



**KWAZULU-NATAL**  
**AMAFA**  
& RESEARCH INSTITUTE

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

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

**APPLICATIONS IN TERMS OF SECTION 51 OF THE NATIONAL HERITAGE RESOURCES ACT FOR THE CONDONATION/ APPROVAL/RECTIFICATION OF THE FAILURE TO OBTAIN APPROVAL FROM THE HERITAGE AUTHORITY PRIOR TO THE COMMENCEMENT/COMPLETION OF UNAUTHORISED WORK ON PROTECTED HERITAGE RESOURCES (including all generally and specially protected Heritage Resources in terms of Sections 37-50 of the KZN Amafa and Research Institute Act (5/2018))**

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.amafainstitute.org.za](http://www.amafainstitute.org.za) (look under Resources). THE ONUS IS ON THE APPLICANT TO ENSURE THAT THE CURRENT APPLICATION FORM IS USED. APPLICATIONS ON NON-COMPLIANT FORMS WILL NOT BE PROCESSED

**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)**

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, \_\_\_\_\_ALISON ANNE MISSELHORN AND PIERS JONATHAN KURE\_\_\_\_\_

(full names of owner/person authorized to sign) undertake to observe within reason 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 \_\_\_\_\_

Place \_\_\_\_\_KLOOF\_\_\_\_\_ Date \_\_\_\_\_21 SEPT 22\_\_\_\_\_

**(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 (provide all cadastral information pertaining to the site):**

Name of property: 44 Uplands Drive		Title Deed No.:028091/08
Erf/Lot/Farm No: Remainder Erf 1892	Size of land:2190 m <sup>2</sup>	GPS Co-ordinates:
Street Address: 44 Uplands Drive, kloof, 3610		Suburb: Kloof
Town/Local Municipality: eThekwini		District Municipality: eThekwini

Current zoning: Residential	Present use: Home
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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 +	<b>X</b> <b>Estimated as over 60 years</b>	Graves	Archaeological site Battlefield or rock art	Palaeontological material Meteor impact site

**2. STATEMENT OF SIGNIFICANCE** – usually, but not exclusively, the significance includes Historical/Military, Aesthetic/Architectural, Spiritual, Social, Linguistic, Associations with a particular person/community/event, Archaeological/ Palaeontological, environmental and/or other cultural value:

**Significance is not clear as exact age of structure is not documented or certain. There are some rooms in the house that have Oregon floors downstairs, and some areas that appear newer and are concrete blocks - including the verandah, dining room, kitchen, study, and bathrooms.**

**It is known that a number of features have been added by the previous owners (including for example the stained glass windows in the downstairs bathroom which were made during the 2000s for them to match the floors, and most of the interior Oregon Pine doors.)**


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

1. Purpose of Application:	Damage/destruction/demolition	Alterations/Additions	x
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	
<b>2. Existing Improvements made on site:</b>					

<b>3. Detail the work commenced/carried out</b>
A second storey was added to site in 2010

<b>4. Motivation for work</b> (Please motivate fully why work was commenced without approval)
We had no idea that the building was older than 60 years or required approval additional to municipal approval. The title deed does not indicate it is this age, and the municipality did not advise we needed any additional approvals. Further, its come to our attention that our architect Brian Lee was on the Board of AMAFA at the time and did not alert us to any further approvals that were relevant.

<b>5. Estimated Cost of the work:</b>						
Status of work	Commenced	2010	Stopped		Completed	2010
Date commenced			Date stopped		Completion date	

**E. CONTACT DETAILS**

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

NAME: Terrence Gray- Framecon
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POSTAL ADDRESS: unknown- has emigrated	
	POST CODE
TEL	FAX/EMAIL: info@framecon.co.za
CELL: 083 2287770	QUALIFICATIONS
REGISTRATION OF INDUSTRY REGULATORY BODY:	

<b>2. ARCHITECTURAL PROFESSIONAL/ HERITAGE PRACTITIONER</b>	
NAME Lee Sanders Architects	
POSTAL ADDRESS: 258 Wakesleigh Road	
Bellair, Durban	POST CODE: 4094
TEL	FAX/EMAIL
CELL: 083 262 8340	PROFESSIONAL REG. NO.
Author's Drawing Nos.	
SIGNATURE	DATE

<b>3. OWNER OF PROPERTY</b> (Owner or delegated person to sign on the front of this form)	
NAME: Alison Misselhorn and Piers Kure	
POSTAL ADDRESS: 44 uplands drive, kloof	
	POST CODE 3610
TEL: 0824888391	FAX/EMAIL

