

# AMAFA AKWAZULU NATALI APPLICATION FORM I:

## FINAL SECTION 24G APPLICATION

FOR THE RECTIFICATION OF THE UNLAWFUL COMMENCEMENT AND  
CONTINUATION OF THE DEVELOPMENT SITUATED AT 56 OCEAN TERRACE,  
ISIPINGO LOCATED WITHIN THE ETHEKWINI MUNICIPALITY

[July 2018]



### Prepared by:

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### Commissioned by:

AKR Property Development (Pty) Ltd  
14 Inkanyezi Close, Umhlanga Ridge, Durban  
Contact: Mr. Rabindra Dukhi  
Email: [accounts@akrgroup.co.za](mailto:accounts@akrgroup.co.za)

**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**

**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.**

**Please find herewith Application Form I together with the relevant attachments**

**AMAFA Case ID: 12212**

**EDTEA S24G Ref No.: DM/S24G/0004/2017**

## 1. INTRODUCTION

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 for AKR Property Development (Pty) Ltd situated at 56 Ocean Terrace, Isipingo Beach located within eThekweni Municipality. AKR Property Development (Pty) Ltd has commenced with the afore-mentioned 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.

**Table 1: Project Specifications**

Applicant	
Project Applicant	Mr. Rabindra Dukhi
Trading Name	AKR Property Development (Pty) Ltd
Contact Person	Trivolan Govender
Landowner	
Landowner Details	Mr. Rabindra Dukhi
Project Details	
Ward	90
Property Description	56 Ocean Terrace, Isipingo Beach, Erf 986
Zoning of Site	General Residential 1
Property Extent	1921 m <sup>2</sup>
Proposed Area Schedule of Basement	545.36m <sup>2</sup>
Proposed Area Schedule on Ground Floor	291.13m <sup>2</sup>
Proposed Area Schedule of Upper Levels	763.51m <sup>2</sup>
Total Floor Area Ratio (far)	1600 m <sup>2</sup>
Proposed Number of levels	3
Number of Apartments	15
Development Specifications	<ul style="list-style-type: none"> <li>• New Entrance Driveway (via Delta Road)</li> <li>• New Boundary Wall</li> <li>• Basement and Upper Floor</li> <li>• Ground Floor (Parking Deck)</li> <li>• Third Floor (Additional 3 units)</li> </ul>

Section 24G of NEMA, without affecting any criminal liability of a person who has acted in contravention of, makes provision for that person to submit an application to the relevant MEC/ Minister, which, if successful, will enable that person lawfully to continue with the listed or specified activity and/or legalise an otherwise unlawful structure, with effect from the date on which the authorisation is issued.

Ultimately, the outcome of an S24G application must be to provide the Competent Authority, the Department of Economic Development, Tourism and Environmental Affairs (EDTEA), with sufficient information to provide an informed decision on the Application, in terms of retrospectively granting the Environmental Authorisation (EA), to avoid or mitigate any detrimental impacts that the activity may inflict on the receiving environment.

## 2. Background

The KZN Department of Economic Development, Tourism and Environmental Affairs (KZN - EDTEA), was informed on 18 May 2017 of the construction of a multi-storey residential complex located at 56 Ocean Terrace, Isipingo Beach. A site visit was conducted on 18 July 2017 by the department officials to verify the activities on site. It was then noted and confirmed by the department that the property was located within 100m from the High-Water Mark of the sea, triggering listed activities as per

EIA Regulations 2017. Additionally, it was observed that construction activities had already commenced, and two levels of the multi-storey complex were already under construction.

A warning letter was issued to the client on 11 September 2017 and the department advised that the matter can be resolved by means of retrospectively authorising the construction of the multi-storey residential complex via the NEMA Section 24G process, *Rectification of the unlawful commencement of activity*.

### 3. Directive in Terms of Section 24G Application

An S24G application was submitted to the Department on 31 October 2017 for the rectification of the unlawful commencement and continuation of a listed activity for AKR Property Development (Pty) Ltd situated at 56 Ocean Terrace. A site visit followed on 12 December 2017 with the EAP and officials of the Compliance Monitoring and Enforcement Unit of the Department. It was observed that the construction is near completion and would be ready to be sold from February 2018.

A Directive was then issued to the client and EAP in terms of Section 24G of NEMA 1998 (Act No. 107 of 1998) confirming the process to be followed. Consequently, the Section 24G application has been lodged with the department for review and consideration.

### 4. Motivation for S24G Application

The property owner, Rabindra Dukhi, of AKR Property Developments (Pty) Ltd purchased the property in May 2016, with the intention of completing the already commenced construction.

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 table below brings the following dates to your attention:

**Table 2: Dates of Interest**

Description	Date
Date of Ownership by AKR Property Development	06 May 2016
Construction Period from AKR Property Contractor	20 Months
Construction Start Date by AKR Property Contractor	10th June 2016 (Month 1 of 20)
Construction End Date	January 2018 (Month 20 of 20)

The initial building plans prior to AKR Property Development purchase has already been approved. The property owner, Rabindra Dukhi, also amended the building plans to include an additional storey on the building. The amended plans were approved without issues being raised regarding the environmental authorisations. 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. Mr. Dukhi then contacted the relevant authorities himself.

The commencement of construction was not maliciously intended to circumvent the laws. In fact, Mr. Dukhi had contacted the authorities himself. Mr. Dukhi is now keen to correct and rectify the unlawful activity via Section 24G as recommended. Mr. Dukhi was not aware of the need for environmental authorisation. His architect, appointed for amending the plans, brought his attention to it possibly being required. He has not disagreed with the legislation but was simply ignorant of the fact that it is required for his development. This appeals process is to rectify the matter, not to dispute it. Consequently, he has timeously appointed an EAP to handle the appeals process and prepare the required report.

## 5. DEVELOPMENT ACTIVITY

AKR Property Development (Pty) Ltd has commenced with the unlawful construction of a multi-storey residential complex, which necessitated excavation of soils within 100m of the High-Water Mark of the sea. The subject site is located at 56 Ocean Terrace, Isipingo Beach, on the South Coast of the eThekweni Municipality. The development is limited to the site Erf 986 Isipingo. The site extent is 1921m<sup>2</sup> and the development covers approximately 83% of the site. The height is within the town planning allowances of three storeys. The development includes:

- New Entrance Driveway (via Delta Road)
- New Boundary Wall
- Basement and Upper Floor
- Ground Floor (Parking Deck)
- Third Floor

The development has two lower levels and three upper levels, comprising a parking level and 15 apartments in total. A Traffic Impact Assessment was completed, and the parking area in terms of capacity was designed accordingly. The plumbing and electrical design of the development also aligns to the proposed development capacity in terms of residential usage.

Table 3 below provides an indication of the development schedule.

**Table 3: Development Schedule as per latest Architects plans**

Schedule of Areas	
Site Area	1921.0 m <sup>2</sup>
Permitted Floor Area	1921.0 m <sup>2</sup>
Existing FAR	1280.0 m <sup>2</sup>
Proposed FAR	320.0 m <sup>2</sup>
Total FAR	1600.0 m <sup>2</sup>
Development Schedule	
Proposed Basement	2 x 3 bedroom/ 1 x 2 bed flats
Proposed Upper Level	2 x 3 bedroom/ 1x 2 bed flats
Proposed Ground Floor	Parking Deck (32 Cars)
Proposed 1 <sup>st</sup> Floor	2 x 3 bedroom/ 1 x 2 bed flats
Proposed 2 <sup>nd</sup> Floor	2 x 3 bedroom/ 1 x 2 bed flats
Proposed 3 <sup>rd</sup> Floor	2 x 3 bedroom/ 1 x 2 bed flats
Total Number of Units	15
Total Parking Required	27 Bays
Parking Provided	32 Bays

An Environmental Management Plan and a site rehabilitation plan have been prepared. The nature of the material which was removed during the rehabilitation phase was of the building and construction material such as concrete, bricks, timber etc. Most of the infill consisted of existing original natural site material that was excavated during preparation for the new structure.

