



## Final Comment

### In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)

Attention: UMhlabuyalingana Local Municipality  
R22 Manguzi Main Road  
Private Bag X 901  
Kwa-Ngwanase

**The existing Mbazwana Landfill is located 1.28km directly east of the R22. It is nestled between indigenous shrubland, and in the site surrounds are various pine plantations, such as the Sibayi Plantation 1.2km to the north-east and the Mbazwana Plantation 2.3km to the south-east, as well as a third plantation 1.7km to the west. Two hundred metres south of the site lies a community known as Hagaza. The edge of Mbazwana town is approximately 3.3km south of the site. Sodwana Bay, which is a local tourism drawcard, is located 13.4km south-east of the site. The landfill is located on Reserve No. 14 15834/20, and is accessed from an unnamed road that branches east off the R22 ((Surveyor-general Cadastral Code 21 digit site N0HV00000001583400020).**

We acknowledge receipt of your invitation for comment with regards to the proposed development. It is noted that the area proposed for the development is underlain by sediments that have a moderate fossil sensitivity . This would have triggered the need for a paleontological desktop study but it is noted that the site is disturbed as it is an existing illegal landfill that is being regulated. The general area is also associated with Stone Age and Late Iron Age deposits. We however note that the site is largely disturbed by the current land use and any field survey is not likely to yield surface finds. Waste disposal activities can therefore continue on this disturbed site as planned.

The developer is reminded that it is an offence to commence development without consulting the relevant heritage authority in terms of both the National Heritage Resources Act, Act 25 of 1999 and the KwaZulu Natal Heritage Resources Act, 4, 2008. In future charges will be laid against the Municipality should there be contravention of the heritage legislation.

Although Amafa has no objection to this development within limits of the stipulated site specific conditions, the developer is also required to adhere to the below-mentioned standard conditions:

#### Conditions:

1. Amafa should be contacted if any heritage objects are identified during earthmoving 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 Amafa.
3. No activities are allowed within 50m of a site, which contains rock art.
4. 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.

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





Enquiries: Bernadet Pawandiwa  
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CaseID: 8897

Date: Thursday February 04, 2016

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above in the case header.

Yours faithfully

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Bernadet Pawandiwa  
Senior Heritage Officer  
Amafa/Heritage KwaZulu Natal

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Annie van de Venter Radford  
Deputy Director: Research, Professional Services and Compliance  
Amafa/Heritage KwaZulu Natal

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/351158>  
(EDTEA, Ref: )

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