<b>4. DELEGATED AUTHORITY</b> (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

<p><b>F. SUBMISSION FEE: R4000.00</b> (subject to annual increment on the 1 April)</p> <p>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.  <u>USE STREET ADDRESS/FARM NAME or DEVELOPMENT/PROJECT TITLE OR SAHRIS ID NUMBER AS REFERENCE</u>  <b>ACCOUNT DETAILS:</b>  <b>ABSA BANK: Branch: ULUNDI Bank Code: 630330</b>  Account in the name of <b>the KZN Amafa and Research Institute</b>  <b>Account No. 40-5935-6024</b></p>
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<p><b>G. PUBLIC PARTICIPATION:</b> (Contact details of Interested and Affected Parties Consulted - written opinion to be attached to form and drawings to be signed by I &amp; A P. See Guidelines)</p> <p>Name _____  Telephone _____ Fax/Email _____</p>
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H. CHECKLIST OF SUPPORTING DOCUMENTATION (*ref to guidelines)	YES
APPLICATION FORM (FULLY COMPLETED, INCLUDING MOTIVATION) & AFFIDAVIT/SWORN STATEMENT	yes
PHOTOGRAPHS*	no

ORIGINAL and PREVIOUSLY APPROVED DRAWINGS*		yes
PLANS - NUMBERED AND COLOURED *		yes
TITLE DEEDS		yes
PROOF OF PROFESSIONAL ACCREDITATION & LETTER OF APPOINTMENT		n/a
PROOF OF PUBLIC PARTICIPATION*		n/a
PAYMENT/PROOF OF PAYMENT <u>(use street address as reference)</u>		yes
1:50 000 MAP & SATELLITE AERIAL VIEW		KML FILE MAP



KWAZULU-NATAL  
**AMAFA**  
 & RESEARCH INSTITUTE

# KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE

THE KZN PROVINCIAL HERITAGE RESOURCES AUTHORITY  
(accredited in terms of the National Heritage Resources Act and established in terms of the  
KZN AMAFA AND RESEARCH INSTITUTE ACT (5 OF 2018))

GUIDELINES FOR THE PREPARATION OF APPLICATIONS IN TERMS OF SECTION 51 OF  
THE NATIONAL HERITAGE RESOURCES ACT FOR THE CONDONATION/  
APPROVAL/RECTIFICATION OF THE FAILURE TO OBTAIN APPROVAL FROM THE  
HERITAGE AUTHORITY PRIOR TO THE COMMENCEMENT/COMPLETION OF  
UNAUTHORISED WORK ON PROTECTED HERITAGE RESOURCES (including all  
generally and specially protected Heritage Resources in terms of Sections 37-50 of the KZN  
Amafa and Research Institute Act (5/2018))

Please detach from the form before submission

## APPLICATION FORMS

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

- A. DECLARATION:** The owner must sign the form and any accompanying documentation and must consent to submissions by a third party/agent.
- B. PROPERTY:** Include the name of the property where applicable: e.g. Government House. The street address or farm name and number is the key information and is used as a tracking device in the filing system. Where several street numbers apply to the site, all the numbers must be included.
- C. STATEMENT OF SIGNIFICANCE: This statement must cover the heritage value and may include the following:** (Sites are permanently protected as Heritage Landmarks (ex-national monument status) or listed on the Heritage Register. Details of the significance are given in the Gazette notice proclaiming the status. Provide the Gazette Notice number or the listing number.)
- 2. HISTORICAL SIGNIFICANCE:** a brief history of the occupation of the site and phases of construction, as well as an assessment of historical significance is necessary.
  - 3. ARCHITECTURAL SIGNIFICANCE:** An assessment of the condition of the buildings/structures on the site must be given. Provide an analysis of the styles and phases of construction of the building, including alterations and additions and a statement of its architectural significance. A full status quo architectural report must be provided, together with the plans.
  - 4. ARCHAEOLOGICAL SIGNIFICANCE:** An assessment of the condition and significance of the archaeological remains must be provided
  - 5. PALAEOLOGICAL SIGNIFICANCE:** An assessment of the condition and significance of the palaeontological remains must be provided
- D. WORK CARRIED OUT WITHOUT APPROVAL:** Motivate and give full details of the work carried out and give reasons why this was done without obtaining heritage authority approval prior to commencement. Detail the work to be carried out – do not merely refer to the plans/report submitted. As this is a serious offence punishable through hefty fines and/or a prison sentence if not approved by the heritage authority the applicant must treat this process as if it were a court proceeding and provide as much evidence in mitigation as possible.
- E. CONTACT DETAILS:** All fields must be completed. **THE OWNERS MUST SIGN THE APPLICATION FORMS!! PERMITS ARE NOT TRANSFERABLE**
- G. PUBLIC PARTICIPATION:** the applicant will be notified of the level of public participation required and will have to bear the costs thereof. Neighbours within 100m, Ward Councillors, and Heritage Societies should be consulted in the case of demolition applications. All documentation submitted is retained for record purposes and interested and affected parties may apply to view the documentation.
- F. A SUBMISSION FEE** – a service fee determined by the Council of the Institute is payable on submission of all applications. This is not an admission of guilt fine and the Institute reserves its rights to prosecute offenders. The application will not be registered as submitted if the proof of payment is not attached to the application form. Ref the street address or farm name on the payment.