The plans/ layouts are appended in Appendix A below in the following order:

- Layout 1 – Development Plan of the Basement and Upper Floor as well as Ground Floor (Drawing No. SR17/02/0009);
- Layout 2 – Development Plan of the Third Floor (Drawing No. SR17/02/0002);
- Layout 3 – Site Plan (Drawing No. SR17/02/0009)

## 6. NEED AND DESIRABILITY

Since the applicant/ developer is the land owner, it is only feasible that the development occurs within the boundaries of the property. The need and desirability of the project is mostly personal to the developer. The project entails the construction of a multi-storey residential complex situated at 56 Ocean Terrace, Isipingo Beach. Isipingo is a town situated 19 kilometres South of Durban in KwaZulu-Natal. AKR Property Development (Pty) Ltd aims on improving the quality of life through innovative developments of properties such as residence. The Isipingo area comprises of several multi-storey complexes situated along the coastline. The development at 56 Ocean Terrace is in line with development along the coastline.

There are socio-economic aspects linked to development and growth within the area. Any additional investors in the area, be it holiday makers or retired people, will be attracted by ongoing growth and development of the properties and the general municipal income is thus bound to increase. The location of the development is situated at a site that is most appealing for residential accommodation. The new development is expected to increase property values of the local neighborhood.

Local labour for the semi and un-skilled aspects of construction will be acquired during the construction phase, creating jobs for people in the vicinity of the project. Procurement of local construction material and other goods and services would be required, thus, supporting local businesses. During the operational phase, the inhabitants of the apartments will make use of local labour, local supermarkets, small shops and other businesses, thus supporting and boosting the local economy.

## 7. Site Photos



***Plate 1: Apartments at Basement Level, Sea View.***



***Plate 2: Basement Level View.***



***Plate 3: View of the Bank on Seaward Side of the Property.***



***Plate 4: Upper Basement Level.***



**Plate 5: Ground Level, Parking Deck.**



**Plate 6: Land Adjacent to 56 Ocean Terrace.**



**Plate 7: Upper Level Apartments.**



**Plate 8: Driveway Access Via Delta Road.**





**Plate 9: View of the Bank on Seaward Side of the Property.**



**Plate 10: Seaward Side of 56 Ocean Terrace.**

## 8. PUBLIC PARTICIPATION PROCESS

The Public Participation Process (PPP) is a requirement in terms of the 2017 EIA Regulations of the National Environmental Management Act, 1998 (Act 107 of 1998) and it forms an integral part of any EIA process. This section provides information pertaining to the PPP that was conducted by 1World Consultants during this Retrospective Basic Assessment Process which is applicable to that of this Application Form I. The purpose of this process is to gather information from the community and relevant Stakeholders that could ultimately affect the decision-making process concerning continuation of construction and operational phases of the development. The community and public have been identified as I&APs (Interested and Affected Parties) and have been given the opportunity to participate in this process. Their comments, whether positive or negative, will influence the decision of the Authorities and the developer's final actions.

The Public Participation Process involved consultation with the relevant authorities, the landowners identified within 100m of the site and other identified Interested and Affected Parties (I&APs). Newspaper advertisements were published, and site notices were erected on site to inform the general public of the Retrospective Basic Assessment (BA) Process. As per EIA Regulation GNR 326, April 2017, the Draft S24G Report and Environmental Management Plan (EMP) were circulated to registered I&AP's and stakeholders, for a 30-day review and comment period. The Public Participation Process (PPP) commenced on 22 March 2018 and concluded on 22 April 2018.

Comment was provided by AMAFA AkwaZulu Natali in terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008). As per the comment provided, the project could impact on graves, structures, archaeological and palaeontological resources that are protected in terms of various sections of the heritage legislation. Therefore, the developer is required to complete and lodge a Form "I" Application i.e. Development Permit Form, Needs and Desirability.

This complete application "I" pack has been prepared and uploaded on SAHRIS under CaseID: 12212. The Application Form I can be reviewed under Appendix A below.

## 8.1. Objectives of the PPP

The PPP has the following objectives:

- To inform I&APs as well as all Stakeholders of the development and the S24G application;
- To provide an opportunity for I&APs and Stakeholders to raise concerns and make suggestions;
- To promote transparency and an understanding of the project and its consequences;
- To serve as a structure for liaison and communication with I&APs and Stakeholders.

Any conclusions agreed upon must be socially, financially and technically acceptable and feasible in order to meet the requirements of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), and the vision of the development.

## 8.2. Public Participation Process Followed

The following PPP was conducted for the development in light of the retrospective basic assessment:

### 8.2.1. Background Information Document (BID)

Stakeholders and Interested and Affected Parties (I&AP's) were identified and notified of the S24G Application. A Background Information Document (BID) was prepared and distributed to stakeholders and I&AP's which provides an outline of the development and aims to:

- (i) inform I&AP's on how to participate in the S24G application;
- (ii) encourage responses to documents that will be distributed for review; and
- (iii) encourage I&AP's to attend any public meetings.

A copy of the distribution list and BID are included under Appendix B below.

### 8.2.2. Newspaper Advertisement

A newspaper advertisement was published to inform the public of the S24G Application. The advertisement was published in the predominant language of the project area, English, in the Southern Star Newspaper, on 27/02/2018. A copy of the advertisement is included Appendix B.

### 8.2.3. Site Notice Boards

Site notice boards were erected on the site and in close proximity to the development site on 14 February 2018. As per Chapter 6, Regulation 41(4)(a) of 2017, the size of the notice boards was approximately 60cm by 42cm (size A2). The notice boards have been provided in English with illustrations of the plan. The purpose of the notice board is to inform the community members of the S24G Application and the development of the multi-storey residential complex situated at 56 Ocean Terrace, Isipingo Beach. Contact details of the EAP were also provided to facilitate public participation.

A copy of the site notice board and pictures are provided in Appendix B below.

### 8.2.4. Landowner Notifications

Interested and Affected Parties (I&APs) were identified and notified of the S24G Application. A Background Information Document (BID) was prepared and distributed via hand delivery. The BID together with Notification letters were hand delivered to neighbours within 100m of the preferred site on 14 February 2018. The BID provided information on the development and the S24G Application as well as the process to be followed by the EAP. A register was drawn up and those properties that

were accessible have signed the register to confirm receipt of the BID as well as the notification letter. The signed register has been included under Appendix B.

Table 4 below lists the physical addresses of those identified properties within 100m of the development site. The outcome of distributing the BID during the site visit is stated in Table 4.

