

Construction and Operation of the Wembezi Commercial Development

Final Comment

IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 41 OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)

Attention: Mr David Moor
Klipplaats Family Trust

The Klipplaats Family Trust is proposing to develop a commercial center on Portion 51 (of 7) of the Klipplaat Drift Farm No1009, uThukela District Municipality. The land is zoned "Agricultural" in terms of the Town Planning Scheme. Phase 1 of the development will involve the establishment of shops, a taxi rank, offices, and a service station (storing 69 000 cubic metres of fuel) covering an area of about 7 ha. Phase 2 of the development will involve the creation of eighteen plots to be zoned for light industry, each approximately 0.5 ha in size.

The Heritage Officers Committee meeting discussed the new information emailed to the case officer in a meeting held on 16 March 2022. The committee concurred with Lindsay Napier that the structure that is within the area demarcated for development is modern and does not have heritage nor architectural significance. A form A application to demolish the structure is therefore no longer required in terms of Section 37 of the KwaZulu-Natal Amafa and Research Institute Act no. 05 of 2018.

The committee further reconsidered asking for a Phase II Heritage Impact Assessment in support of the recommendation made in the Phase I assessment. The Heritage Officers Committee meeting resolved not to object to the overall proposed development within the stipulated mitigation measures, subject to the below 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 site unless under 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 which 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



Mxolisi Dlamuka
Head of Secretariat and Administration
KwaZulu-Natal Amafa and Research Institute

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/587496>
(EDTEA, Ref:)

Terms & Conditions:

HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

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Date: Wednesday March 16, 2022

CaseID: 17359

Our Ref: SAH21/17359

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.