



Interim 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: Department of Transport, KZN

The proposed upgrade of the 6.23km Mngwenya track to a Type 7a Local Road Standard by Department of Transport (Ladysmith) and Nankhoo & Associates (Consulting Engineers). The road is situated on erf Witte Kleifontein 1341, near Mklumayo, Ladysmith, 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 road upgrade process has in most cases resulted in accidental damage to informal graves often found on the roadside or in abandoned homesteads in the vicinity of tracks/roads. Heritage legislation protects such graves and associated structures. In terms of the heritage legislation, no person may damage, alter, remove or exhume from its original position any grave (includes contents, headstone, or other marker of such a place and any other structure on or associated with such a place) without a permit from the responsible authority. For this reason, a Heritage report is necessary where road projects are mere tracks without a clear servitude.

Considering the area of proposed development, **a Heritage Impact Assessment is required for the above proposed project** 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) and (8)).

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





Radford

Annie van de Venter Radford
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Amafa/Heritage KwaZulu Natal

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/123016>

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.