**Table 4: Physical Addresses of Landowners within 100m of 56 Ocean Terrace**

	Physical Address	BID Delivery	EAP Comment
	56 Ocean Terrace, Isipingo Beach	N/A	Client and Development Site
A	5 Tiger Rocks Road, Isipingo Beach	Yes	The property was inaccessible. A copy of the BID was deposited into the post box at the property.
B	52 Ocean Terrace, Isipingo Beach	Yes	The BID was hand delivered and received by Mr. Naveen.
C	50 Ocean Terrace, Isipingo Beach	Yes	The BID was hand delivered and received by Ms. Jeanette.
D	48 Ocean Terrace, Isipingo Beach	Yes	The property was inaccessible. A copy of the BID was deposited into the post box at the property.
E	46 Ocean Terrace, Isipingo Beach	Yes	The BID was hand delivered and received by Ms. Fahmeeda.
F	47 Delta Road, Isipingo Beach	Yes	The property was inaccessible. A copy of the BID was deposited into the post box at the property.
G	49 Delta Road, Isipingo Beach	Yes	The BID was hand delivered and received by Mr. Sam.
H	51 Delta Road, Isipingo Beach	Yes	The property was inaccessible. A copy of the BID was deposited into the post box at the property.
I	53 Delta Road, Isipingo Beach	Yes	The BID was hand delivered and received by Ms. Naidoo.
J	55 Delta Road, Isipingo Beach	Yes	The property was inaccessible. A copy of the BID was deposited into the post box at the property.
K	56 Delta Road, Isipingo Beach	Yes	The BID was hand delivered and received by Mr. Mohamed.

### 8.2.5. Public Meeting

No public meetings were requested nor required following distribution of the BID, publication of the advertisement and erection of the site notice boards up to date of distribution of the draft S24G Application.

### Issues Raised by the I&APs

Copies of the S24G application were circulated to the following I&APs for review and comment:

- KZN Department of Transport
- Ezemvelo KZN Wildlife
- Department of Water and Sanitation
- AMAFA Heritage
- KZN Corporate Governance and Traditional Affairs
- Ward Councilor Gordon MacKay – Ward 90
- Commission on Restitution of Land Rights
- eThekweni Municipality (various departments)
- KZN Department of Economic Development, Tourism and Environmental Affairs.

All registered I&APs were notified on the availability of the draft S24G application for comment. All I&APs were reminded that in terms of the EIA Regulations (2017), GNR 326 43(2), all State Departments that administer a law relating to a matter affecting the environment, specific to the Application, must submit comments within 30 days to the Environmental Assessment Practitioner (1World Consultants (Pty) Ltd). Should no comment be received within the 30-day commenting period, it is to be assumed that the relevant State Department has no comment to provide.

All comments received on the BID and draft S24G application are summarised below.

#### **Issues/ Comments Raised Following Review of the BID**

Landowners have not requested for a copy of the draft S24G Application following distribution of the BID. Comments have been received from the following I&APs:

- Commission on Restitution of Land Rights
- eThekweni Municipality (various departments)

#### **Issues/ Comments Raised Following Review of the draft S24G Application**

Comments have been received from the following I&APs:

- KZN Department of Economic Development, Tourism and Environmental Affairs.
- Ezemvelo KZN Wildlife
- eThekweni Municipality (various departments)
- AMAFA Heritage

A full Comments and Responses Report can be reviewed under Appendix B.

The proof of payment for the Application I Form is included under Appendix C.

## **9. CONCLUSION**

The information contained in this report and the documentation attached hereto, in the view of the EAP, is sufficient for the Public Participation Process (PPP). Should the Competent Authority request additional studies to be conducted, this shall be conducted and obtained to assist the Competent Authority in making an informed decision.

# **Appendix A**

# **Application Form I**



## 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			POST CODE
Durban			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:

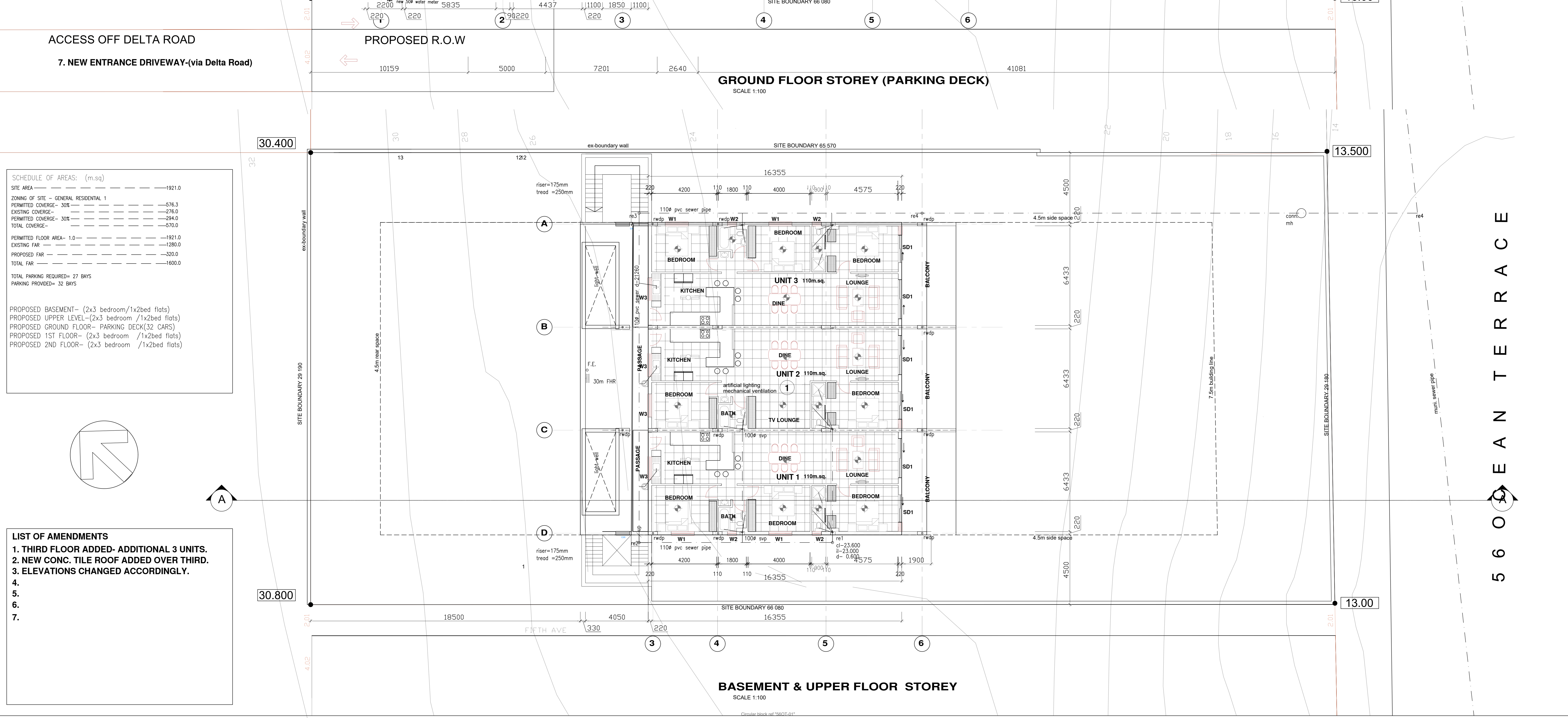
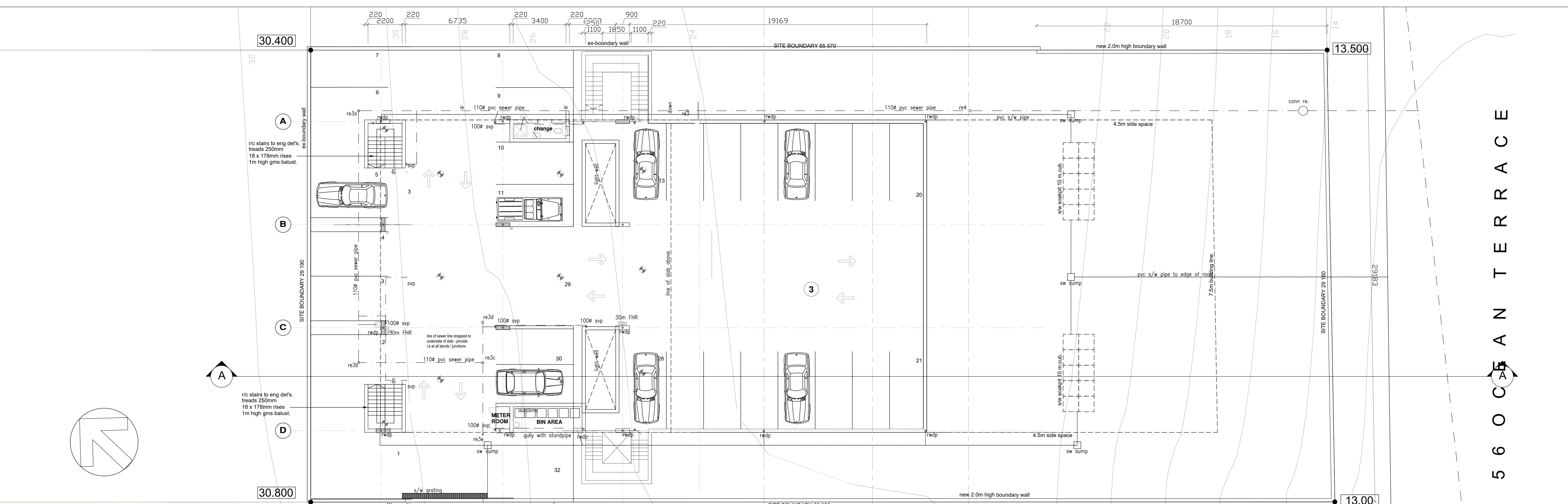
Structures: Applications for minor alterations are submitted to the Plans Committee every two weeks. All major alterations to protected buildings are submitted to the Built Environment Committees that meet every six weeks. Lobbying of Plans Committee or BEC members will disqualify the application and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



