



KWAZULU-NATAL  
**AMAFA**  
A RESEARCH INSTITUTE

**APPLICATION FORM I (for Official Use)**

Ref:	
Date Received:	
Application no:	
Approved:	Not Approved:
Date of Permit:	
Permit No:	

**APPLICATION IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5/2018) FOR THE CONDONATION/ APPROVAL/RECTIFICATION OF THE UNLAWFUL COMMENCEMENT OR CONTINUATION OF WORK ON, OR DAMAGE TO, HERITAGE RESOURCES PROTECTED IN TERMS OF CHAPTERS 8 & 9 (sections 37 to 50, including both generally and specially protected heritage resources).**

This form is to be used for applications where work was commenced, alternatively completed without the prior written approval of the Institute in its capacity as the Provincial Heritage Resources Authority. If no work has been undertaken select the appropriate form from the website [www.heritagekzn.co.za](http://www.heritagekzn.co.za).

**NB: IT IS AN OFFENCE IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5/2018) TO MAKE ANY FALSE STATEMENT OR FAIL TO PROVIDE REQUIRED INFORMATION IN THIS APPLICATION (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, REQUIRED SUPPORTING DOCUMENTATION AND PROOF OF PAYMENT MUST BE SUBMITTED TO THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE AS PER THE GUIDELINES ATTACHED, THE TYPE OF CONTRAVENTION WILL DETERMINE THE METHOD OF SUBMISSION.**

**A. DECLARATION BY OWNER**

I, MATHEMBE AZIZ KHAN  
(full names of owner/person authorized to sign) undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which the KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE may issue the written approval of the work to me.

Signature [Signature]  
Place DURBAN Date 24 MARCH 2023

(The owner of the property must fill in these details and those in Section E: 3 and sign this document and any plans or other documents submitted in support of this application)

<b>B. PROPERTY DESCRIPTION:</b>		Title Deed No.
Name of property/Project title:		
Erf./Lot/Farm No:	GPS Co-ordinates	
Portion 1 of GRS 1220, Durban	-27.83.69.15 31.01.14.4 E.	
Street Address, Suburb, Town:		
221 Problem Mkhize (Covey) Road		
Local Municipality	District Municipality	
eThekweni	Traditional Authority Area - Same -	

Current zoning <b>Medium Density Housing</b>	Present use <b>Vacant House</b>
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**C. HERITAGE SIGNIFICANCE: (complete sections appropriate to site)**

**1. Status of Heritage Resources on the Site:**

Permanent Protection:	Heritage Landmark/ Provincial HL	Listed on the Heritage Register	Provisionally Protected (notice issued)	Site in a Protected Area
Generally Protected site containing:	Structures 60 years +	<input checked="" type="checkbox"/> Graves	Archaeological site Battlefield or rock art	Palaeontological material Meteor impact site

**2. Historical/Military Significance:**

*See Report*

References

**3. Architectural Significance:** Original date of construction:

Significance:

*See Report*

References

**4. Archaeological Significance:**

*See Report*

References

**5. Palaeontological Significance:**

*See Report*

References

**D. WORK CARRIED OUT WITHOUT PRIOR APPROVAL**

<b>1. Purpose of Application:</b>	Damage/destruction/demolition	<input checked="" type="checkbox"/>	Alterations/Additions
Redecoration	Disfigured Written/drawn on		Excavation



Exhumation		Inundation		Development	
Collection/Removal original site	from	Trade/export (heritage objects)		Restricted use of equipment s40(5)	of
Consolidation/Subdivision		Amendment of Plan		Other	

2. Existing improvements made on site:

See Report

3. Detail the work commenced/carried out

See Report

4. Motivation for work (Please motivate fully why work was commenced without approval)

See Report

KWAZULU-NATAL  
AMFEA

Status of work	Commenced		Stopped		Completed
Date commenced			Date stopped		Completion date


**E. CONTACT DETAILS**

1. CONTRACTOR (the person who has done or who will complete the work)

NAME	Not Appointed as yet
POSTAL ADDRESS	

		POST CODE
TEL	FAX/EMAIL	
CELL	QUALIFICATIONS	
REGISTRATION OF INDUSTRY REGULATORY BODY:		

