



## APPLICATION FORM I

Ref: 12212  
Date received \_\_\_\_\_  
Application No \_\_\_\_\_  
Application approved  not approved   
Date of permit/notification \_\_\_\_\_  
Permit No \_\_\_\_\_

### APPLICATION IN TERMS OF THE KWAZULU-NATAL HERITAGE ACT (4 OF 2008) FOR THE CONDONATION/APPROVAL/RECTIFICATION OF THE UNLAWFUL COMMENCEMENT OR CONTINUATION OF WORK ON, OR DAMAGE OF, PROTECTED HERITAGE RESOURCES

PLEASE NOTE: IT IS AN OFFENCE IN TERMS OF THE KWAZULU-NATAL HERITAGE ACT, 2008 TO MAKE ANY FALSE STATEMENT OR FAIL TO PROVIDE REQUIRED INFORMATION IN THIS APPLICATION (Detach and Consult the attached guidelines before completing this form)

THE ONUS IS ON THE APPLICANT TO ENSURE THAT THE CURRENT APPLICATION FORM IS USED. Application forms are available on the website [www.heritagekzn.co.za](http://www.heritagekzn.co.za) - "Permits" – Form I

ALL APPLICATION FORMS, DEVELOPMENT PROPOSALS, PHOTOGRAPHS, MOTIVATION, AND PROOF OF PAYMENT ARE TO BE DELIVERED TO: Amafa aKwaZulu-Natali, 195 LANGALIBALELE (LONGMARKET) STREET, PIETERMARITZBURG, 3201 OR POSTED TO: BOX 2685 PIETERMARITZBURG 3200. Enquiries 033-394 6543 or Fax 033-394 6552 (For proof of payment not applications)

#### A. DECLARATION BY OWNER

I, Rabindra Dukhi

(full names of owner/person authorized to sign) undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which Amafa aKwaZulu-Natali may issue the permit to me.

Signature 

Place DURBAN

Date

24/06/2018

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

#### B. PROPERTY DESCRIPTION:

1. Name of property: Ocean Terrace Title Deed No. T18102/1999

2. Erf/Lot/Farm No: ERF 986

Street Address: 56 Ocean Terrace, Isipingo Beach, 4133

Local Municipality eThekweni Municipality

District Municipality eThekweni Municipality

GPS Co-ordinates 30° 00' 06.13" S; 30° 56' 38.47" E

3. Current zoning General Residential 1 Present use Residential

4. Detail of Structures or improvements on site Multi-storey Residential Complex

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**C. SIGNIFICANCE:**

**1. Status of the Site:**

Heritage Landmark	n/a	Provincial Heritage Landmark	n/a	Listed on the Heritage Register	n/a	Heritage Conservancy	n/a
Provisionally Protected (notice issued)	n/a	Generally protected structure	n/a	Generally protected archaeological site	n/a	Generally protected grave or battlefield	n/a

**Government Gazette Notice of Protection** KwaZulu-Natal Heritage Act (4 of 2008)

2. Historical/Military Significance: The existing development is within an urban residential area.

The possibility of chance finds of items of heritage significance are low to none. Details of the phases of construction are included in the cover letter above. A Heritage Impact Assessment will not be conducted unless requested by AMAFA.

References n/a

3. Architectural Significance: Details of the project as well as phases of construction are all included in the cover letter above. Layout plans are included below.

References n/a

4. Archaeological Significance: The possibility of chance finds of items of archaeological significance are low to none.

References n/a

5. Palaeontological Significance: The possibility of chance finds of items of palaeontological significance are low to none.

References n/a

## D. UNLAWFUL WORK

1. Purpose of the work (Indicate the reason by marking the relevant box)

Damage/Demolition		Alteration/Addition	✓	Repair/Redecoration	
Removal from site		Subdivision		Amendment of Site Plan	

2. Date when the work was first commenced by AKR Property Contractor - 10 June 2016

3. Current Status of the Work (mark appropriate box)

Completed	✓	Stopped pending application outcome		Stopped prior to finalisation	
Underway/continuing		Decommissioned and the site rehabilitated		Decommissioned and the site abandoned	

4. Detail of the work (Provide full details on the nature and purpose of the work – use a separate sheet if necessary)

1World Consultants (Pty) Ltd have been appointed by AKR Property Development (Pty) Ltd to undertake the required environmental services for the rectification of the unlawful commencement and continuation of a listed activity situated at 56 Ocean Terrace, Isipingo Beach located within eThekweni Municipality. AKR Property Development (Pty) Ltd has commenced with the aforementioned activity, which was at all relevant times, listed pursuant to section 24(2) of NEMA as an activity that requires environmental authorisation prior to commencement. The construction of the multi-storey residential complex necessitated excavation of soils within 100m of the High Water Mark of the Sea. A detailed description of works are included on the attached cover letter above.
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1. Motivation (Motivate the purpose of the work and why it was begun/completed unlawfully)