**SCHEDULE OF AREAS: (m.sq)**

SITE AREA	1921.0
ZONING OF SITE - GENERAL RESIDENTIAL 1	576.3
PERMITTED COVERAGE - 30%	576.0
EXISTING COVERAGE - 30%	294.0
TOTAL COVERAGE	570.0
PERMITTED FLOOR AREA - 1.0	1921.0
EXISTING FAR	1280.0
PROPOSED FAR	320.0
TOTAL FAR	1600.0
TOTAL PARKING REQUIRED - 27 BAYS	
PARKING PROVIDED - 32 BAYS	

PROPOSED BASEMENT - (2x3 bedroom / 1x2bed flats)  
 PROPOSED UPPER LEVEL - (2x3 bedroom / 1x2bed flats)  
 PROPOSED GROUND FLOOR - PARKING DECK (32 CARS)  
 PROPOSED 1ST FLOOR - (2x3 bedroom / 1x2bed flats)  
 PROPOSED 2ND FLOOR - (2x3 bedroom / 1x2bed flats)

- LIST OF AMENDMENTS**
- THIRD FLOOR ADDED- ADDITIONAL 3 UNITS.
  - NEW CONC. TILE ROOF ADDED OVER THIRD.
  - ELEVATIONS CHANGED ACCORDINGLY.
  - 
  - 
  - 
  -

56 OCEAN TERRACE



PROJECT: PROPOSED AMENDMENTS TO APPROVED PLAN NO SR17/02/0009

ADDRESS: 56 OCEAN TERRACE  
 TEL NO: 083 327 8690

GADASTRAL DESCRIPTION RATE NO.  
 ERF 995 ISIPINGO BEACH

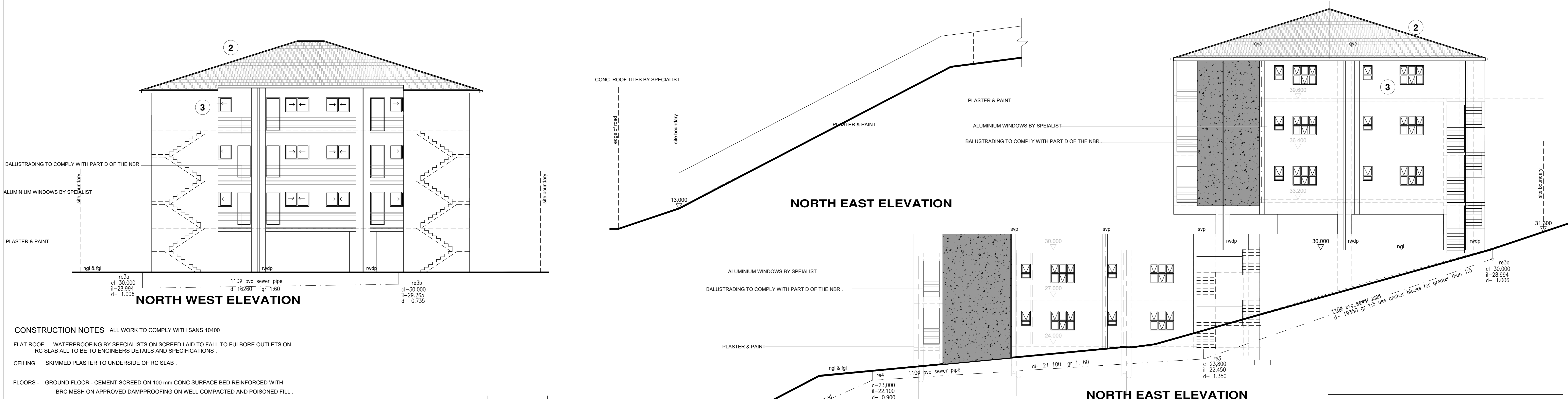
CLIENT: AKR PROPERTY DEVELOPMENT

SIGNATURE

DATE	SCALE	DWG NO.	AUTHOR
JUNE 2017	1:100	01	S.Reddy

S.R. Design Consultants  
 For All Your architectural needs  
 S.Reddy  
 P.Frucht  
 T0756

UNIT 2D  
 14 BOUGANVILLE ROAD  
 QUEENSBURGH  
 4147  
 CELL: 071 764 0445  
 EMAIL: reddy.ardesign@gmail.com



**CONSTRUCTION NOTES** ALL WORK TO COMPLY WITH SANS 10400

**FLAT ROOF** WATERPROOFING BY SPECIALISTS ON SCREED LAID TO FALL TO FULBORE OUTLETS ON RC SLAB ALL TO BE TO ENGINEERS DETAILS AND SPECIFICATIONS.

**CEILING** SKIMMED PLASTER TO UNDERSIDE OF RC SLAB.

**FLOORS** - GROUND FLOOR - CEMENT SCREED ON 100mm CONC SURFACE BED REINFORCED WITH BRC MESH ON APPROVED DAMPPROOFING ON WELL COMPACTED AND POISONED FILL.

**FIRST FLOOR** - RC SLAB TO BE TO ENGINEERS DETAILS AND SPECIFICATIONS.

**WALLS** PLASTER AND PAINT TO INTERNAL AND EXTERNAL WALLS  
220 BRICK WALLS EXTERNALLY  
110 BRICK WALLS INTERNALLY

**WINDOWS** NATURAL ANNOXIDISED ALUMINIUM WINDOWS & EPOXYD ALUM TO PC WINBLOKS  
GLAZING TO COMPLY WITH PART N OF THE NBR.