**\*SUPPORTING DOCUMENTATION: Only accredited professionals registered with their respective professional bodies may compile the supporting documentation. Permits may require their overseeing the work.**

**AFFIDAVIT OR SWORN STATEMENT:**

The owner and all those involved in the failure to obtain prior approval for the work that was commenced or completed must submit an affidavit or sworn statement detailing when the work was commenced, why the work was commenced/completed without prior approval from the heritage authority, the nature of the work that was commenced/completed without approval – specific details of the work to be provided and, if the work was not carried out by the current owner/applicant, details of the person/s who carried out the work.

**FOR STRUCTURES:** PLEASE REFER TO THE GUIDELINES ATTACHED TO FORM A which can be downloaded from the website [www.amafainstitute.org.za](http://www.amafainstitute.org.za) under the tab “Resources” ORIGINAL AND PREVIOUSLY APPROVED PLANS MUST BE SUBMITTED.

Only work that has been commenced or completed must be shown on the drawings.

Work that is proposed to be undertaken in addition to the regularization of unlawful work must be shown on a separate set of drawings and attached to a Form A application for prior approval of that work.

**FOR ARCHAEOLOGICAL SITES:** PLEASE REFER FORM D which can be downloaded from the website [www.amafainstitute.org.za](http://www.amafainstitute.org.za) under the tab “Resources”, AND TO THE SA HERITAGE RESOURCES AGENCY AND ASSOCIATION OF SOUTH AFRICAN PROFESSIONAL ARCHAEOLOGISTS GUIDELINES AND PRESCRIPTS FOR REPORTS AND WORK ON HERITAGE SITES, which can be downloaded from [www.sahra.org.za](http://www.sahra.org.za).

**FOR PALAEOANTHROPOLOGICAL SITES:** PLEASE REFER FORM D which can be downloaded from the website [www.amafainstitute.org.za](http://www.amafainstitute.org.za) under the tab “Resources”, AND TO THE SA HERITAGE RESOURCES AGENCY AND ASSOCIATION OF SOUTH AFRICAN PROFESSIONAL ARCHAEOLOGISTS GUIDELINES AND PRESCRIPTS FOR REPORTS AND WORK ON HERITAGE SITES, which can be downloaded from [www.sahra.org.za](http://www.sahra.org.za).

**FOR DEVELOPMENT APPLICATIONS (NHRA Section 38 and KZN A & R I Section 41)** REFER TO THE GUIDELINES ATTACHED TO FORM J which can be downloaded from the website [www.amafainstitute.org.za](http://www.amafainstitute.org.za) under the tab “Resources” AND THE GUIDELINES FOR HERITAGE REPORTS, which can be downloaded from [www.sahra.org.za](http://www.sahra.org.za).

**SUBMISSION OF APPLICATIONS:** Application forms can be downloaded from [www.amafainstitute.org.za](http://www.amafainstitute.org.za) – look under the “RESOURCES” tab - FORMS – Form I.

All applications must be uploaded to the Sahriss system operated by the South African Heritage Resources Agency (confirm upload to [khanyi.zondi@amafainstitute.org.za](mailto:khanyi.zondi@amafainstitute.org.za)). Remember to tick “Amafa” under the KZN Province so that the application is deposited in the correct inbox on the system. The owner’s details must be entered into the “Applicant” field and the professional’s details must be entered into the “Consultant” field.

**PROCESSING OF APPLICATIONS:** complete applications are processed in the order in which they are received, except during the holiday break 15 Dec – 15 Jan. Allow 10 working days for the initial review and a further 10 days for processing. The processing of complex applications will take longer. Written responses to applications will be uploaded to the case on Sahriss exclusively. Enquiries will be dealt with through the messaging system on Sahriss. Email will only be used if the Sahriss system becomes inoperable.

**\*PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Allow 30 days from the receipt of all required documentation**