



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: Hibiscus Coast Local Municipality

Physical Address 10 Connor Street, Port Shepstone, 4240 Postal Address PO Box 5, Port Shepstone, 4240

Proposed Nositha Road Upgrade, Nositha Village, Ward 27, Hibiscus Coast Local Municipality, Ugu District. The existing road to be upgraded is a Type 6 District Gravel Road, 4.4 km in length and 5m wide. The project will involve the resurfacing of the Nositha Main Road to black top, and the construction of stormwater drains. The construction will occur at six different positions of existing culverts.

The application for comment in terms of section 38(8) of the National heritage legislation and NEMA comprising of the Heritage Impact Assessment Study by Gavin Anderson and the Basic Information Document by Afzelia Consulting has been reviewed. The Heritage Desktop Study highlights that while historical maps indicate that several settlements and/or buildings occur within 50m of the proposed road, most of these have been destroyed and/or built over. It also stresses that some will not be affected by the road upgrade and fall outside of the road reserve. These homestead sites could harbour graves and should be treated as sensitive areas. All graves outside formal cemeteries are generally protected by heritage legislation and should not be disturbed, damaged, altered or exhumed and relocated without a permit from Amafa and written permission of relatives or concerned families in this community.

Since it is indicated that the development entails road upgrade and refurbishing of existing storm water culverts it is not anticipated that the development will encroach beyond the existing footprint.

In the event that the developer considers road widening beyond the existing footprint, a phase 1 HIA is triggered and the developer should engage the services of a Heritage practitioner to conduct a field based assessment involving mapping out sensitive zones including graves as some homesteads are abandoned and are not necessarily known and protected by community members. The map should be used by the construction team to avoid inadvertent damage to graves and sensitive areas.

Amafa has no objection to the development provided that the developer operates within the prescribed parameters.

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.
3. No activities are allowed within 50m of a site, which contains rock art.



Our Ref: SAH16/10161

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CaseID: 10161

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4. 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 legislation.

Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu Natal Heritage Resources Act could lead to legal action being instituted 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

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/369821>
(EDTEA, Ref:)

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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