



## **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: Nquthu Local Municipality

The Department of Environmental Affairs (DEA) commissioned a study in 2007, completed in 2009, that aimed at identifying and determining the number of waste disposal facilities in South Africa that are not licenced. Of a total of 581 sites that were identified, 431 needed to be licenced. It was evident from the study that Local Municipalities (LMs) did not have adequate training or funding for lodging applications to licence their unlicensed waste disposal facilities or the management thereof. The Minister undertook to begin the process of licencing these sites, with a target that all would be licenced by 2013/2014. Subsequently, the DEA has identified an additional 57 municipal waste disposal facilities which must be licenced during the 2014/15 financial year. The licencing of the Nondweni landfill falls within the scope of this process. The existing Nondweni landfill is located 1.5 km south of Msebe Street, also known as the R15. This road intersects with the R68 in Nquthu, 13 km to the west. It is located on a plain in an area where there is mainly grassland. The site serves the town of Nquthu, the village of Nondweni, and the surrounding rural settlements. Nondweni is located in the uMzinyathi District Municipality in KwaZulu- Natal. The landfill is located on Portion 0 of the Farm Nondweni 17144, and is accessed via an unnamed track that branches off Road 54 in Nondweni.

We acknowledge receipt of your invitation for comment with regards to the proposed existing landfill site and note that the site is already disturbed as the landfill is already illegally operational. According to our database, the landfill site is underlain by sediments of moderate fossil sensitivity. This means that any earth-moving work that results in exposing bedrock is likely to expose fossil deposits of significance. The general area is also known to be associated with heritage resources such as archaeological deposits and it is our opinion that the existing development has resulted in the burying of valuable information. This constitutes an illegal activity in terms of heritage legislation as described in the National Heritage Act, Act 25, 1999 but you are condoned in this particular case. The developer is therefore required to ensure that any future expansion of the existing landfill site is subjected to Heritage Impact Assessment.

Amafa has no objection to the development as the site is already disturbed.

You are 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.



**Waste Management License for the Operation of the existing unlicensed  
Nondweni Landfill  
Our Ref: SAH15/8899**



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CaseID: 8899

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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 above in the case header.

Yours faithfully

Bernadet Pawandiwa  
Senior Heritage Officer  
Amafa/Heritage KwaZulu Natal

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/351173>  
(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.



**Amafa AkwaZulu-Natali  
Heritage KwaZulu-Natal  
Erfenis KwaZulu-Natal**

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