



Final Comment

In terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)

Attention: JG AFRIKA
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Upgrade of Mabane road, Sweetwaters, Pmb, KZN. The proposed project primarily comprises the re-alignment and blacktop surfacing of gravel access roads which will provide access to surrounding residential properties.

Thank you for the opportunity to comment on this development proposal as outlined above. Amafa has considered the application and the heritage desktop study compiled by Gavin Anderson of Umlando. Based on map analysis, the practitioner rendered the area to be devoid of heritage resources as the area has been severely disturbed by successive human impact over the years. Page 13 of the heritage report however, states that "the engineers noted that graves occurred between 5m to 50m from the road edge. These graves were mapped and photographed by the surveyors and a management plan was set for each individual grave. These graves were mapped and photographed by the surveyors and a management plan was set for each individual grave." The identification, access, management, exhumation, and relocation of graves is an issue that is raised on numerous occasions during project planning and implementation. It is an issue that will have to be taken very seriously during developmental planning and should be undertaken in accordance with the law and in a culturally appropriate and sensitive manner. Indicators of such sites including places to which oral histories are attached should be identified and mapped by an expert in the field of heritage management as there is a possibility of missing significant indicators when such mapping is not conducted properly. This can result in avoidable delays in project implementation in order to address community concerns.

In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999), the relevant heritage authority is required to determine whether or not the proposed development is likely to impact on any significant heritage resources. While the desktop study states that there are no known archaeological sites in this locality, it is likely that other heritage resources may be impacted by the proposed development as evidenced by the existence of graves and therefore **a field-based assessment by the Cultural Heritage Manager is required. The assessment should fulfill the requirements of Section 38(3) of the National Heritage Resources Act.** A record of any other heritage resources that may be impacted such as built





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CaseID: 12541

Date: Friday July 20, 2018

Page No: 2

structures over 60 years old including foundations, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes should form part of the assessment. Amafa notes that no interviews were undertaken in the area that has so many graves that are protected in terms of the KwaZulu Natal Heritage Resources Act .

The Study should therefore cover:

- Identification of all heritage resources in the development area and its surroundings -50m
- Assessment of the impact of the development on such heritage
- Evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development
- Results of consultation with communities affected by the proposed development and other interested and affected parties regarding the impact of the development on heritage resources.
- Consideration of alternatives if heritage resources are affected by the development
- Mitigation plans for any adverse effects during and after completion of the project
- Table of all heritage resources identified .This should show Heritage resource type, description, location, significance and reasons for this rating.

Please download our list of Heritage Practitioners from our website www.heritagekzn.co.za.

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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Page No: 3



ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/504923>

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.



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