

**SECTION 24 G APPLICATION FOR ILLEGAL COMMENCEMENT OF IFIDI  
VEHICULAR BRIDGE**

Our Ref: SAH15/7559

Enquiries: Bernadet Pawandiwa  
Tel: 033 394 6543  
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CaseID: 7559

Date: Wednesday April 29, 2015

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## 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: KwaZulu-Natal - Department of Transport  
Private Bag X9043  
Pietermaritzburg  
3200

**KZN Department of Transport is proposing construction of a single lane vehicular bridge with pedestrian crossing attached to it at the community of Sandlwana, Ward 5 in Bergville under Okhahlamba Municipality. The proposed structure is 95m long by 5.7m wide. It is proposed over Ifidi River. It must also be mentioned though that as this application is known as S24G application it is due to the illegal commencement by DOT without the approval of EDTEA. The department EDTEA through their routine inspection have identified 5 structures which all have been upgraded but without the authorisation or approval of EDTEA. 4 of these structures are already built excluding Ifidi, which the department only dug the holes in preparation for concrete pillars. Full details in the report attached.**

Thank you for the invitation to comment on the Environmental documents relating to the Ifidi bridge. In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological sites over 100 years old and/ or paleontological sites, Traditional Burial places, graves of victims of conflict, informal graves, graves older than 60 years, battlefields, places to which oral history is attached, living heritage sites, structures older than 60 years, cultural and natural landscapes are protected. They may not be disturbed without a permit from the relevant heritage resources authority. This means that before such sites are disturbed by development it is incumbent on the developer to ensure that a **Heritage Impact Assessment** is done.

It is noted that the Department of Transport had already commenced development on this site and has completed other structures within this region. The developer's attention is drawn to the fact that the Provincial Heritage Resources Authority requires developers to submit notification of intention to develop before commencing any activities on a site. The commencement of this and the other development in this sensitive area constitutes a crime in terms of the heritage legislation and a fine should be meted for illegal commencement of the development. It is noted that the Department of Environmental Affairs has already meted some punishment for this transgression and the Provincial Heritage Resources Authority condones the developer in this particular case. The developer is however required to refrain from such illegal activities in future as appropriate legal action will be taken if this is repeated.

Based on the information provided in the submitted documents as well as our database search, the proposed development may impact on heritage resources such as archaeology, rock art and palaeontology. There is a possibility of damage or disturbance of heritage resources in this area. In terms of the heritage legislation, development within or in the vicinity of a known conservation area and also within 50m of a rock art site should be subjected to an impact assessment. Considering the sensitive nature of this region, the developer is required to submit a Full Heritage Impact Assessment Report. This assessment must not only assess impacts in terms of the development footprint, but must also assess broader, indirect impacts to heritage that may result from the proposed development. **A Phase 1 Heritage Study and a palaeontological field assessment**



Amafa AkwaZulu-Natali  
Heritage KwaZulu-Natal  
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**and protocol for finds is required**

N.B. (See the website of the PSSA, <http://www.palaeontologicalsociety.co.za> for a list of fossil specialists and also download the list of Heritage Practitioners from our website [www.heritagekzn.co.za](http://www.heritagekzn.co.za) ).

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

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Bernadet Pawandiwa  
Senior Heritage Officer  
Amafa/Heritage 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/266539>  
(EDTEA, Ref: dc23/S24G/0001/2014)

**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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Heritage KwaZulu-Natal  
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