**DOORS** NATURAL ANNOXIDISED ALUMINIUM DOORS. GLAZING TO COMPLY WITH PART N OF THE NBR

**GENERAL** 2 COURSES OF BRICKFORCE TO BE PROVIDED AT BOTH LEVELS OF WINDOWS AND AT SLAB AND WALL PLATE LEVELS  
FOUNDATIONS NOT TO ENCR OACH OVER BOUNDARIES.  
BALUSTRADING TO COMPLY WITH PART D OF THE NBR.

ALL DIMENSIONS + LEVELS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ANY WORK OR MANUFACTURE AND ANY DISCREPANCIES BROUGHT TO THE ARCHITECTS NOTICE

**NOTE: EACH UNIT TO HAVE SEPARATE WATER METERS**

**PART U REFUSE DISPOSAL**  
REFUSE AREA TO BE CONSTRUCTED SO AS TO BE RODENT PROOF & PROVIDED WITH HOSE, BIBTAP & SUMP  
REFUSE AREA TO BE RODENT PROOFED  
REFUSE AREA TO BE DESIGNED IN ACCORDANCE WITH PART V OF SABS 0400

**PART XA ENERGY USAGE IN BUILDINGS**  
HOT WATER SUPPLY TO BE PROVIDED IN ACCORDANCE WITH PART XA4.1 OF SANS 10400 & PART 4.5 OF SANS 204  
ENERGY USAGE AND BUILDING ENVELOPE TO BE DESIGNED IN ACCORDANCE WITH PART XA4.2 & XA4.3 & XA4.4 OF SANS 10400  
BUILDING DESIGN TO BE IN ACCORDANCE WITH PART 4.1.4.2, 4.3 & 4.4 OF SANS 204  
SERVICES TO BE PROVIDED IN ACCORDANCE WITH PART 4.5 OF SANS 204

**FIRE NOTES**  
FIRE EXTINGUISHERS TO COMPLY WITH TT37 OF SANS 0400  
30m FIRE HOSE REELS TO COMPLY WITH TT34 OF SANS 0400  
SIGNAGE TO COMPLY WITH TT29 AND TT32 OF SANS 0400

**CEILING TO COMPLY WITH TTS OF SANS 0400**  
FIRE ESCAPES TO COMPLY WITH TT19 OF SANS 0400  
50mm WATER SUPPLY PIPE TO FIRE HOSE REELS  
HANDRAIL TO BE PROVIDED TO STAIRS - TT23

**ROOF ASSEMBLIES**  
Minimum total R-value required for zone 5 = 2.7  
Direction of heat flow: down  
R-value of roof material (factory coated sheeting): 0.48  
R-value of ceiling = 0.05  
Required R-value of insulation: 2.17  
Generic insulation added:  
FLEXIBLE FIBRE GLASS BLANKET : 100mm  
Density of generic insulation added: 10-18kg/m.cube

**EXTERNAL WALLS**  
220 facebrick to external walls,  
with no cavity, facebrick externally & internally,  
with an R-value of 1.9

**HOT WATER SUPPLY**

No. of people	6
Volume of hot water/day	150
SOLR supplied by heat pump	75
Pipe coating, all hot pipes to be less than 80% to be clad with Polyurethane Form by supplier specifications	

**ENERGY DEMAND/ ENERGY CONSUMPTION (H3)**

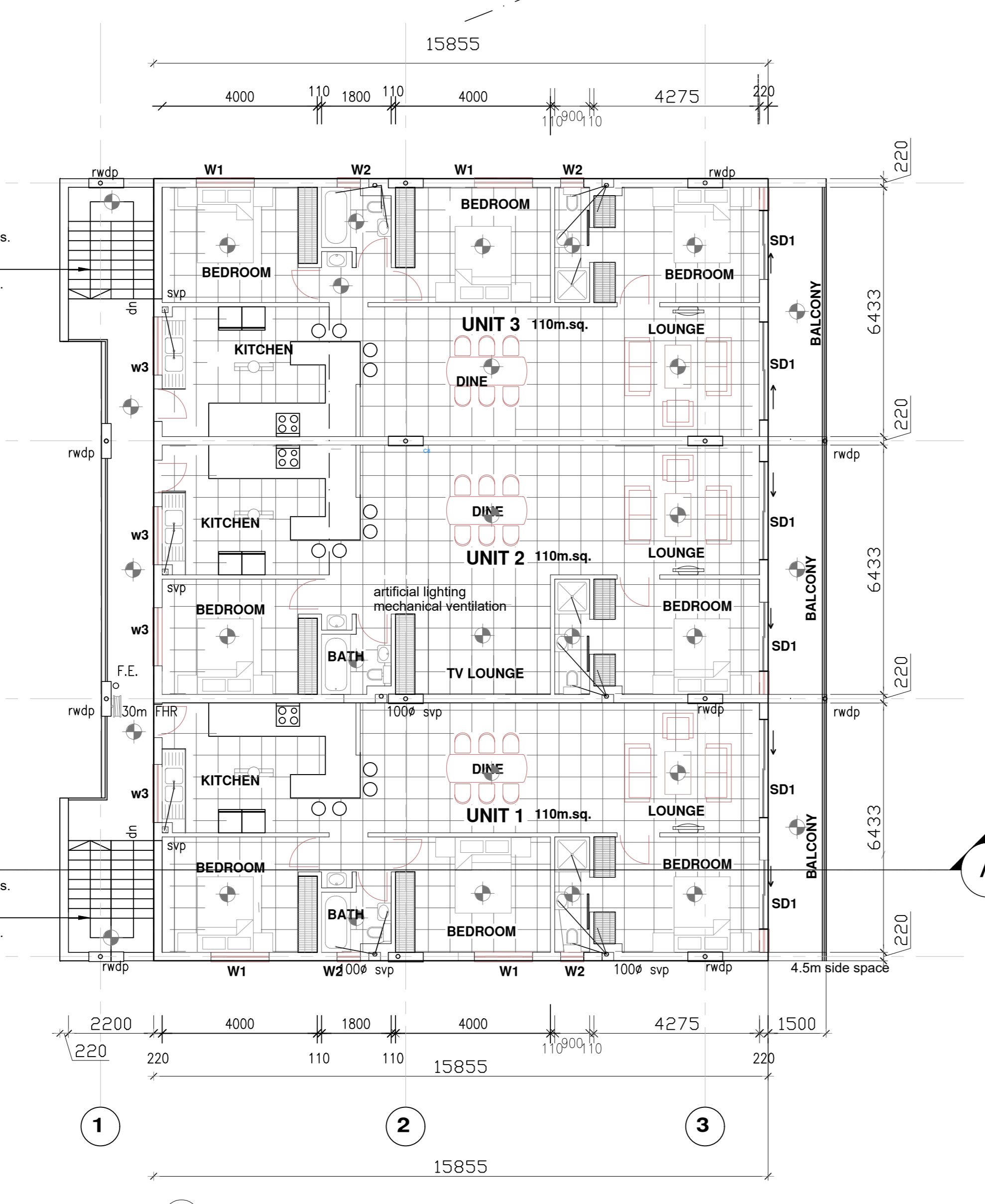
TOTAL FLOOR AREA	2928.62
energy demand (w/m.sq)	5
energy consumption (kW/m.sq)	5
max energy demand	14643.1W/m.sq
max energy consumption	14643.1kW/hrs

light type	Watts	No. off	total watts
energy saver	11	230	2530
total energy demand(W/m.sq)			2530
total consumption(KWh/m.sq)			
total energy demand x 7Hrs x365/1000			6464.15