**2. ARCHITECTURAL PROFESSIONAL/ HERITAGE PRACTITIONER**

NAME <b>Frank Rantz.</b>	
POSTAL ADDRESS <b>146 Currie Road</b>	
	POST CODE <b>4001</b>
TEL <b>-</b>	FAX/EMAIL
CELL <b>0718426357</b>	PROFESSIONAL REG. NO. <b>Pr Arch 20705</b>
Author's Drawing Nos.	
SIGNATURE 	DATE <b>12 April 2023.</b>

**3. OWNER OF PROPERTY (Owner or delegated person to sign on the front of this form)**

NAME <b>Mahomed Aziz Khan</b>	
POSTAL ADDRESS <b>671 Stepton Dlamini Road, Essenwood, Durban</b>	
	POST CODE <b>4001</b>
TEL	FAX/EMAIL

**4. DELEGATED AUTHORITY (The name of the person authorized to act on behalf of a company or institution - Power or Attorney/proof of authorization to be attached)**

NAME <b>N/A</b>	
TEL	FAX/EMAIL

**F. SUBMISSION FEE: R4000.00 (subject to annual increment on the 1 April)**

The submission fee is payable to the KwaZulu-Natal Amafa And Research Institute by bank deposit/internet banking (EFT) and proof of payment must be submitted with the application. USE STREET ADDRESS/FARM NAME or DEVELOPMENT/PROJECT TITLE OR SAHRIS ID NUMBER AS REFERENCE  
**ACCOUNT DETAILS:**  
 ABSA BANK: Branch: ULUNDI Bank Code: 630330  
 Account in the name of the KZN Amafa and Research Institute  
 Account No. 40-5935-6024

**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 \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax/Email \_\_\_\_\_

**H. CHECKLIST OF SUPPORTING DOCUMENTATION (see guidelines)**

APPLICATION FORM (COMPLETED & SIGNED BY OWNER & CONSULTANT)	
MOTIVATION/INCEPTION REPORT	
PHOTOGRAPHS*	
ORIGINAL/PREVIOUS DRAWINGS/REPORTS	



KWAZULU-NATAL  
AMAFA AND RESEARCH INSTITUTE

ISIKHUNGO SAMAFA NOCWANINGO  
SAKWAZULU-NATALI

KWAZULU-NATAL  
AMAFA- EN NAVORSINGSINSTITUUT



195 Langalibalele Street  
PO Box 2655  
Pietermaritzburg 3200

☎Tel: 033 394 6543

☎Fax: 033 394 6552

Email: [beadmin@amafapmh.co.za](mailto:beadmin@amafapmh.co.za)

🌐 [www.heritagekzn.co.za](http://www.heritagekzn.co.za)

Ref: 19/189L

21 November 2019

M.A. KHAN  
672 STEPHEN DLAMINI ROAD,  
ESSENWOOD,  
DURBAN, 4001

Dear M.A. KHAN,

**DEMOLITION: 221 PROBLEM MKHIZE ROAD, MORNINGSIDE, DURBAN:**

The permit application in respect of the above, received on the 21 August 2019, reviewed by the KwaZulu-Natal Amafa and Research Institute (Institute) on the 27 September 2019 refers. The properties were inspected from the street on the 29 October 2019. Please be advised as follows:

1. The building forms part of a group of similar buildings which are protected as Grade III heritage resources through Appendix 7 to the Town Planning Scheme that was adopted into the Provincial Heritage Register in 1997. As a heritage resource it should have been maintained to minimum standard. This has not been done, particularly over the last 5 years when it together with 217 and 225 Problem Mkhize Road had been left to be vandalised on a daily basis. This amounts to demolition by neglect and a Rectification of Unlawful Work application (Form I) must be submitted together with the balance of the fee applicable to that application (R3200.00). An affidavit from the owner stating why the buildings have been allowed to be damaged must accompany the application.
2. The building, together with the buildings on 217 and 225 Problem Mkhize Road must be repaired to the state they were when they were listed or to the last approved plans.
3. Whilst a demolition permit is refused, a proposal for the development across the rear of the three properties 217, 221, & 225 will be considered. The proposal needs to be illustrated in a form of Floor plan, site plan, and elevation as required in the guidelines.
4. Public participation is also required - consult all neighbours within 100m of the boundaries of the site.
5. As conveyed to your appointed agent, Mags Moodley, via telephone on the 01 October 2019 the application involves the consolidation of three or more sites so a Heritage Impact assessment is required. This Impact Assessment must include a condition assessment with recommendations for the rehabilitation of the buildings on the three sites.

