

37 Main Road, Malvern

Letter

IN TERMS OF SECTION 34(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 37 OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)

Attention: Rev Rajendran Raju Naidoo

Box 561156
Chatsworth
4030

Alteration & Addition: 37 Main Road, Malvern, Queensburgh Ref: 10/3Ptn/02 12-482 Rectification of failure to obtain prior approval for deviations to the approved plans

The application was for illegal deviations to the approved plans. Rectification of certain elements was required in terms of revised drawings. Amafa staff were required to inspect once the rectification work was completed.

The inspection took place on the 31 May 2022 and all was found to be in accordance with the drawings.

Please be advised as follows:-

- (1) The Institute was unable to consider the merits of the application as the work had already commenced, alternatively, has been completed;
- (2) As a result, a permit cannot now be issued;
- (3) Attention is drawn to the fact that failure to obtain a permit prior to the commencement of the work, was in contravention of the provisions of The KwaZulu-Natal Institute Act (5 of 2018), and as such is a criminal offence for which the culprit/s may be prosecuted;
- (4) However, The Institute has decided to condone the failure to obtain a permit, as required, on condition that the work was conducted strictly in accordance with **Lindsay Napier drawing no sheet 1 of 1, dated NOV 2019, received by the Institute on 2019-09-09.**
- (5) **Prior written approval from The Institute is required for any deviation to the approved plans.**

(6) No legal action will be instituted in this instance and this letter serves as approval for the work shown on the approved drawings.

PLEASE NOTE THAT THE ABOVE IS A STRUCTURE PROTECTED IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5 OF 2018). A PERMIT MUST BE OBTAINED PRIOR TO ANY WORK BEING CONDUCTED IN THE FUTURE. FAILURE TO DO SO IS A CRIMINAL OFFENCE THAT IS PUNISHABLE BY A TERM OF IMPRISONMENT OR A FINE, OR BOTH. THE PROPERTY MAY ALSO BE FORFEITED TO THE STATE. FURTHERMORE, A MORATORIUM MAY BE PLACED ON ANY DEVELOPMENT ON THE PROPERTY.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully



Ros Devereux
Head: Built Environment Section
KwaZulu-Natal Amafa and Research Institute



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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/117250>