



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.

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, MATHOMBE 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: [Handwritten Signature]
Place: Durban Date: 24 MAR 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. PROPERTY DESCRIPTION: Title Deed No.

Name of property/Project title: _____

Crit/Lot/Farm No: Rem of Erf 1220, Durban GPS Co-ordinates: -29.83.67.07 S 31.01.15.07 E

Street Address, Suburb, Town: 225 Proben Mkhize (Covey) Road

Local Municipality: eThekweni District Municipality: _____
Traditional Authority Area: _____

Current zoning Medium Density Housing	Present use Vacant House.
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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 +	✓	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

1. Purpose of Application:	Damage/destruction/demolition	✓	Alterations/Additions
Redecoration	Disfigured Written/drawn on		Excavation

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

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 Frank Rantz	
POSTAL ADDRESS 146 Currier Road	
	POST CODE 4001
TEL	FAX/EMAIL
CELL 071 8426757	PROFESSIONAL REG. NO. Pr Arch 20205
Author's Drawing Nos.	
SIGNATURE [Signature]	DATE 12 April 2023

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

*

NAME Mahomed Aziz Khan	
POSTAL ADDRESS 672 Stephan Dlamini Road, Essenwood, Durban	
	POST CODE 4001
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 N/a.	
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 2685
Pietermaritzburg 3200

Tel: 033 394 6543
Fax: 033 394 6552

Email: beadmin@amafapmb.co.za
www.heritagekzn.co.za

Ref: 19/188L

21 November 2019

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

Dear M.A. KHAN,

DEMOLITION: 225 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 many of 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 generally protected 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 221 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 & 221 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@amafapmb.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 225 problem mkhize

Recipient's reference

225 Problem Mkhize Rd (32 11TH

Email notification

beadmin@amafapmb.co.za

 **Share proof of payment**

Finish

New payment

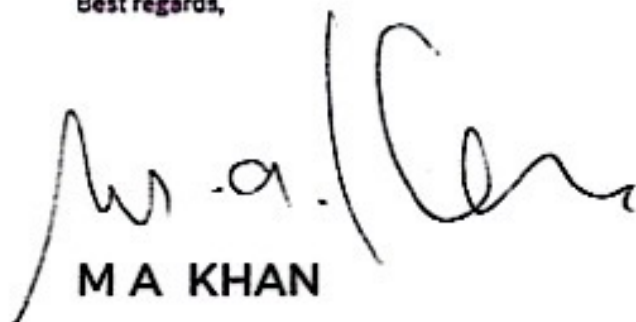
Letter of Representative

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



BEREA SAPS

AFFIDAVIT

FULL NAMES: Nadim Mahomed KhanIDENTITY NO: 97 08 11 5134 081RESIDENTIAL ADDRESS: 671 Stephen 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. Occured 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 Bera 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

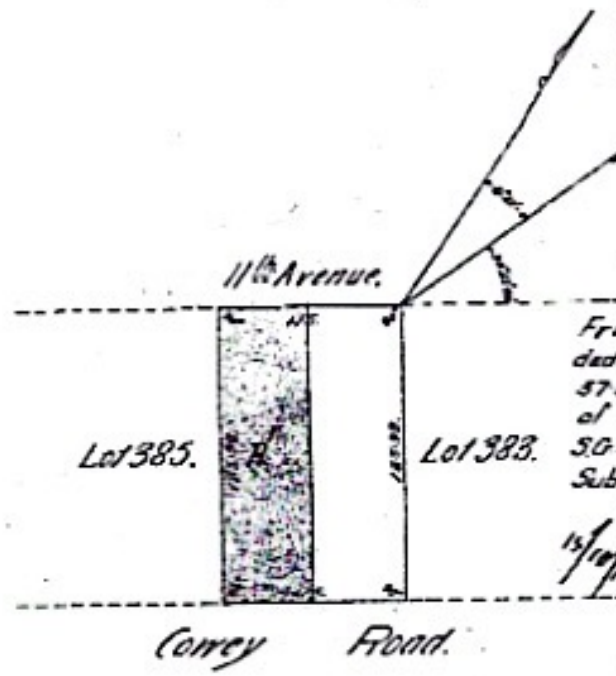
BEREA SAPS On: 23/03/29 COMMISSIONER OF OATH'S SignatureScm 7182226-7
OO 281100000NAMES AND SURNAME: I. Ncube 2E.FORCE NO: 71822267 RANK: Scm

182 BOTANIC GARDENS ROAD, BEREA, DURBAN 4001.

Original Instrument
 stamped L. & G. & D.
 J.P.
 Examined of Diagrams

S.G.O.
 Sub. Vol. 382 fol. 44
 4/4
 J.P. & D.

RECORDS REPLACED/RELOCATED	VIDE S.R. NO. 800/1910
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From this diagram I have
 deducted Sub^o X in extent
 57.575 pers leaving Firm^m
 of road 0.971 pers
 S.G.O. 1532 Alfred R. Jorgensen
 Sub. Vol. 431 Gov. Surveyor
 fol. 98 Sept 1918
 15/10/18 J.P. & D.

Lot 1220



Now known as NEW LOT 1220 DURBAN
~~Lot 384 Block AL of the Town Lands of Durban H. 1737~~

The above diagram represents the figure and extent of alt
 Acres 1.000 Rods 33.546 Perches of land being

Lot 384 Block AL Town Lands of the
Borough of Durban, Colony of Natal

Bounded:- N.E. by Lot 383.
 N.W. by 11th Avenue.
 S.E. by Corey Road.
 S.W. by Lot 385.

REG. DIV
 FU

Q 45


Surveyed by me:
 A. S. Jerkey
 Government Surveyor.

Oct. 1912
 1953/11/14

SR 20487

S

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)
OUTER CITY								
1	221 and 225 Problem Mkhize Road and 24 Eleventh Avenue, Berea, DURBAN	 <p>1. Dapidised 2. Unmaintained 3. Community and amenities affected</p>	Private	TBC	1. Dilapidated Buildings And Council's Right To Repair Buildings And Recover Costs		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 Pampallis

THE HISTORY recorded in the records of the National Trust for the United Kingdom is that in 1907 the first privately owned property was taken into the care of the Trust. Since then the number of such properties has grown to over 100,000. The Trust's success in this regard is due to the fact that it has been able to secure the support of the public and the Government.

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© Pampallis is a lawyer