AKR Property Development (Pty) Ltd took over the property on 06 May 2016, however, at this stage the site was already cleared, and construction had commenced. AKR Property Development (Pty) Ltd had appointed their independent Contractor on 10 June 2016. The property owner, Rabindra Dukhi, also amended the building plans to include an additional storey on the building. His attention was only brought to the environmental authorisation requirements, when he enquired it at the Municipality level, following recommendation by his architect to ensure that authorisations were in place. Refer to the cover letter above for a full motivation and background information.
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## E. CONTACT DETAILS

1. CONTRACTOR (the person who will do the work)

NAME Tuskana Developments (Pty) Ltd	
POSTAL ADDRESS 23 Lyttleton Avenue, Reservoir Hills	
Durban	POST CODE 4001
TEL 031 262 8245	FAX N/A
CELL 081 370 0685	QUALIFICATIONS N/A
REGISTRATION OF INDUSTRY REGULATORY BODY: NHBC and Master Builders Association	

**2. HERITAGE ARCHITECT/HERITAGE PRACTITIONER/CONSERVATOR**

NAME		n/a - No heritage specialist has been appointed as the development is complete	
POSTAL ADDRESS			
			POST CODE
TEL		FAX	
CELL		SACAP/ASAPA REG. NO.	
Author's Drawing Nos.			
SIGNATURE		DATE	

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

NAME				Mr. Rabindra Dukhi							
POSTAL ADDRESS								P.O. Box 515, Mount Edgecombe			
Durban						POST CODE		4300			
TEL				031 507 7473				FAX		n/a	

**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				Rabindra Dukhi							
TEL				031 507 7473/ 083 797 6051				FAX		N/A	

**F. SUBMISSION FEE: R3000.00 (subject to annual increment on the 1 April)**

The submission fee is payable to **Amafa aKwaZulu-Natali** by cheque or bank deposit/internet banking prior to the processing of this application.

Banking details in case of direct deposits:

**ABSA BANK: Branch: ULUNDI Bank Code: 630330**

Account in the name of **AMAFa AKWAZULU-NATALI**

Account No. **40-5935-6024**

**NB: Proof of payment to be forwarded (faxed, posted or delivered) to our office**

**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 Refer to the cover letter attached as well as Appendix B for details of Public Participation.

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

**H. CHECKLIST OF SUPPORTING DOCUMENTATION**

**YES NO**

	YES	NO
APPLICATION FORM (COMPLETED & SIGNED BY OWNER & PLANS AUTHOR)	✓	
MOTIVATION/INCEPTION REPORT	✓	
PHOTOGRAPHS	✓	
ORIGINAL DRAWINGS	✓	
PLANS (X2 SETS) - NUMBERED AND COLOURED	✓	
PROOF OF PROFESSIONAL ACCREDITATION (e.g. copy of accreditation card)	✓	
PAYMENT/PROOF OF PAYMENT	✓	



## *AMAFA aKWAZULU-NATALI*

### **GUIDELINES FOR THE PREPARATION OF APPLICATIONS FOR PERMITS FOR THE UNLAWFUL WORK ON ANY SITE PROTECTED IN TERMS OF SECTIONS 33,34, 35, 36, 38, 39, 40, 41, & 43 OF THE KZN HERITAGE ACT, 2008**

Please read these guidelines carefully before preparing the application on Form I for approval of unlawful work on sites protected under KwaZulu-Natal Heritage Act (4 of 2008)

#### **APPLICATION FORMS**

A. All applications must be made on the official application form H and must be accompanied by the relevant supporting documentation. The owner must sign the application form and any accompanying plans or documentation.

B. **PROPERTY:** Include the name of the property where applicable: e.g. Government House. The street address 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. **SIGNIFICANCE:** 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 archaeological remains must be provided

D. **UNLAWFUL WORK:** Motivate and give full details of the proposed work. The motivation must detail clearly why the work was commenced without prior approval as required in the KZN Heritage Act, 2008. Detail when the work was commenced and its current status as required on the form.

