



**KWAZULU-NATAL  
AMAFA AND RESEARCH  
INSTITUTE**

*THE KZN PROVINCIAL HERITAGE  
RESOURCES AUTHORITY*

**APPLICATION FORM J**

Ref/Amafa ID:

File Ref:

EIA no:

Date Received:

Filter Com Recommendation:

Comment date:

**APPLICATION IN TERMS OF THE SECTION 41 OF THE KWAZULU-NATAL  
AMAFA AND RESEARCH INSTITUTE ACT (5/2018) AND THE NATIONAL  
HERITAGE RESOURCES ACT (SECTION 38) FOR COMMENT ON THE  
PROPOSED DEVELOPMENT OF A SITE**

PLEASE NOTE IT IS AN OFFENCE IN TERMS OF THE KWAZULU-NATAL HERITAGE ACT, 2008 TO MAKE ANY FALSE STATEMENT OR FAIL TO PROVIDE REQUIRED INFORMATION IN THIS APPLICATION ([Detach and Consult the attached guidelines before completing this form](#)) THE ONUS IS ON THE APPLICANT TO ENSURE THAT THE CURRENT APPLICATION FORM IS USED. APPLICATIONS ON NON-COMPLIANT FORMS WILL NOT BE PROCESSED

**ALL APPLICATION FORMS, DEVELOPMENT PROPOSALS, PHOTOGRAPHS, MOTIVATION, AND PROOF OF PAYMENT ARE TO BE UPLOADED TO THE SAHRIS SYSTEM ([www.sahra.org.za](http://www.sahra.org.za)). A hard copy must also be delivered to 195 Langalibalele Street, Pietermaritzburg, 3201 OR posted to Box 2685, Pietermaritzburg, 3200. In the case of a failure of the sahris system the application can be emailed to [archaeology@amafapmb.co.za](mailto:archaeology@amafapmb.co.za) and [bernadetp@amafapmb.co.za](mailto:bernadetp@amafapmb.co.za).**

**A. DEVELOPMENT DETAILS**

1. PROJECT TITLE:

Application for a mining permit over a portion of the Remaining Extent of the farm Elands Spruit No 5523, uThukela Magisterial District of KwaZulu-Natal Province.

2. PROJECT DESCRIPTION:

**Background Information:**

Raubex KZN (Pty) Ltd (hereafter referred to as RBX-KZN) holds a mining permit (DMRE ref no: KZN 30/5/1/3/2/10518 MP) to mine aggregate from a 4.9 ha area on the Remaining Extent of the farm Elands Spruit No 5523, uThukela District. The RBX-KZN permit will be valid until February 2023 (upon renewal).

During the application process for the abovementioned mining permit, AMAFA required that a Heritage Impact Assessment (HIA) be done. In response to the request, a HIA and desktop Palaeontological Study were done by HCAC in collaboration with Dr Lloyd Rossouw (see copies attached to this document) who did not find any archaeological sites or artefacts of significance. The palaeo report concluded that there are no major palaeontological grounds to suspend the proposed development provided that all excavations are restricted to within the boundaries of the footprint. The reports were submitted to AMAFA (through the SAHRIS website).

**Project Description:**

Subsequently, Raubex Construction (Pty) Ltd (hereafter referred to as the “Applicant”) identified the need for a mining permit for dolerite from the above mentioned 4.9 ha area, to secure the resource for a SANRAL tender for the upgrade of the N11 that borders the farm to the east. The Applicant entered into an agreement with RBX-KZN to apply for the proposed mining permit over the current mining permit area of RBX-KZN. The application is also accompanied with a Transfer of Liabilities Application agreed to between the two interested parties.

The project proposal will be the same as the one that was proposed for the RBX-KZN mining permit, in that the Applicant intends to expand the existing quarry with 4.9 ha over an area that was partially used for mining purposes and partially for grazing purposes. The quarry was previously mined for aggregate and is approximately 26 km north-east of the town of Ladysmith. The proposed expansion of the quarry will allow the applicant to mine the remaining dolerite source as well as rehabilitate the abandoned quarry pit upon closure of the site. The area will be mined by an open cast mining method. This method consists of blasting of the hard rock followed by excavation of the loosened rock by excavators, loading of it onto tipper trucks which then transport the rock to the crushing plant where it is crushed into desirable sizes depending on orders or end-uses.

The existing farm road (turning from Collings Pass Road) will be used to gain access to the proposed mining area. Haul roads, inside the approved mining area, will be extended as mining progress.

