



Enquiries: Bernadet Pawandiwa
Tel: 033 394 6543
Email: bernadep@amafapmb.co.za
CaseID: 11365

Date: Tuesday September 05, 2017

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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: Mr S.S. Nkosi

Basic Assessment of the proposed upgrading of the gravel District Roads D1841, D1842 and D1884 from Ndumo to EKuhlehleni, Jozini Local Municipality, KwaZulu-Natal. The required road works start at kilometre 0,0 in Nudmo Town at the intersection of Main Road 435 and continues through the towns of Mbadleni, Kume, Magwandu and terminates at eKuhlehleni totalling a length of approximately 32,10 kilometres. The existing gravel road will be upgraded to a Class R3 (Rural Minor Arterial) single carriageway consisting of 6,5-metre-wide surfaced road, 1-metre-wide surfaced shoulders in both directions, including adequate stormwater drainage facilities provided. It is proposed that the road upgrades will include widening of the road to accommodate a road reserve of a minimum 30 metre width. The existing road will also be widened in several places to accommodate the deeper cuttings, higher fills and major intersections. The proposed route itself will be a surfaced width of between 8 metres and 9 metres, primarily falling within the existing road and track alignments.

Thank you for the opportunity to comment on this development proposal. The heritage expert Frans Prins of Active Heritage located six heritages sites on the footprint and made the following recommendations with which we concur:

1. The Two Stone Age surface scatters - these should be delineated with a 30m buffer. No development or removal of artefacts may take place within this zone.
2. Four Grave Sites. - the developer should maintain a buffer of at least 35m around these sites. This would be possible by alternating the road trajectory slightly in the near vicinity of the grave sites. Alternatively, a phase two heritage impact assessment may be instituted in order to relocate the relevant graves. Should this be considered, a public consultation process should be instituted.
3. A section of the proposed road upgrade is situated in a cultural landscape where age old subsistence strategies and relationships with the land and natural environment is still being maintained. It is suggested that the developer avoids fields, fields, pans, and trees with cultural significance in this area. No new access roads may be constructed without a phase two heritage impact assessment addressing Living Heritage concerns in this region. A report on the living heritage component backed by evidence of social consultation should be submitted to Amafa and the recommendations therein should be included in the EMP.

The Heritage Practitioner should delineate all sensitive zones and monitor the sites for the duration of the construction phase of the project.

The developer should note that in terms of the KwaZulu-Natal Heritage Act (Section 36(1)) a permit is required for the destruction, damage, excavation, alteration, of battlefields Sites, Archaeological Sites, Rock Art Sites,



Amafa AkwaZulu-Natali
Heritage KwaZulu-Natal
Erfenis KwaZulu-Natal

PO Box 2685, Pietermaritzburg 3200
Tel: 033 394 6543, Fax: 033 342 6097
Email: amafaddps@amafapmb.co.za
Website: www.heritagekzn.co.za

**PROPOSED NDUMO TO EKHLEHLI (D1841, D1842, D1884 – 32.1 KM) ROAD
UPGRADE, JOZINI LOCAL MUNICIPALITY, KWAZULU-NATAL**

Our Ref: SAH17/11365



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Paleontological Sites and Meteorite or Meteorite Impact Sites. A permit is also mandatory in terms of Section 36(4) of the KZN Heritage Act for the exhumation, destruction, ownership or collection of any object or material associated with a Battlefield site, Archaeological site, Rock Art Site, Paleontological site and Meteorite or Meteorite Impact Sites.

Amafa has no objection to the development provided the developer operates within limits of the prescribed conditions.

Considering that the proposed project could impact on unrecorded subsurface graves, structures, archaeological and palaeontological resources that are protected in terms of sections 33, 34, 35, and 36 of the KwaZulu-Natal Heritage Act (No. 4 of 2008) as well as sections 34, 35, and 36 of the NHRA 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.
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.

This decision is **valid for a period of two years.**

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



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Heritage KwaZulu-Natal
Erfenis KwaZulu-Natal

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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/405820>
(DoT kzn, Ref: DC27/0004/2017)

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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