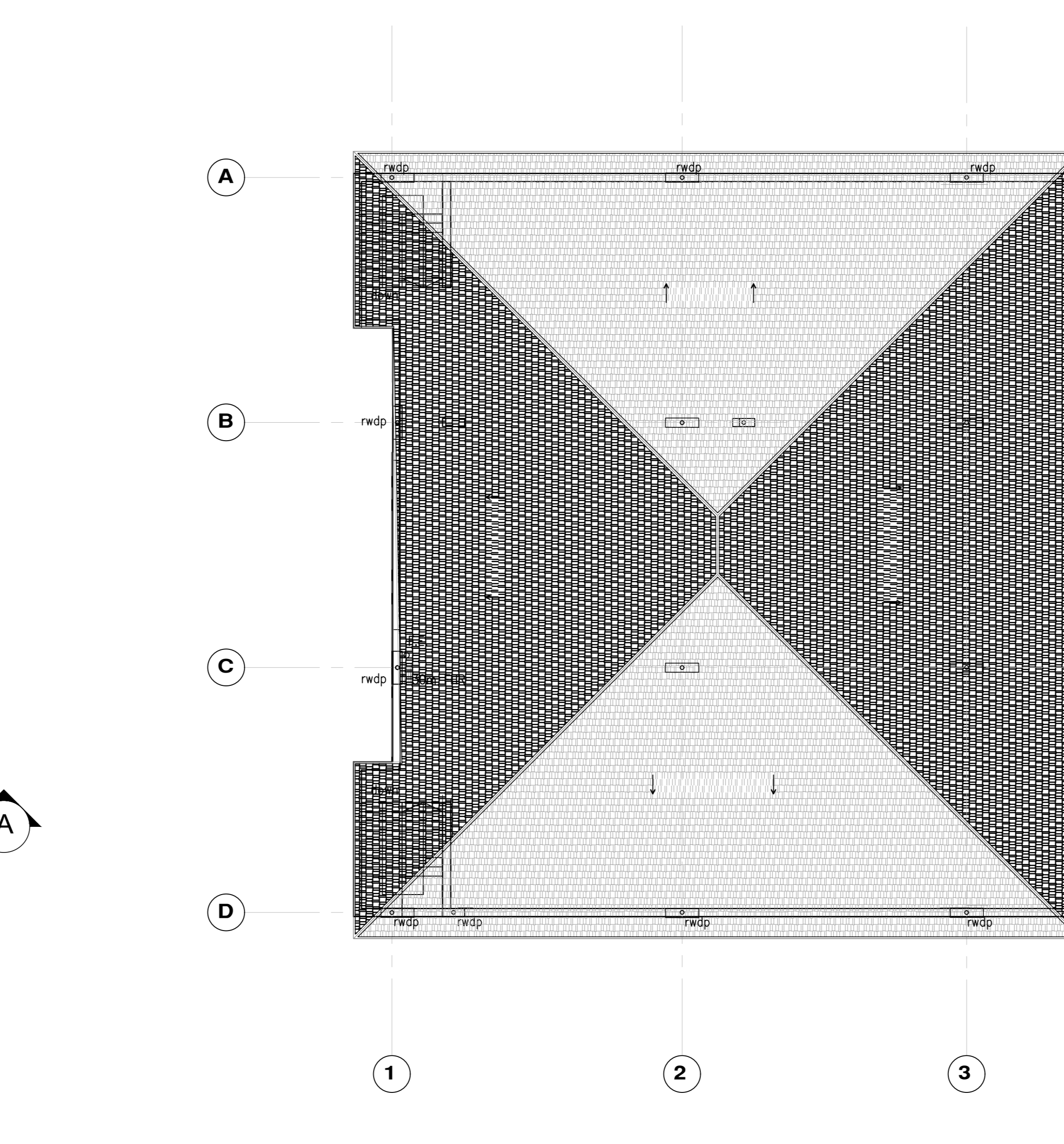
**FENESTRATION**  
Unit size = 112.60m.sq. fenestration= 15.24m.sq.=13.5% - COMPLIES

WINDOW SCHEDULE (per unit)	W1	W2	W3
Window/door no.	SD1 X 24	W1 X 16	W2 X 16
frame material	25 micron anodised aluminium	25 micron anodised aluminium	25 micron anodised aluminium
frame type	aluminium	aluminium	aluminium
glazing material	6mm safety glass	4mm monolithic glass	4mm monolithic glass
no. of sides supported	4 sides	4 sides	4 sides
glazing pane-min. thickness	6mm safety glass	4mm monolithic glass	6mm safety glass
glazing pane-max. area	4.62m.sq.	1.8m.sq.	1.35m.sq.

Frames to receive glazing material shall either comply with the requirements of SANS 127 or SANS 1552-2, or capable of withstanding the wind and impact loads determined in accordance with requirements of SANS 10400-B without deflecting more than 1/175th of their span. The panes of all safety glazing material shall be permanently marked by the installer in such a manner that the markings are visible in individual panes after installation.



**1 PROPOSED THIRD FLOOR PLAN**  
SCALE 1:100



**2 ROOF PLAN**  
SCALE 1:100

- LIST OF AMENDMENTS**
1. THIRD FLOOR ADDED- ADDITIONAL 3 UNITS.
  2. NEW CONC. TILE ROOF ADDED OVER THIRD.
  3. ELEVATIONS CHANGED ACCORDINGLY.
  - 4.
  - 5.
  - 6.
  - 7.

**NOTES IN RESPECT OF S.A NATIONAL STANDARD FOR THE APPLICATION OF SANS 10400 & SABS 0400**

**PART A GENERAL PRINCIPLES AND REQUIREMENTS**  
ALL REQUIREMENTS TO COMPLY WITH PART A SANS 10400

**PART B STRUCTURAL DESIGN**  
ALL STRUCTURAL DESIGN AS PER RATIONAL DESIGN BY COMPETENT PERSON

**PART C DIMENSIONS**  
ALL DIMENSIONS OF ANY ROOM OR SPACE TO COMPLY WITH THE REQUIREMENTS PART C SANS 10400

**PART D PUBLIC SAFETY**  
ALL BALUSTRADING TO COMPLY WITH D4.2 & D1 (ANNEX A)  
ALL RAMPS AND DRIVEWAYS TO COMPLY WITH D4.3 & D3 (ANNEX A)

**PART F SITE OPERATIONS**  
ALL SITE OPERATIONS TO COMPLY WITH PART F SANS 10400

**PART G EXCAVATIONS**  
ALL EXCAVATIONS RELATING TO A BUILDING TO COMPLY WITH G4.1 & G4.2

**PART H FOUNDATIONS**  
ALL FOUNDATIONS AS PER RATIONAL DESIGN BY COMPETENT PERSON TO COMPLY WITH PART H

**PART J FLOORS**  
ALL FLOORS TO COMPLY WITH (ANNEX A ) J1  
ALL WATER RESISTANT FLOORS TO COMPLY WITH J4.2  
ALL CONCRETE FLOORS SLABS TO COMPLY WITH J4.4

**PART K WALLS**  
ALL MASONRY WALLS TO COMPLY WITH K4.2 & K1 - K2 (ANNEX A)  
ALL LINTELS TO COMPLY WITH B1 (ANNEX B) OF PART K  
FIXING OF ROOF TO CONCRETE ELEMENTS TO COMPLY WITH K4.4 & K3 (ANNEX A)  
ALL WATERPROOFING TO WALLS TO COMPLY WITH K4.5 & C1 (ANNEX C) OF PART K  
ALL FIRE PERFORMANCE AND RESISTANCE OF WALLS TO COMPLY WITH K4.6 & K4 (ANNEX A)  
ALL STRUCTURAL WALLS AS PER RATIONAL DESIGN BY COMPETENT PERSON TO COMPLY WITH PART K

