but that they are not palaeontologically sensitive, and that no further palaeontological investigation would be necessary.

No graves were identified.

The Institute does not have any objection to the development, the following mitigation conditions apply:

A1) Maintain a 5m buffer around buildings 2 and 3 and integrate them into a public open space. These buildings will need to be restored under a permit from the Institute under the guidance of a heritage specialist.

2) All remaining buildings and structures may only be demolished or altered, added to or removed to another position under a permit from the Institute. Separate Form A applications would be required for this process.

3) Materials salvaged from buildings for which demolition permit may be issued must be reused in the urban design and landscaping and the entrance to the site to link the new visitors and owners of the site to the history of the original farm-scape.

4) The names of the families who lived on the site must be recognized during the planning and development of the site.

5) Natural building materials and architectural styles that blends with the surrounding landscape must be used.

6) The use of highly reflective material such as corrugated iron and glass, must be minimized.

7) Lighting must face downwards.

8) The development will alter the heritage landscape and the mitigation measures noted in the heritage report must be taken into consideration during the design and implementation stages. Existing planting and vegetation, including exotics, must be considered in the development, given the history of the introduction of exotics to the area. The landscaping must be approved by the Institute through a permitting process.

B) You are also required to adhere to the below-mentioned standard conditions:

1. The KwaZulu-Natal Amafa and Research Institute should be contacted if any heritage objects are identified during earth-moving activities and all development should cease until further notice.

2. No structures older than sixty years or parts thereof are allowed to be demolished, altered, or extended without a permit from the KwaZulu-Natal Amafa and Research Institute.

3. Under no circumstances may any heritage material be destroyed, inundated, collected, or removed from site unless under direction of the KwaZulu-Natal and Amafa Research Institute and a heritage specialist.
4. Should any remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu Natal Amafa and Research Institute.
5. No activities are allowed within 50m of a site, which contains rock art.
6. Sources of all-natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage legislation.

Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu Natal Amafa and Research Institute Act could lead to legal action being instituted against the applicant.

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

Yours faithfully



Celeste Rossouw
Senior Heritage Officer: Rock Art
KwaZulu-Natal Amafa and Research Institute



Mxolisi Dlamuka
Head of Secretariat and Administration
KwaZulu-Natal Amafa and Research Institute

ADMIN:



HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

Enquiries: Celeste Rossouw
Email: celrossouw@gmail.com
Tel: 033 394 6543
Date: Friday January 20, 2023
CaseID: 20297
Our Ref: SAH22/20297

Direct URL to case: <https://sahris.sahra.org.za/node/610238>
(KZNDEDTEA, Ref:)

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 the Institute immediately.
3. The Institute reserves the right to request additional information as required.