During the site establishment phase the applicant will have to clear the topsoil and overburden from the expansion area to open it for drilling, blasting, and stockpiling. Upon stripping, the topsoil and overburden will be stockpiled along the boundaries of the mining area to be used during the rehabilitation phase. The landowner uses the areas to the north, east and west of the quarry for grazing purposes. The area to the south is used for agriculture.

A high voltage Eskom power line passes the property to the South. The nearest pylon of the power line is  $\pm 83$  m from the proposed mining area. The Collings pass road ( $\pm 80$  m) and the N11 national road ( $\pm 730$  m) passes the proposed site respectively on the western and eastern sides. The proposed mining site is  $\pm 150$  m from a residential dwelling to the southeast and  $\pm 210$  m from an earthen dam of the landowner (north). A drainage line with associated wetland area was identified within 500 m of the proposed mining area.

In summary, this application is for a new mining permit for dolerite by a new entity over the exact same area that was previously authorised to Raubex KZN (Pty) Ltd.

3. EXTENT OF THE SITE:	<b><math>\pm 49\ 000</math></b>	m <sup>2</sup>	<b>4.9</b>	ha
------------------------	---------------------------------	----------------	------------	----

EXTENT OF THE DEVELOPMENT AREA (m <sup>2</sup> ): <b>4.9 ha (<math>\pm 49\ 000</math> m<sup>2</sup>)</b>
--

**GPS CO-ORDINATES:** (Decimal format only)

SOUTH:	EAST:
<b>A. -28.368104°</b>	<b>29.939899°</b>
<b>B. -28.367003°</b>	<b>29.940269°</b>
<b>C. -28.367653°</b>	<b>29.943804°</b>
<b>D. -28.368678°</b>	<b>29.943691°</b>

1:50 000 SHEET no: T2829BD (1:20 000)	1:10 000 SHEET no: T2829 BD (1:10 000)
---------------------------------------	--

**B. PROPERTY DESCRIPTION:**

Name of property: <b>Elands Spruit</b>	Title Deed No. <b>T22070/2007</b>
Erf/Lot/Farm No: <b>5523</b>	GPS Co-ordinates <b>Refer to above coordinates</b>

Street Address: <b>N/A</b>	
Local Municipality <b>Alfred Duma Local Municipality</b>	District Municipality <b>uThukela DM</b>
Traditional Authority Area <b>N/A</b>	
Current zoning <b>Agriculture</b>	Present use <b>Abandoned quarry with grazing farmland surrounding it.</b>

<b>C. DEVELOPMENT TYPE:</b>					
<b>1. DECISION REQUIRED IN TERMS OF SECTION s41(1)</b> (tick the appropriate box/boxes)					
Linear Development/Barrier exceeding 300m in length e.g. road, pipe/power line, trench, canal or wall					<b>N/A</b>
Other similar form of linear development/barrier exceeding 300m in length					<b>N/A</b>
Construction of a bridge or similar structure exceeding 50m in length					<b>N/A</b>
Any development exceeding 5 000m <sup>2</sup> in extent or any other category of development provided for in regulations					<b>X</b>
Any other activity which would change the character of an area of land or water exceeding 10 000m <sup>2</sup> in extent					<b>X</b>
Any development involving three or more existing erven or sub-divisions thereof					<b>N/A</b>
Any other activity involving three or more existing erven or sub-divisions thereof					<b>N/A</b>
Any development or other activity involving three or more existing erven or sub-divisions thereof which have been consolidated within the past 5 years					<b>N/A</b>
Any development or other activity the costs of which will exceed a sum set out in the regulations					<b>N/A</b>
Re-zoning of a site exceeding 10 000m <sup>2</sup>					<b>N/A</b>
<b>2. DEVELOPMENTS THAT TRIGGER OTHER LEGISLATION (NEMA, ENVIRONMENTAL CONSERVATION ACT, MINERALS ACT, ETC)</b>					
<b>RESPONSE REQUIRED IN TERMS OF s41(8)</b> (tick the appropriate box/boxes)					
BID		BAR	<b>X</b>	EIA	<b>N/A</b>
EMP	<b>X</b>	WULA	<b>To be confirmed</b>	MPRDA	<b>X</b>
OTHER (describe)					