Written responses/requests for reviews must be received via email to [beadmin@amafapmh.co.za](mailto:beadmin@amafapmh.co.za) within 30 days of the date of this letter or any decisions contained herein will be considered final. Six months from this letter is allowed for the submission of any required revised drawings/required documentation before the application lapses and a new application will be required.

THIS LETTER DOES NOT CONSTITUTE FORMAL APPROVAL OF THE PROPOSAL SUBMITTED TO THE INSTITUTE. UNAUTHORISED WORK CARRIED OUT ON THE ABOVE SITE WILL BE IN CONTRAVENTION OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5 of 2018).

Yours faithfully,

ROS DEVEREUX  
Head: Built Environment Section



R4 000.00 paid to kzn Amafa and  
research institute's bank account

Payment date

**26 March 2023**

Bank name

**ABSA BANK**

Account number

**4059356024**

Your reference


**amafa 221 problem mkhize**

Recipient's reference

**221 Problem Mkhize Rd (28 11TH**

Email notification

**beadmin@amafapmb.co.za**

 **Share proof of payment**

**Finish**

**New payment**



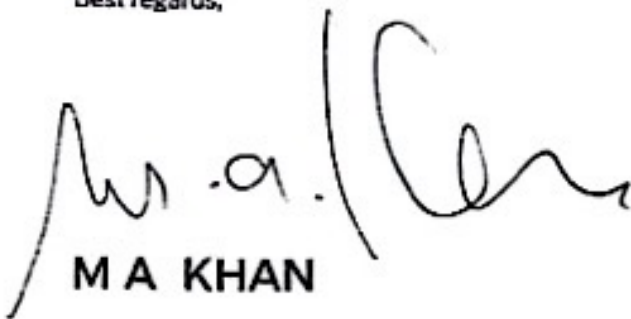
## Letter of Representative

25 March 2023

To whom it may concern:

I Mahomed Aziz Khan, have appointed FRANK REITZ to handle the demolition process with KwaZulu-Natal Amafa And Research Institute of 217, Problem Mkhize Road (24 11th Avenue), 221 Problem Mkhize Road (28 11th Avenue), 225 Problem Mkhize Road (32 11th Avenue) Durban. I grant him permission to request information/drawings from Town Planning to assist us in this process.

Best regards,



M A KHAN

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BEREA SAPS

FULL NAMES: Nadim Mahomed KhanIDENTITY NO: 97 08 11 5134 081RESIDENTIAL ADDRESS: 671 Stephan Dlamini RoadCELL NR: 065 963 1479

STATES UNDER OATH IN ENGLISH: The year 2011, upon the beginning of theft at 217-225 Problem Mkhize Road. Occurred at 221 Problem Mkhize RD when the deed of transfer had went through. We as the Khan family had lived in 217 Problem Mkhize RD (Cowey RD) was out of town. On arrival of our home (217 Problem Mkhize RD) we have found that the previous owners of 221 Problem Mkhize RD (Cowey RD) had dumped the keys of the property (221 Problem Mkhize RD) into our mailbox (217 Problem Mkhize RD) upon entry of (221 Problem Mkhize RD) we had noticed it was flooded and all the taps and copper had been stolen. The following year we had owned properties 217, 221, 225 Problem Mkhize Road (Cowey RD). In 2016 we had moved from 217 Problem Mkhize RD. Theft of our properties valuables had increased despite having two dogs, armed response and our own security checks. From the wiring to the aluminium doors, basically anything of value had been stolen. We replaced many items until it happened so often that our pockets could not keep up. Many criminals have been arrested, many have gotten away. Cases have been opened but on our side we did not record - the case numbers. Saps have it manually recorded with our ID numbers. Only the structure remains of the houses. In 2019 we had issues with a group of people who tried to claim all properties (217-225) as their own, with the help of Berea Saps and Covid-19 it quieted down. The last incident occurred in 20

I know and under the contents of this statement, I have no objection to taking the prescribed oath. I consider the prescribed oath to be binding on my conscience:

Signature of Deponent: N. Khan

2023-03-30


I certify that the Deponent has acknowledged that he/she knows and understands the contents of this statement which was sworn to before me and the deponent's Signature/mark/thumb print was placed thereon in my presence at

