

**Proposed Newcastle Landfill Project, KwaZulu Natal - GCS5072**

Our Ref: SAH18/12499

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**FINAL COMMENT**

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

Attention: The Newcastle Municipality

**RE: Environmental Impact Report for the Newcastle Landfill Project, KwaZulu-Natal**

Thank you for submitting the application for comment in terms of the KwaZulu Natal Amafa and Research Institute Act, Act 05 of 2018 and the National Heritage Resources Act, Act 25 of 1999. The proposed development will include the following infrastructure: a canteen, guardhouse, perimeter fence, leachate management infrastructure, site offices, staff ablutions, storm water management system, a weighbridge and a workshop, as well as an access road and other roads on site.

The Heritage Impact Study by Digby Wells has been considered and it is noted that two heritage resources; stonewalls were recorded during the field survey. The activity is earmarked in an area with very high fossil sensitivity. The Institute concurs with the heritage practitioner recommendations that the infrastructure be aligned in such a way so as to create a buffer zone between the identified heritage resources and the development footprints to minimise the risk to the heritage resources. The heritage practitioner should monitor the activities to ensure that an appropriate buffer is set between the identified heritage resources and the development. While the study indicates that the development is likely to be a threat to fossils of the *Glossopteris* genus the Institute does not object to the development provided that a Fossil Finds Procedure and a Chance Finds Procedure is developed and implemented prior to the commencement of the construction phase of the Project and the recommendations for the presence of a qualified palaeontologist to oversee any excavations for the project is adhered to.

The Institute therefore has no objection to the development provided that the developer operates within the limits of the prescribed parameters.

You are also required to adhere to the below-mentioned standard conditions:

Conditions:

1. Amafa/the 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 Institute (Amafa).
3. Under no circumstances may any heritage material be destroyed or removed from site unless under direction of Amafa 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 Institute( Amafa).
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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James van Vuuren  
Deputy Director: Support Services, Technical

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.