**SUPPORTING DOCUMENTATION: Only Amafa accredited professionals can compile the required supporting documentation. Permits issued will be conditional on that person overseeing the work. (Proof of Professional Registration by SACAP or ASAPA to be attached)**

#### **1. PHOTOGRAPHS OF EXISTING STRUCTURE(S)/REMAINS AND SURROUNDINGS:**

Photographs to clearly illustrate the features of the affected structures/remains relevant to the application must be submitted. Photographs showing all the elevations/sides as well as general views showing the structure/remains in its context (streetscape and/or surroundings) must also be provided.

#### **2. PLANS:**

Architectural Plans must be drawn by professional architects who are accredited with Amafa and registered with the South African Council for the Architectural Profession. Two copies of the plans, coloured in accordance with the instructions below, must be submitted. One copy will be stamped and sent back to the architect to submit to the Municipality. Plans must not be smaller than A3 size (210 x 297 mm) and must not be larger than A0 size (841 x 1 189 mm). All supporting documentation to be folded to A4 size, with plans folded showing the title block containing all details of the owner, architect SACAP registration no., drawing nos. (with all revisions indicated), date of drawings and signatures of the owners and the architect.

### 2.1. SITE PLAN

The site plan must be drawn in accordance with the approved surveyor's diagram of the site and must show: scale; the north point; the erf/property/farm number of the site; the location of the site and any structures on it in relation to surrounding roads, buildings and other features; existing buildings, structures, and subterranean structures/remains on the site (coloured grey or uncoloured); proposed work (coloured red) and structures/parts of structures proposed for demolition (in dotted lines); and the extent of the declared area (in the case of a proclaimed property). An aerial view obtainable from "Google Earth" or the municipality is recommended additional information.

### 2.2. FLOOR PLANS, ELEVATIONS AND SECTIONS

Sufficient plans, elevations and sections must be submitted to show the proposed work clearly. These drawings should be at 1:100, 1:50 or 1:20 scale, and must be fully dimensioned. The position of section lines must be indicated on the plan. The elevations should accurately reflect the effect of the proposal on the structure and its relationship to adjacent buildings.

All new materials, including finishes, must be specified. Drawings should be coloured as follows:

MATERIALS	COLOUR
all existing	grey
demolition	dotted lines
new masonry	red
new concrete	green
new iron or steel	blue
new painting & plastering	yellow
new wood	brown
other	clearly indicated, using colours other than as above

### 2.3. SCALE PLAN OF EXISTING STRUCTURE(S)

If it is impossible to distinguish the existing layout from the original plans submitted, a measured floor plan of the structure as it exists is required. It must be at the same scale as the plans of the proposed work to facilitate comparison.

### 2.4. DOOR AND WINDOW SCHEDULES AND DETAILS

Proposals for changing or replacing doors or windows must include sufficient information about their size, proportion and detail. This may be in the form of manufacturer's information (for stock windows and doors) or joinery details (for specials). 1:10 details of elements may be required.

G. Public Participation: the applicant will be notified of the level of public participation required and will have to bear the costs thereof. Neighbours, Ward Councillors, and Heritage Societies should be consulted.

## SUBMISSION OF APPLICATIONS

Applications to be submitted in hard copy to: (Structures) The Head – Built Environment Section, or (archaeological/paleontological) the Head – Archaeology Section, Amafa aKwaZulu-Natali, and must be delivered to 195 Langalibalele Street, Pietermaritzburg, 3201 or posted to BOX 2685, Pietermaritzburg, 3200. Faxed or e-mailed applications are not accepted.

**A SUBMISSION FEE OF R3000.00 (subject to annual increment on the 1 April) PER APPLICATION MUST BE PAID**

**THE OWNERS MUST SIGN THE APPLICATION FORMS. PERMITS ARE NOT TRANSFERABLE.**

### PROCESSING OF APPLICATIONS:

Structures: Applications for minor alterations are submitted to the Plans Committee every two weeks. All major alterations to protected buildings are submitted to the Built Environment Committees that meet every six weeks. Lobbying of Plans Committee or BEC members will disqualify the application and the matter will be reported to the professional registering authority.

Archaeological/Palaeontological Sites: The Permit Review Committee reviews and makes recommendations on applications on a need basis (there are no set meeting schedules).

Written notification on the progress of applications will be forwarded to applicants by post or fax and no telephonic calls or e-mails in this regard will be responded to. All documentation submitted is retained for record purposes (second copies of plans will be stamped and returned to the applicant unless otherwise requested).

The application form and other information pertaining to applications is also available on the Amafa website, [www.heritagekzn.co.za](http://www.heritagekzn.co.za) under "Permits" – Application Form H (Heritage Landmarks)

**\*PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.** Processing can take up to 90 days from the date of the receipt of all required documentation.