

KwaPharafini / Ngcengeni Water Supply Scheme

Interim Comment

IN TERMS OF SECTION 38(4) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 41(4) OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)

Attention: UMZINYATHI DISTRICT MUNICIPALITY

REM OF TUGELA LOCATION No. 4674

The uMzinyathi District Municipality propose the construction of the KwaPharafini / Ngcengeni Water Supply Scheme (WSS) within Wards 2, 3 and 17 of the Msinga Local Municipality, uMzinyathi District Municipality, KwaZulu-Natal.

The Heritage Officers Committee meeting considered your application on 19 October 2022. However, the committee was unable to arrive at a decision as the Heritage Impact Assessment by Roy Muroyi of Tsimba Archaeological Footprint (Pty) is incomplete.

According to the HIA report, "It is unlikely that the development will impact on any heritage resources **with the exception of possible graves within the homesteads**". This is an indication of an inadequate consultation of the affected community members as they would have advised the heritage practitioner of the existence of graves in their homesteads or none thereof.

The committee resolved to request for a revised proof of public participation including minutes of meeting(s) with the affected community members. A revised HIA with the inclusion of the results of community consultation should also be submitted for further consideration in this regard.

An HIA must provide the heritage authority with sufficient information to properly assess the significance of resources on and around a site and to understand the short, medium- and long-term impacts of the proposed development on heritage resources so that the heritage authority can make an informed comment or decision on the potential impacts of a proposed development. The committee, therefore, requires a revised Heritage Impact Assessment report and it must meet the following requirements of Section 41(3) (a-g) of the KwaZulu-Natal Amafa and Research Institute Act no. 05 of 2018:

- (a) the identification and mapping of all heritage resources in the area affected
- (b) an assessment of the significance of such resources in terms of the heritage assessment criteria set

out in regulations;

(c) an assessment of the impact of the development on such heritage resources;

(d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;

(e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;

(f) the consideration of alternatives, if heritage resources will be adversely affected by the proposed development; and

(g) plans for mitigation of any adverse effects during and after the completion of the proposed development.

Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu-Natal Amafa and Research Institute Act would mean that no authorization for the development can be provided.

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

Yours faithfully



John Pakwe
Heritage Officer
KwaZulu-Natal Amafa and Research Institute

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HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

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Date: Wednesday October 19, 2022

CaseID: 19747

Our Ref: SAH22/19747

Direct URL to case: <https://sahris.sahra.org.za/node/606363>
(EDTEA, Ref: DC24/0001/2022)

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.