BEREA SAPS On: 23/03/29 COMMISSIONER OF OATH'S Signature Sgt 7182226-7NAMES AND SURNAME: I. Nabele 2 E.FORCE NO: 71822267 RANK: Sgt

182 BOTANIC GARDENS ROAD, BEREA, DURBAN 4001.



**BAD BUILDINGS (MAHATMA GANDHI PRECINCT) - AMAFA DISCUSSIONS**

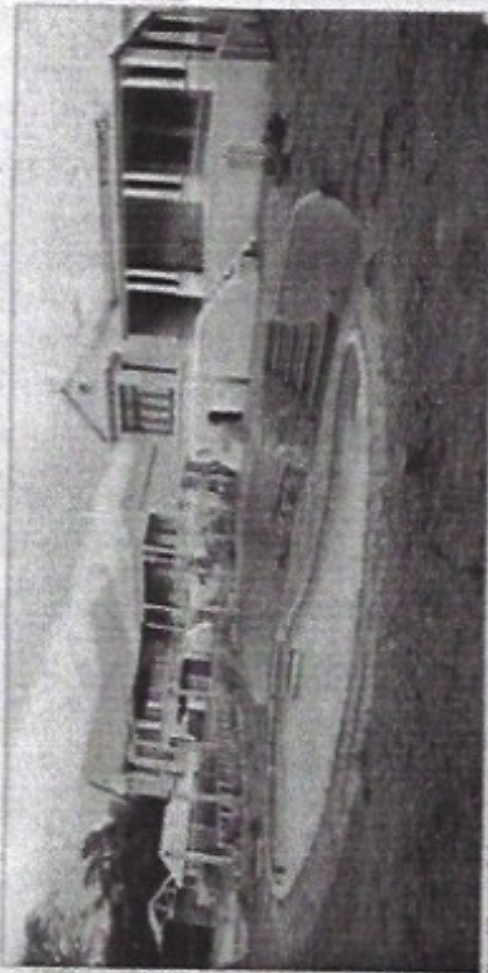
No.	Street Address and Name of Building	Type of the Challenge	Type of Ownership and Owner of Building	Zoning	Categorization / Process	Profiling of buildings	Planned Usage	Short Term (0-6 months) Medium Term (6-12 months) Long Term (>12 months)
<b>OUTER CITY</b>								
1	221 and 225 Problem Mikhize Road and 24 Eleventh Avenue, Berea, DURBAN							
		<ul style="list-style-type: none"> <li>1. Dilapidated</li> <li>2. Unmaintained</li> <li>3. Community and amenities affected</li> </ul>	Private	TBC	<ul style="list-style-type: none"> <li>1. Dilapidated Buildings And Council's Right To Repair Buildings And Recover Costs</li> </ul>		Residential	

# Whose heritage is it, anyway?

Having an organ of state determine which privately owned properties can or cannot be altered, and to what extent, surely has no place in our constitutional democracy

**Michael Pomplun**  
Executive Director  
National Trust for Historic Preservation

**T**he National Trust for Historic Preservation is a national organization that has been instrumental in the preservation of historic sites and buildings across the United States. The Trust's mission is to protect and preserve the nation's historic places for the benefit of present and future generations. The Trust's work is carried out through a variety of programs, including the National Historic Landmarks Program, the National Historic Register, and the National Historic Preservation Act. The Trust also provides technical assistance and grants to state and local historic preservation commissions. The Trust's efforts have resulted in the preservation of thousands of historic sites and buildings, including the White House, the Lincoln Memorial, and the Statue of Liberty.



Many politicians in DC have, such as this being in Washington, exhibited the attitude of treating without the permission of locals, the heritage built by local citizens. Many other places in DC have. Aerial view of the National Mall in Washington, DC, showing the many important monuments and structures.

of Congress, the President, and the courts. The National Trust for Historic Preservation is a national organization that has been instrumental in the preservation of historic sites and buildings across the United States. The Trust's mission is to protect and preserve the nation's historic places for the benefit of present and future generations. The Trust's work is carried out through a variety of programs, including the National Historic Landmarks Program, the National Historic Register, and the National Historic Preservation Act. The Trust also provides technical assistance and grants to state and local historic preservation commissions. The Trust's efforts have resulted in the preservation of thousands of historic sites and buildings, including the White House, the Lincoln Memorial, and the Statue of Liberty.

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■ Pomplun is a trustee