



## **ESTABLISHMENT OF EIGHT (8) RESIDENTIAL ERVEN AND AN ACCESS ROAD AT THE SEATON RESIDENTIAL ESTATE**

**Our Ref: SAH19/14517**

Enquiries: Bernadet Pawandiwa

Date: Monday November 18, 2019

Edit view Tel: 033 394 6543

Page No: 1

Edit view Email: bernadetp@amafapmb.co.za

CaseID: 14517

### **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: Sherpa Trade & Invest 31 (Pty) Ltd

#### **Sherpa Trade & Invest 31 (Pty) Ltd propose to establish 8 residential erven and an access road at the Seaton Residential Estate, KwaZulu-Natal.**

The application for comment has been considered and is hereby approved in light of the findings of the surveys conducted on the project. While Frans Prins did not identify any archaeological or heritage sites on the footprint or within 50m from the proposed development, Professor Marion Bamford conducted a palaeontological survey and compiled the following Chance Find Protocol /Monitoring Programme for Palaeontology to be incorporated into the EMPr and to commence once the excavations for foundations, roads and amenities begin:

1. The following procedure is only required if fossils are seen on the surface and when excavations/mining commence.
2. When excavations begin the rocks must be given a cursory inspection by the environmental officer or designated person. Any fossiliferous material (shells, plants, insects, bone, coal) should be put aside in a suitably protected place. This way the mining activities will not be interrupted.
3. Photographs of similar fossil plants must be provided to the developer to assist in recognizing the fossil plants in the shales and mudstones (for example see Figure 1.5). This information will be built into the EMP's training and awareness plan and procedures.
4. Photographs of the putative fossils can be sent to the palaeontologist for a preliminary assessment.
5. If there is any possible fossil material found by the developer/environmental officer/miners then the qualified palaeontologist sub-contracted for this project, should visit the site to inspect the selected material and check the dumps where feasible.
6. Fossil plants or vertebrates that are considered to be of good quality or scientific interest by the palaeontologist must be removed, catalogued and housed in a suitable institution where they can be made available for further study. Before the fossils are removed from the site a SAHRA permit must be obtained. Annual reports must be submitted to SAHRA as required by the relevant permits.
7. If no good fossil material is recovered then no site inspections by the palaeontologist will be necessary. A final report by the palaeontologist must be sent to SAHRA once the project has been completed and only if



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Edit view Email: [bernadetp@amafapmb.co.za](mailto:bernadetp@amafapmb.co.za)

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there are fossils.

8. If no fossils are found and the excavations have finished then no further monitoring is required.

KwaZulu Natal Amafa And Research Institute therefore has no objection to the development within limits of the prescribed recommendations and mitigation measures.

You are also required to adhere to the below-mentioned 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 and Amafa Research Institute.
3. Under no circumstances may any heritage material be destroyed or removed from site unless under direction of the KwaZulu Natal and Amafa Research Institute and a heritage specialist.
4. Should any remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu Natal and Amafa 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 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



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Bernadet Pawandiwa  
Senior Heritage Officer  
KwaZulu-Natal Amafa and Research Institute

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/530679>

Edit view (EDTEA, Ref: DC29/0009/2019)

**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.