

99-105 Botanic Gardens Rd - Proposed New Student Housing Development

Final Decision

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

Attention: TJ Architects (Pty) Ltd

23 Jan Hofmeyr Rd
Unit G10 Business Partners
Westville
3610

**Proposed New Student Residence Development at Portion 1 erf 2292, Portion 12(of 2) of erf 2292
and Portion 2 of erf 2292, Berea, Durban, EtheKwini Municipality, KZN**

The application was considered by the Provincial Heritage Authority, the KwaZulu-Natal Amafa and Research Institute on 06 July 2022. The documents submitted in support of the application were reviewed. The Heritage Impact Assessment as well as the Visual Impact Assessment have identified the significance of all properties and the state the resources are currently found, in comparison to the original state when house No. 101 and 105 were surveyed by Prof Kearney. It has been identified that the conditions of all three properties have deteriorated. The buildings have also been altered and repaired with modern materials replacing original windows and enclosing verandas, compromising the architectural significance of the resources.

The KwaZulu Natal Amafa and Research Institute therefore has no objection to the proposed development

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



Sandisiwe Matole
Heritage Officer
KwaZulu-Natal Amafa and Research Institute



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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/604329>