

Additional Residential Infrastructure in the Western Portion of Seaton Estate (Lalela Precinct)

Final Decision

IN TERMS OF SECTION 38(4) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 41(4) OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)

Attention: Sherpa Trade & Invest 31 (Pty) Ltd

P.O.Box 263,
La Lucia
4153

Sherpa Trade and Invest 31 (Pty) Ltd are the holders of two valid Environmental Authorisations for the development of Seaton Estate, KwaDukuza Municipality. A 4500m² area in the western portion of Seaton Estate ("Lalela" precinct) was never assessed for the development of residential infrastructure within 32m of watercourses. A separate application for Environmental Authorisation is underway.

The Heritage Officers Committee meeting considered your application on 28 September 2022. As indicated by the Desktop HIA by Frans Prins, there are no known heritage resources within the proposed development footprint. However, the SAHRIS Paleo-sensitivity Map rated the area as very high. The PIA by Marion Bramford indicated that surface activities will not impact fossil heritage if preserved in the proposed development footprint because there is a small chance that they might exist in the soil. However, a fossil Chance Finds Protocol is recommended, and the committee concurs with this recommendation.

From a heritage perspective, there is no substantiative reason to object to this development, therefore, the committee resolved not to object to the proposed development within the limits of the stipulated mitigation measures. The Developer is also required to adhere to the following standard conditions.

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 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. 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 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



John Pakwe
Heritage Officer
KwaZulu-Natal Amafa and Research Institute

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/605480>
(EDTEA, Ref: DC29/0021/2022)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.



KWAZULU-NATAL
AMAFA
& RESEARCH INSTITUTE

HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

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Tel: 0333946543

Date: Wednesday September 28, 2022

CaseID: 19593

Our Ref: SAH22/19593

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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.