

Our Ref:

Enquiries: Tara van Niekerk
Tel: 021 465 2198
Email: tvniekerk@wc.sahra.org.za
CaseID: 1755

Date: Thursday June 13, 2013

Page No: 1



Response to NID (Notification of Intent to Develop)

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Andre Ras

Transnet is currently researching the feasibility of constructing a Dig-Out Port at the Old Durban International Airport Site

SAHRA has received a Notification of Intent to Develop for the proposed Transnet Durban Dig Out Port Project. From the documentation received SAHRA has noted that the proposed development extends below the high water mark and could potentially impact heritage sites.

In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including maritime and underwater cultural heritage sites older than 60 years lying in the territorial waters and maritime cultural zone falls under the protection of the act and is the responsibility of SAHRA.

In terms of Section 35 of the NHRA Act 25 of 1999, these sites may not be disturbed without a permit from the relevant heritage resources authority.

In terms of Section 38 of the NHRA Act 25 of 1999, before such a permit can be issued it is the responsibility of the developer to ensure that a Heritage Impact Assessment be done on the entire area affected by the proposed development. This should include an archaeological component and any other applicable heritage component. Once a Phase 1 Assessment is completed and submitted it will be at the discretion of the relevant Heritage Authority to decide whether a Phase 2 mitigation would be required.

The SAHRA's Maritime and Underwater Cultural Heritage Unit is in agreement with AMAFA's decision that a Heritage Impact Assessment be carried out in the proposed area. The Kwazulu Natal area is a known spot for shipwrecks of heritage value and any shipwrecks that are more than 60 years old falls under protection of National Heritage Resources Act 25 of 1999 Section 35. A specialist report, in this case by a Maritime Archaeologist, is therefore required in terms of Section 38 (3) in which a thorough survey of the affected area below the high water line is completed and any MUCH resources found be assessed according to its significance and impact by the proposed drilling and any other activity that is to occur as part of the development.



The South African Heritage Resources Agency

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Transnet Proposed Durban Dig-Out Port Project



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Page No: 2

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

Yours faithfully

Tara van Niekerk
Heritage Officer: Maritime Unit
South African Heritage Resources Agency

Shawn Berry
Acting Manager: MUCH
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/114458>

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 SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.



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