



Enquiries: Bernadet Pawandiwa
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CaseID: 10082

Date: Friday April 21, 2017

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Final Comment

**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: Msinga Local Municipality
Private Bag x 530
Tugela Ferry
3010

The project involves construction of 6.9km gravel road in Mabaso Village on the farm Klip River Native Location 4665. The site is located in the Mabaso Village area and falls under the jurisdiction of the Msinga Local Municipality and Umzinyathi District Municipality, Kwazulu Natal. The gravel road will be constructed as Standard Type 7A District Road in accordance with the Department of Transport specifications. The final road carriageway width will be twelve (12m) meters.

The heritage Scoping report submitted in support of this application refers. eThembeni Heritage Practitioners surveyed the site on 03-04 March 2017 and established that all the proposed road upgrades under review are aligned along existing roads and tracks. eThembeni also observed diagnostic pottery fragments as well as a scatter of Middle Stone Age material which appear to have been washed downstream. All graves and cemeteries that were observed fall well outside the final road carriageways. These are considered to be of historically recent origin and of little heritage significance to warrant protection.

The developer should note that in terms of the KwaZulu-Natal Heritage Act (Section 36(1)) a permit is required for the destruction, damage, excavation, alteration, of battlefields Sites, Archaeological Sites, Rock Art Sites, Paleontological Sites and meteorite or Meteorite Impact Sites. A permit is also mandatory in terms of Section 36(4) of the KZN Heritage Act for the exhumation, destruction, ownership or collection of any object or material associated with a Battlefield site, Archaeological site, Rock Art Site, Paleontological site and Meteorite or Meteorite Impact Site

Amafa therefore, based on recommendations of the heritage specialist, Len Schalkwyk of eThembeni has no objection to the development provided the developer operates within the framework of the prescribed conditions.

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

Conditions:

1. Amafa 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 Amafa.
3. No activities are allowed within 50m of a site, which contains rock art.
4. 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.



**CONSTRUCTION 6.9KM GRAVEL ROADS IN MABASO VILLAGE, MSINGA
LOCAL MUNICIPALITY**

Our Ref: SAH16/10082



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Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu Natal Heritage Resources 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

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/369097>
(EDTEA, Ref: DC24/0007/2016_KZN/EIA/0000316/2016)

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.



**Amafa AkwaZulu-Natali
Heritage KwaZulu-Natal
Erfenis KwaZulu-Natal**

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