



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: ILembe District Municipality

The proposed development will provide areas within the iLembe District Municipality with water born sewage disposal. Various pipelines and pump stations will be constructed across the region. It is estimated that once fully operational this infrastructure will serve 129 000 people that are urgently in need of formal sanitation Phase 1 A is the main sewer line from Njekane to the Kwadukuza STW. Stage 1 is the southern section which includes the pump station at Njekane, the siphon under the uMvotii river and the sewer line to a pump station at Gledhow Stage 2 is the sewer line from Gledhow to the Kwadukuza STW to the north. KwaZulu-Natal

We acknowledge receipt of your invitation for comment with regards to the proposed development. The object of Amafa is to administer, conserve and protect heritage resources of the Province within the terms of KZN Heritage Act no. 4 (2008) and the National Heritage Resources Act No 25 of 1999. The area of proposed development is very sensitive in terms of heritage values as evident from the number of sites that have been noted in the general area. We note that the survey identified two heritage resources in the vicinity of the development area. Heritage legislation prohibits destruction of, damage to, excavation of, alteration to, writing or drawing upon or other disturbance of any battlefield site, archaeological site, rock art site, paleontological site, historic fortification, meteorite or meteorite impact site, without a permit having been obtained on written application to Amafa. It also prohibits damage to, alteration of, exhumation or removal from its original position any grave, without a permit having been obtained from Amafa, on written application. A buffer of 20m is deemed appropriate as a protective measure and therefore development may proceed within these boundaries.

In terms of the KwaZulu Natal Heritage Act No. 4 of 2008 and the National Heritage Resources Act No.25 of 1999 (Section 38 (1), in view of the findings outlined in the HIA Report by Frans Prins that we received for the above proposed development, we have no objection to the proposed development within limits of the prescribed mitigation measures and recommendations as a measure of ensuring protection of the cemetery and Luthuli Memorial. Consultation with the affected families is a prerequisite to fencing.

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 earthmoving 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.





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3. No activities are allowed within 50m of a site, which contains rock art.
 4. Amafa should be contacted if any graves are identified during construction and the following procedure is to be followed:
 - stop construction
 - report finding to local police station
 - report to Amafa to investigate.

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/126829>

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.