**PART L ROOFS**  
ALL ROOF ASSEMBLIES TO COMPLY WITH L4.1  
ALL WATERPROOFING AND COVERINGS TO PITCHED ROOFS TO COMPLY WITH L4.2  
THE FIRE RESISTANCE AND COMBUSTIBILITY OF THE ROOF ASSEMBLY TO COMPLY WITH L4.5

**PART M STAIRWAYS**  
ALL STAIRWAYS TO COMPLY WITH M4.1  
DIMENSIONS OF STAIRWAYS TO BE IN COMPLIANCE WITH M4.2  
ALL BALUSTRADING TO COMPLY WITH M4.3  
ALL MASONRY STAIRWAYS TO COMPLY WITH M4.4

**PART N GLAZING**  
ALL GLAZING TO COMPLY WITH PART N4, N1(ANNEX A) AND AAMSA REGULATIONS

**PART O LIGHTING & VENTILATION**  
ALL LIGHTING AND VENTILATION TO COMPLY WITH PART O4.1  
ALL AREAS TO BE ARTIFICIALLY AND NATURALLY LIT TO COMPLY WITH PART O4.2 OF SANS 10400  
ALL NATURAL AND MECHANICAL VENTILATION TO BE PROVIDED IN ACCORDANCE WITH PART O4.3 OF SANS 10400  
BUILDING TO COMPLY IN TERMS WITH THE TOBACCO CONTROL LEGISLATION AS PER PART O4.4

**PART T FIRE PROTECTION**  
ALL SAFETY DISTANCES TO COMPLY WITH T4.2  
ALL MATERIALS TO COMPLY WITH T4.5  
FIRE RESISTANCE OF DIVISION SEPARATING ELEMENTS TO COMPLY WITH T4.6  
ALL STRUCTURAL ELEMENTS & COMPONENTS TO COMPLY WITH TENANCY SEPARATING ELEMENTS TO COMPLY WITH T4.8  
INTERNAL PARTITIONS AND WALLS TO COMPLY WITH T4.9  
ALL OPENINGS TO BE PROTECTED IN COMPLIANCE WITH T4.10  
ROOF ASSEMBLIES & COVERINGS TO COMPLY WITH T4.12  
ALL CEILING TO COMPLY WITH T4.13  
ALL FLOOR COVERINGS TO COMPLY WITH T4.14  
ALL WALL FINISHES TO COMPLY WITH T4.15  
ALL ACCESS DOORS TO EMERGENCY ROUTES TO BE SABS CLASS B 120 MIN RATED DOORS FITTED WITH SELF CLOSERS IN COMPLIANCE WITH T4.16 & T4.17 & LOCKS IN COMPLIANCE WITH T4.16.9 / T4.16.10 T4.16.11  
EMERGENCY ROUTES TO COMPLY WITH T4.19, T4.20 & T4.21  
STAIRWAY TO COMPLY WITH T4.23  
EXTERNAL STAIRWAYS AND PASSAGES TO COMPLY WITH T4.27  
SIGNAGE TO BE PROVIDED IN ACCORDANCE WITH T4.28, T4.32.2  
FIRE WATER RETICULATION TO COMPLY WITH T4.33 & SANS 10400.  
FIRS TO COMPLY WITH T4.34  
HYDRANTS TO BE PROVIDED IN ACCORDANCE WITH T4.35  
PORTABLE FIRE EXTINGUISHERS TO BE PROVIDED IN ACCORDANCE WITH T4.37 AND TO THE SATISFACTION OF THE CHIEF FIRE OFFICER  
MOBILE FIRE EXTINGUISHERS TO BE PROVIDED IN ACCORDANCE WITH T4.38  
SERVICE SHAFTS TO COMPLY WITH T4.40  
SERVICE PIPES, CONDUITS & SLEEVES TO COMPLY WITH T4.41  
ACCESS FOR FIRE FIGHTING AND RESCUE PURPOSES TO BE PROVIDED IN ACCORDANCE WITH T4.54  
BUILDING MATERIALS TO COMPLY WITH T4.55 & T4.56  
FIRE PROTECTION FOR HEALTH FACILITIES TO COMPLY WITH T4.59

**VE CONSULTING**  
CIVIL, STRUCTURAL AND PROJECT MANAGEMENT  
25 WATSON AVENUE, PARKWOOD  
TEL: (011) 571 3848 FAX: (011) 750 2096  
E-MAIL: veconsulting@gmail.com

