



Final Decision

In terms of Section 33(1) of the KwaZulu-Natal Heritage Act (Act 4 of 2008) and the National Heritage Resources Act (Act 25 of 1999)

Attention: Mrs Janell Joy Muller

14 Abergeni Crescent
Umgeni Park
Durban
4051

Proposed Alterations and Additions to 14 Abergeni Crescent Umgeni Park Durban, Portion 25 of erf 248. Approved plan 162 11 09. As Built Deviation plan

We acknowledge receipt of your application for a permit to carry out work on the above property on 28 November 2013. Amafa reviewed the application on the 2 December 2013.

Please be advised as follows:-

- (1) Amafa was unable to consider the merits of the application as the work had already commenced, alternatively, has been completed (before the building fell under the protection contained in the Heritage Legislation);
- (2) As a result, a permit cannot now be issued;
- (3) We would like to draw your attention to the fact that your failure to obtain a permit prior to the commencement of the work, is in contravention of the provisions of the KwaZulu-Natal Heritage Act (4 of 2008), and as such is a criminal offence for which you may be prosecuted;
- (4) However, Amafa has decided to condone your failure to obtain a permit, as required, on condition that the work was conducted strictly in accordance with **DRAWING SERVICES (Herve Ferriere) drawing H-CF/72 sheets 1 & 2, dated 03 NOVEMBER 2013, received by Amafa on 28 November 2013**, and that all the work shown on the application is completed within a calendar year of the date of this letter.
- (5) **Prior written approval from Amafa is required for any deviation to the approved plans.**
- (6) No legal action will be instituted against you in this instance.

Please note that the above is a structure protected in terms of the KwaZulu-Natal Heritage Act (4 of 2008), and that 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





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CaseID: 4286

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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
Amafa/Heritage KwaZulu Natal

Annie van de Venter Radford
Deputy Director: Research, Professional Services and Compliance
Amafa/Heritage KwaZulu Natal

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/146471>

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to Amafa immediately.
3. Amafa reserves the right to request additional information as required.

