

Richards Bay Waterfront Rezoning and Redevelopment

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: City of Umhlatuze Local Municipality

The City of uMhlatuze has applied for an Environmental Authorisation (EA) in support of the SPLUMA application to rezone the existing Richards Bay Waterfront. The area is located within Ward 2 of the City of uMhlatuze and King Cetshwayo District Municipality along the Richards Bay Estuary within the suburb of Meerensee. This proposal aims to fulfil the goal of the applicant, City of uMhlatuze, to redevelop the Richards Bay Waterfront to maximise usage and unlock economic potential while opening the area for further use by tourists and locals. The City of uMhlatuze feels that the current project area is well suited to support this kind of development with a key motivator being that the area is already partly transformed and disturbed thus avoiding large scale greenfield developments. However, to meet this goal, the City of uMhlatuze first has to formulate new developable rights/zoning for the land. As explained above this process is handled in a SPLUMA application however to advise on these developable rights/zoning an environmental assessment to required. The City of uMhlatuze believes that undertaking an environmental assessment at such an early stage is key to strategically developing the area. Consequently, this application aims to provide a high-level environmental approval in support of the SPLUMA application and does not aim to dictate details at a site-specific level. Therefore it is important to note that any further development/changes to the proposed layout that falls outside of this application and trigger additional listed activities would need to follow a separate amendment process if the EA is granted.

The Heritage Officers Committee considered the deviation of the previously not objected to layout plan and proposed development activities on the 16 November 2022. As noted in the Final Basic Assessment report, the deviation of the initial proposal is as follows:

- the Pelican Island has been removed from the layout plan as it has been handed over to Transnet SOC Ltd,
- the layout has been modified to ensure the water dependent land uses are located in an area of the bay that has been used to accommodate keeled sailing and larger power-driven crafts.

Given that the layout plan will be modified in such a way that the proposed development will not extend to areas not included in the initial plan, the committee resolved not to object to the modification of the layout plan. The following standard conditions must be adhered to:

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 remain, 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. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu-Natal Amafa and Research Institute.
5. No activities are allowed within 50m of a site that contains rock art.
6. 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





HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

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Date: Wednesday November 16, 2022

CaseID: 18725

Our Ref: SAH22/18725

John Pakwe
Heritage Officer
KwaZulu-Natal Amafa and Research Institute

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/598497>
(EDTEA, Ref: DC28/0007/20222)

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.