<b>D. IMPACT ON HERITAGE RESOURCES:</b>	
To your knowledge would the Development impact on any known heritage resources protected in terms of the KZN Amafa and Research Institute Act (5/2018), or is the development located in the vicinity of any of the above? If yes, the Heritage Practitioner must create a site on sahris pinpointing the position of the heritage resource/s discovered. (tick the appropriate box/boxes below)	
s37 - Structures or part thereof that can reasonably be expected to be over 60 years of age	<b>No</b>
s38 - Graves of victims of conflict,	<b>No</b>
s39 - Informal and private burial grounds (traditional graves or graves outside of a formal cemetery e.g. a farm cemetery that are over 60 years of age).	<b>No</b>
s40 - Battlefield sites , archaeological sites, rock art sites, palaeontological sites, historic fortifications, ruins over 100 years old, meteorite or meteorite impact sites and any objects or ecofacts associated therewith	<b>No</b>

s42 - Protected areas (is the site within a known protected area?)	No
s43 - Specially protected heritage resources are listed in Schedule of Heritage Resources	No
s44 - Heritage Landmarks including the site on which they are situated	No
s45 - Provincial Landmarks and the site on which they are situated (state owned)	No
s46 - Graves of members of the Royal Family listed in Schedule of Heritage Resources	No
s47 - Battlefield site, public monument or memorial listed in the Schedule of Heritage Resources and any public monument defined in the NHRA and protected in terms of Section 37 of the NHRA, & Section 47 of the KZN Amafa and Research Institute Act (5/2018)	No
s49 - Artefacts, or collections thereof on which Heritage Object status has been conferred	No

### E. CONTACT DETAILS


<b>1. APPLICANT'S DETAILS (OWNER OF PROPERTY)</b>	
NAME <b>Mr PF Oosthuizen</b>	
POSTAL ADDRESS	
N/A	POST CODE <b>3370</b>
TEL <b>073 226 7045</b>	FAX/EMAIL <b>N/A</b>
DECLARATION BY OWNER	
I, <u><b>Christine Fouché</b></u>	
(full names of owner/person authorized to sign on behalf of the owner) undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which the KZN Amafa and Research Institute may issue the comment to me.)	
 Signature _____ <b>(signed on behalf of the Applicant)</b> _____	
Place <u><b>Bloemfontein</b></u> Date <u><b>26 July 2022</b></u>	

### 2. DELEGATED AUTHORITY (The name of the person authorized to act on behalf the applicant where the owner is a company, trust, or institution – Power or Attorney/proof of authorization to be attached)


NAME <b>Christine Fouché</b>	
TEL <b>021 851 2673 / 082 811 8514</b>	FAX/EMAIL <b>086 546 0579</b>

### 3. DEVELOPER'S DETAILS

NAME(Company/institution/individual) <b>Raubex Construction (Pty) Ltd</b>	
POSTAL ADDRESS	
<b>P.O. Box 66192, Highveld</b>	POST CODE <b>0169</b>
TEL <b>031 700 6411</b>	FAX <b>086 236 5670</b>
CELL <b>082 461 5206</b>	EMAIL <a href="mailto:gary.c@raubex.com">gary.c@raubex.com</a>

 SIGNATURE (Signed on behalf of the Applicant)	DATE 26 July 2022
--	----------------------

#### 4. CONSULTANT'S DETAILS

NAME(Company/institution/individual) <b>Greenmined Environmental (Pty) Ltd</b>	
POSTAL ADDRESS	
<b>Suite 62, Private Bag X15, Somerset West</b>	<b>POST CODE 7129</b>
TEL <b>021 851 2673</b>	FAX <b>086 546 0579</b>
CELL <b>082 811 8514</b>	EMAIL <a href="mailto:Christine.f@greenmined.co.za">Christine.f@greenmined.co.za</a>
 SIGNATURE	DATE 26 July 2022

#### F. SUBMISSION FEE: R800.00 (subject to annual increment on the 1 April)

The submission fee is payable to the **KZN Amafa and Research Institute** by bank deposit/internet banking (EFT) and proof of payment must be submitted with the application.

