



## **ERF 15990 STEADVILLE ,MIXED USE DEVELOPMENT, LADYSMITH**

**Our Ref: SAH20/14331**

Enquiries: Bernadet Pawandiwa  
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CaseID: 14331

Date: Monday February 24, 2020  
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### **Final Comment**

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

Attention: KV Development Group

Suite 2b. Ground Floor, Structura Building,  
Hazeldean Office Park, 697 Silverlakes Road,  
Hazeldean, 0081  
P.O Box 11948, Silver Lakes, 0054

#### **Mixed -Use Development, Steadville, Ladysmith, KZN**

The Heritage Impact Assessment Report by Gavin Anderson for the Ladysmith, Steadville ,Mixed Use Development has been considered and the studies conducted indicate that the general area of proposed development is very sensitive as it has many heritage sites and features . Any intrusive impact including writing or drawing upon, adding to, alteration, demolition, disturbance, damage, destruction, ownership or collection, trade in or export of any object or material associated with heritage sites, excavation, exhumation and relocation, removal from original position and inundation of heritage resources /features can only take place in cases where a permit for such work/activity has been applied for and granted by the KwaZulu Natal Amafa And Research Institute.

The heritage resources that were identified during the field survey include a Nazareth Shembe place of worship, Late Iron Age and Historical Era graves, stone walled features, granary, house floors, granary floors, cattle byres , cartridge and horseshoe fragments. This points to possibility of more artefacts and features sub-surface .The study further noted that the proposed development area was part of 'No Man's Land' during the 2nd Anglo-Boer War and the two hills in the southwestern corner were part of the British fortifications. These fortifications are Provincial Monuments and form part of a battlefield. These are protected by heritage legislation and cannot be developed. Any work in the No Man's land will require mitigation to allow for the collection of any finds or artefacts that may be in that zone.

Since the proposed project could impact on graves, Late Iron Age/Historical period sites and features, historic fortifications, archaeological and palaeontological resources that are protected in terms of sections 37, 38, 35, 39 and 40 of the KwaZulu-Natal Amafa And Research Institute Act (No. 05 of 2018) as well as sections 34, 35, and 36 of the National Heritage Resources Act, Act 25 of 1999, the site requires protection.

The identified heritage resources that range from Cluster 1 to 7 are of heritage significance and require to be



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protected from negative impact likely to be caused by direct and indirect activities around the proposed development site during site clearance/set-up phase , construction phase and operational phase . The nature of proposed development will result in high human and infrastructural density in the area that will compromise the site features and ambiance. The area that stretches from the heritage sensitive zone described as clusters 1 to 7 in the report by Gavin Anderson should not be developed.

- A buffer of 500m should be maintained around the whole area demarcated as sensitive zone .
- Any excavations deeper than 1.5m will require further on-site investigation by a palaeontologist.
- Written permits are required for any intrusive work impacting or likely to impact on heritage resources.

The developer is therefore required to appoint a heritage practitioner to demarcate the sensitive zone and monitor the implementation of the required mitigation measures as outlined in the Management Plan provided on page 43 of the heritage survey report by Gavin Anderson .

The heritage practitioner should provide the Provincial Heritage Authority with a monitoring regime/plan before the development activities commence. A palaeontologist will be required to collect any fossils.

The KwaZulu Natal Amafa and Research Institute, (Formerly Amafa aKwaZulu Natal, Heritage KwaZulu Natal, Erfenis KwaZulu Natal), therefore has no objection to the proposed development within limits of the stipulated conditions and mitigation measures.

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

Conditions:



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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 and Amafa Research Institute.

3. Under no circumstances may any heritage material be destroyed 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 and Amafa 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

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Bernadet Pawandiwa  
Senior Heritage Officer  
KwaZulu-Natal Amafa and Research Institute

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### **ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/528570>

#### 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.