

Musa Special School

Final Comment

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

Attention: KwaZulu-Natal Department of Education

The proposed site of the Musa Special School is located adjacent to the R66 road near the settlement of Mahlombe in ward 14, approximately 15km South of the town of Nongoma, in Northern KwaZulu-Natal. The total size of the site allocated for the project is approximately 5ha in extent. The scope of work for this project is to build a New School for learners with disabilities. Sustainable design is to be adopted in the material selection and embracing the natural environment to minimize maintenance.

The Heritage Officers Committee (HOC/the committee hereon) discussed the revised Heritage Impact Assessment (HIA) requested as per the letter dated 02 September 2022, issued by case officer, John Pakwe, with reference to discussions that took place on 31 August 2022 at an HOC meeting wherein the application was initially considered. After careful consideration, the committee, as informed by the HIA and the submitted draft Basic Assessment Report (dBAR), identified that previous land uses in the proposed development area were largely agricultural activities including cultivation.

The HIA findings suggests that there are no heritage resources existing in the proposed development area and the committee concurs owing to previous land uses. While the palaeosensitivity of the area is high, it is indicated in the HIA report that "the basement rocks, dolomites, sandstones, shales, coals, quartzites, basalts and volcanic rocks in the project area are typical for the country and do not contain any fossil material". However, it is also mentioned that rocks of this type and age are potentially fossiliferous and therefore a monitoring protocol must be implemented.

It is against this background that the committee resolved not to object to the proposed development within the limits of the standard conditions, and recommendations made by the author of the HIA presented to the Institute, Jean Beater of JLB Consulting ([Musa SS HIA | SAHRA](#)). Furthermore, the applicant is advised to observe a strict Chance Finds Protocol for potentially existing palaeontological resources.

The Developer **MUST** adhere to the following conditions:

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 Amafa and Research Institute.
3. Under no circumstances may any heritage material be destroyed, inundated, collected, or removed from the site unless under the direction of the KwaZulu-Natal and Amafa Research Institute and a heritage specialist.
4. Should any remains, that could potentially be human remains be found on-site, the South African Police Service (SAPS) should be contacted, and the KwaZulu-Natal Amafa and Research Institute must be notified immediately.
5. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu-Natal Amafa and Research Institute.
6. No activities are allowed within 50m of a site that contains rock art.
7. 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 and environmental (NEMA) 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 constituted 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



John Pakwe
Heritage Officer
KwaZulu-Natal Amafa and Research Institute

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/603927>

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.