

**R-Bay Properties Chemical Warehouse, PMB**

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**Final Decision**

**IN TERMS OF SECTION 38 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: Mr Martin Klopper  
Richbay Chemicals (Pty) Ltd  
P.O. Box 368, Richards Bay, 3900

**R-Bay Properties (Pty) Ltd (R-Bay), a subsidiary of the Richbay Group of Companies (Richbay) proposes to construct a chemical warehouse for the storage of dangerous goods with a maximum capacity of 2 000 m<sup>3</sup>. The warehouse will be designed as a purpose built chemical warehousing structure. The project will entail the clearance of (potentially indigenous) vegetation on a site of 9 955 m<sup>2</sup>, in Shortts Retreat, Pietermaritzburg.**

The application was considered by the Provincial Heritage Authority, the KwaZulu-Natal Amafa and Research Institute on 28 June 2023. The documents submitted in support of the application were reviewed including the Palaeontological studies dated 24 March 2023. The site is situated within a highly developed industrial area and is largely disturbed by human activity. The PIA has also identified that it is extremely unlikely that any fossils would be preserved in the area and the greater Pietermaritzburg however, chance a find protocol must be followed in the event that a heritage resource is uncovered.

The KwaZulu Natal Amafa and Research Institute therefore has no objection to the proposed development

You are also required to adhere to the below-mentioned standard 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 Amafa and Research Institute.
3. Under no circumstances may any heritage material be destroyed, inundated, collected, 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 Amafa and 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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Sandisiwe Matole  
Heritage Officer  
KwaZulu-Natal Amafa and Research Institute



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Mxolisi Dlamuka  
Head of Secretariat and Administration  
KwaZulu-Natal Amafa and Research Institute

**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/611197>  
(EDTEA, Ref: DC22/0002/2023)