##### ACCOUNT DETAILS:

**ABSA BANK: Branch: ULUNDI Bank Code: 630330**  
 Account in the name of **AMAFA AKWAZULU-NATALI**  
 Account No. 40-5935-6024  
 USE SAHRIS ID AS REFERENCE

**G. PUBLIC PARTICIPATION:** (Contact details of Interested and Affected Parties Consulted - written opinion to be attached to form and drawings to be signed by I & A P. See Guidelines)

Name **The public participation process will be conducted as part of the EIA (basic assessment) process and proof thereof will be included in the Basic Assessment Report (BAR) that will be forwarded to AMAFA for their perusal and commenting.**

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

#### H. CHECKLIST OF DOCUMENTATION SUBMITTED

HARD COPY APPLICATION FORM (COMPLETED & SIGNED BY OWNER, DEVELOPER & CONSULTANT)	<b>X</b>
APPLICATION FORM UPLOADED TO SAHRIS	<b>X</b>
MOTIVATION	<b>In process will form part of the BAR</b>
SITE PHOTOGRAPHS/CASE IMAGES	<b>Refer to NID</b>
1:50 000 MAP & SATELLITE AERIAL VIEW	<b>X</b>

KML FILE MAP	Uploaded to SAHRIS
SITE PLAN SHOWING ALL FEATURES & HERITAGE RESOURCES	N/A
DEVELOPMENT PLAN SHOWING ALL FEATURES & HERITAGE RESOURCES SUPERIMPOSED THEREON	X
PROOF OF PROFESSIONAL ACCREDITATION (e.g. copy of accreditation card/certificate)	N/A
PROOF OF PUBLIC PARTICIPATION	In process will form part of the BAR
ENVIRONMENTAL IMPACT ASSESSMENT	In process will form part of the BAR
HERITAGE IMPACT ASSESSMENT	X
CONSENT LETTER FROM THE OWNER	In progress
LETTER OF APPOINTMENT OF CONSULTANT	X
<b>PROOF OF PAYMENT OF SUBMISSION FEE (EFT/BANK DEP/AMAFA CARD)</b>	X

## KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE

THE KZN PROVINCIAL HERITAGE RESOURCES AUTHORITY  
(accredited in terms of the National Heritage Resources Act)

**GUIDELINES FOR THE PREPARATION OF APPLICATIONS FOR COMMENT FROM THE PROVINCIAL HERITAGE RESOURCES AUTHORITY ON DEVELOPMENT PROPOSALS IN TERMS OF SECTION 41 OF THE KZN AMAFA & RESEARCH INSTITUTE ACT (5 OF 2018) AND THE NATIONAL HERITAGE RESOURCES ACT (SECTION 38).** Please detach from the form before submission

NOTE: The provisions of s38 of the NHRA have been incorporated verbatim into s41 of the **KZN AMAFA & RESEARCH INSTITUTE ACT (5 OF 2018)**.

### APPLICATION FORMS

All applications must be made on the relevant official application form and must be accompanied by the relevant supporting documentation.

- A. DEVELOPMENT DETAILS:** Describe the proposed development and motivate and motivate the need and desirability for such a development. Details must be given of the work to be carried out – do not merely refer to the documents submitted.
- B. PROPERTY:** Include the name of the development where applicable. The FARM NAME is the key information and is used as a tracking device in the filing system. Where development is in an urban area the street address is key and if several street numbers apply to the site, all the numbers must be included.

**GPS CO-ORDINATES:** The KZN Amafa and Research Institute only accepts GPS coordinates in decimal format. Other formats may be provided in addition to the decimal format but not to the exclusion of the decimal format.

- C. DEVELOPMENT TYPE:** development applications are made either in terms of: s41(1) – check the list under C 1 – or s41(8) – check the list under C 2.
- D. HERITAGE RESOURCES:** Identify any heritage resources uncovered through initial scoping or through the Heritage Impact Assessment. Create a site on the step/page 1 of the application on sahris and pinpoint the positions of the resources on the google map provided. When heritage resources have been found the Institute will require that a Heritage Impact Assessment is carried out by a practitioner registered with the Institute and accredited to carry out such assessments. When appointing the Heritage Practitioner stipulate that the HIA must be uploaded to the application on sahris and that a hard copy must be provided to the Institute.  
NB: Section 39 of the KZN Amafa and Research Institute Act (5/2018) has been brought in line with the NHRA and limits the protection of traditional graves to those over 60 years of age.
- E. CONTACT DETAILS:** full contact details of all major players in the development are required.  
**DECLARATION:** The owner must sign the form and any accompanying documentation and must consent to submissions by a third party/agent.
- F. A SUBMISSION FEE** – a service fee determined by the Council of the Institute is payable on submission of all applications. **THE APPLICATION WILL NOT BE REGISTERED AS SUBMITTED IF THE PROOF OF PAYMENT IS NOT ATTACHED. USE THE SAHRIS CASE ID AS THE REFERENCE.**
- G. PUBLIC PARTICIPATION:**  
WHERE GRAVES ARE PRESENT COMMUNITY CONSULTATION MUST BE CARRIED OUT AND EVERY EFFORT MADE TO LOCATE AND CONSULT THE FAMILIES OF THE DECEASED PRIOR TO SUBMISSION OF THIS APPLICATION.  
The applicant will be notified of the level of public participation required and will have to bear the costs thereof. Neighbours, Ward Councillors, Traditional Leaders and Heritage Groups should be consulted in the case of demolition/destruction applications.

### **DOCUMENTS REQUIRED IN SUPPORT OF THIS APPLICATION**

All documentation submitted is retained for record purposes and interested and affected parties may apply to view the documentation.

- 1. SUPPORTING DOCUMENTATION: Only Heritage Practitioners registered with the Institute may compile the HIA and related supporting documentation. Permits will require their overseeing the work. Where architectural drawings are required, they must be authored by SACAP registered professionals.**
- 1.1. PHOTOGRAPHS OF EXISTING FEATURES, STRUCTURE/S ARCHAEOLOGICAL REMAINS, GRAVES, ETC AND THEIR SURROUNDINGS:**  
Photographs that clearly illustrate the features of the affected site relevant to the application must be submitted.
- 1.2. SITE PLAN:** The site plan must be drawn in accordance with the approved surveyor's diagram of the site and must show: scale; the north point; the erf/property/farm number of the site; the location of the site and any structures on it in relation to surrounding roads, buildings and other features; existing buildings, structures, and pools on the site (coloured grey or uncoloured); proposed work (coloured red) and buildings or portions of buildings proposed for demolition (in dotted lines); and the extent of the declared area (in the case of a proclaimed property). Heritage resources must be clearly marked on the plan.
- 1.3. KML MAP FILE AND AERIAL OR SATELLITE VIEWS OF THE SITE** that clearly illustrate the features of the affected site relevant to the application must be submitted.
- 1.4. 1:50 000 MAP OF THE SITE** that clearly illustrates the features of the affected site relevant to the application must be submitted.
- 1.5. ENVIRONMENTAL IMPACT ASSESSMENT** where required the EIA must be compiled in accordance with standards set out in regulations under the environmental legislation.
- 1.6. HERITAGE IMPACT ASSESSMENTS** must be submitted where any Heritage Resources are found. These reports must comply with the standards set out by the South African Heritage Resources Agency (go to [www.sahra.org.za](http://www.sahra.org.za) to download the standards) and may only be compiled by practitioners who have registered their accreditation for this work with the Institute. If the HIA is not submitted with the application, the Institute will notify the applicant of

the need to submit an HIA if there is reason to believe that heritage resources will be affected by the development.

2. **SUBMISSION OF APPLICATIONS:** Application forms can be downloaded from [www.heritagekzn.co.za](http://www.heritagekzn.co.za) – look under the “Permits” tab - download forms – Form J. Electronic submissions must be uploaded to the sahris system operated by the South African Heritage Resources Agency [www.sahra.org.za](http://www.sahra.org.za). The application must also be submitted in hard copy delivered to 195 Langalibalele Street, Pietermaritzburg, 3201 OR posted to Box 2685, Pietermaritzburg, 3200. In the case of a failure of the sahris system the application can be emailed to [archaeology@amafapmb.co.za](mailto:archaeology@amafapmb.co.za) and [bernadetp@amafapmb.co.za](mailto:bernadetp@amafapmb.co.za).

**When submitting on sahris note that you must still check Section 38 under the case type and KZN – Amafa** for the Provincial Heritage Resources Authority.

The applicant is the “owner” and the Assessor is the “Consultant” and the correct fields must be completed.

The Consent Letters allowing a developer to act on behalf of the owner or the Consultant to upload the case to sahris must be placed in the correct boxes which are blocked from public view.

The proof of payment must also be loaded to the designated box to prevent members of the public obtaining banking details, etc from the document.

3. **PROCESSING OF APPLICATIONS:** applications are processed in the order in which they are received, except during the December/January holiday break. The Institute will receipt the application and alert the applicant to any missing information within 2 weeks of submission. Allow 90 days for processing of complex applications as these may be submitted to external reviewers. Lobbying of external reviewers will disqualify the application. Written responses to applications will be uploaded to sahris. The application will not be responded to telephonically or via email unless the sahris system is not operating.

<p><b>*PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Allow 90 days from the receipt of all required documentation</b></p>
---