**PROJECT: PROPOSED AMENDMENTS TO APPROVED PLAN NO SR 17/02/0002**

ADDRESS: 56 OCEAN TERRACE  
TEL NO: 083 327 8690

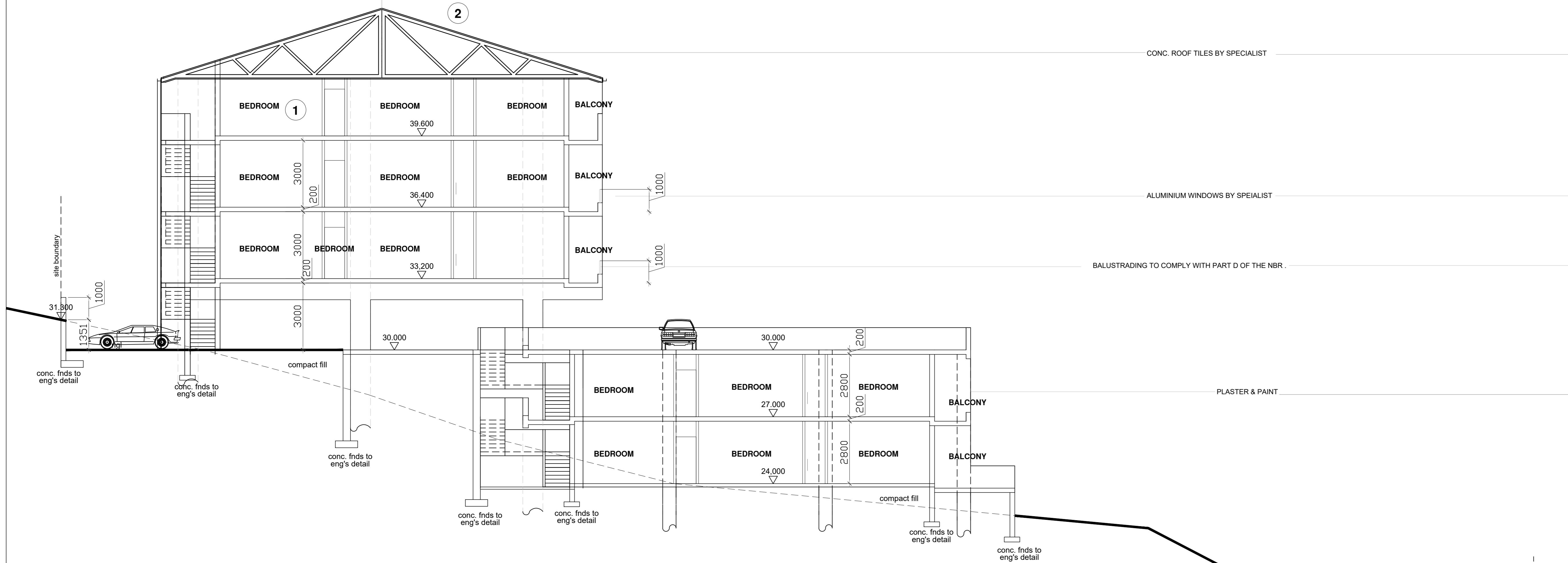
CADASTRAL DESCRIPTION RATE NO.  
ERF 986 ISIPINGO BEACH

CLIENT: AKR PROPERTY DEVELOPMENT

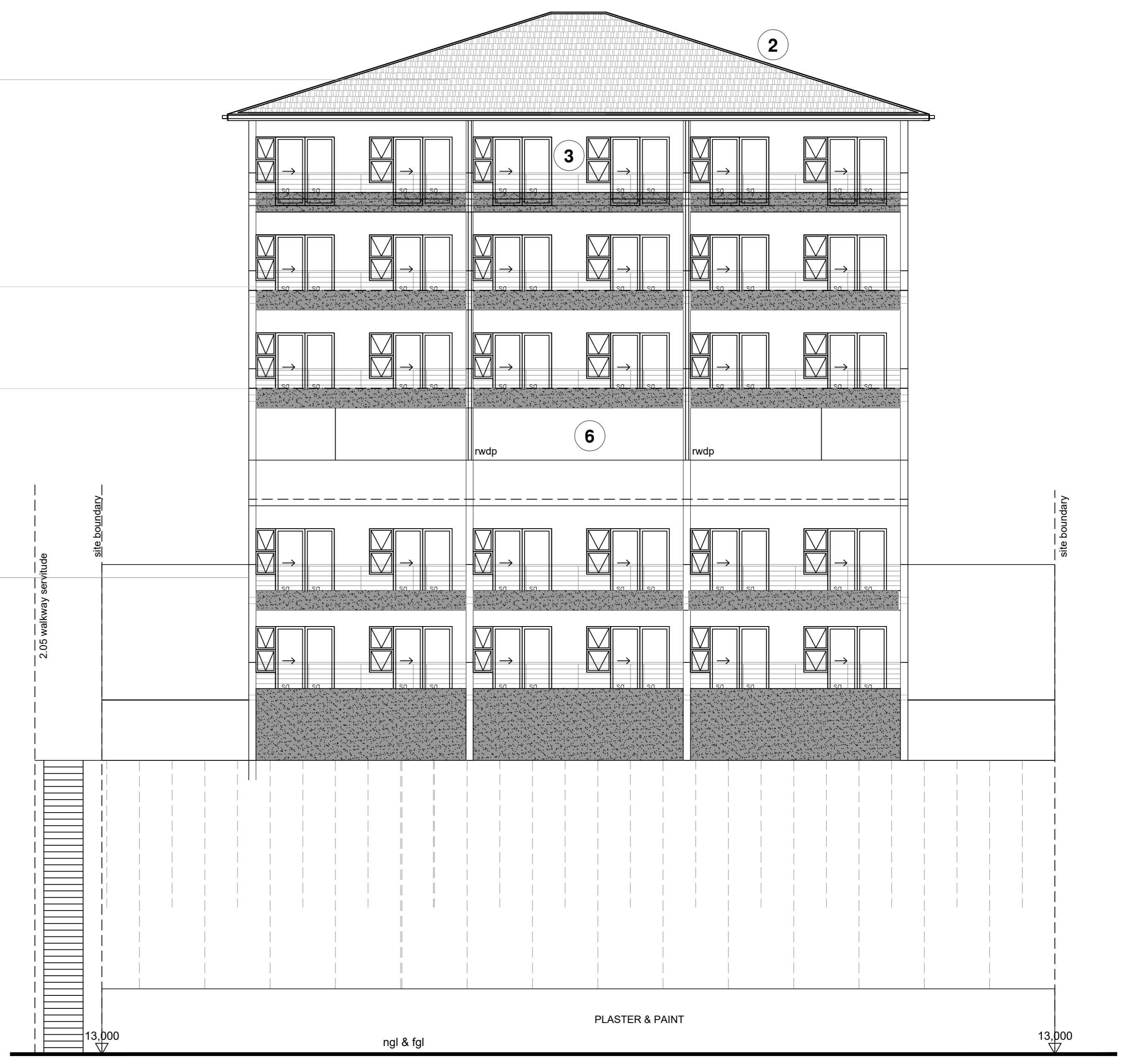
SIGNATURE

DATE SCALE DWG NO. AUTHOR  
JUNE 2017 1:100 02 S.Reddy

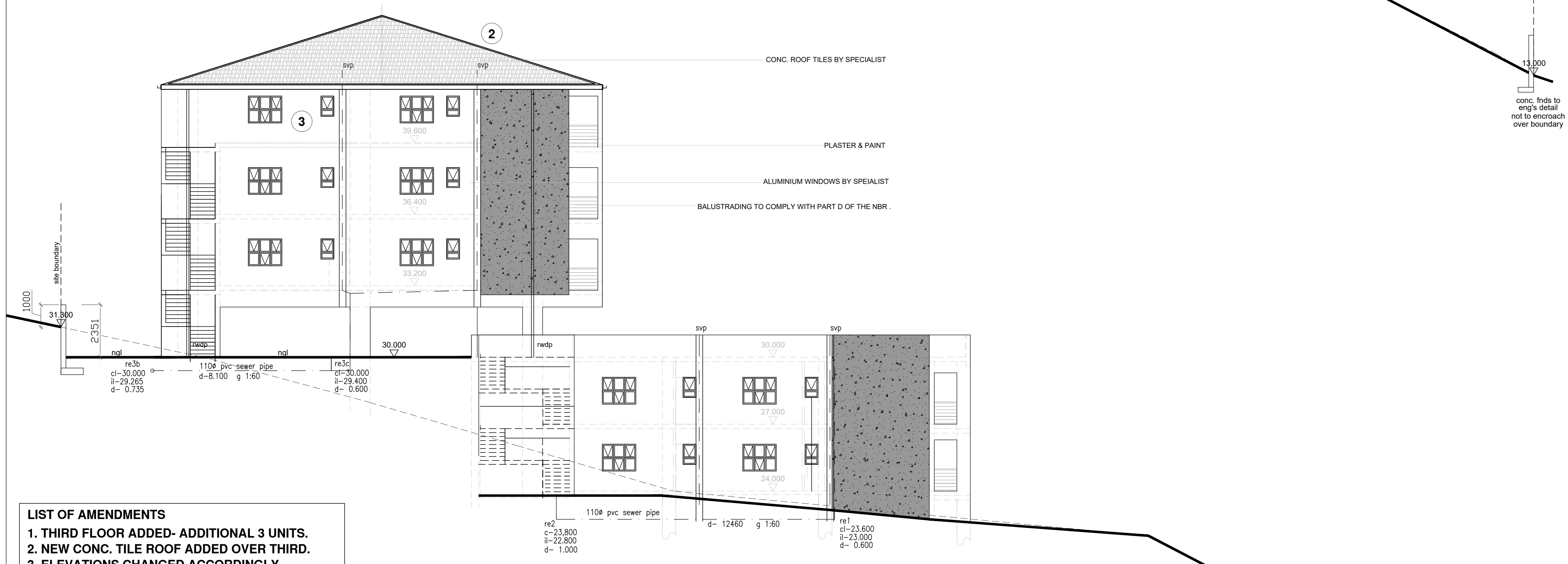
S.R. Design Consultants  
For All Your architectural needs  
S.Reddy  
P/Arch/1  
10756  
UNIT 2D  
14 BOUQUILLIA ROAD  
QUEENSBURGH  
4147  
CELL: 071 764 0445  
EMAIL: reddy.srdesign@gmail.com



**SECTION A-A**



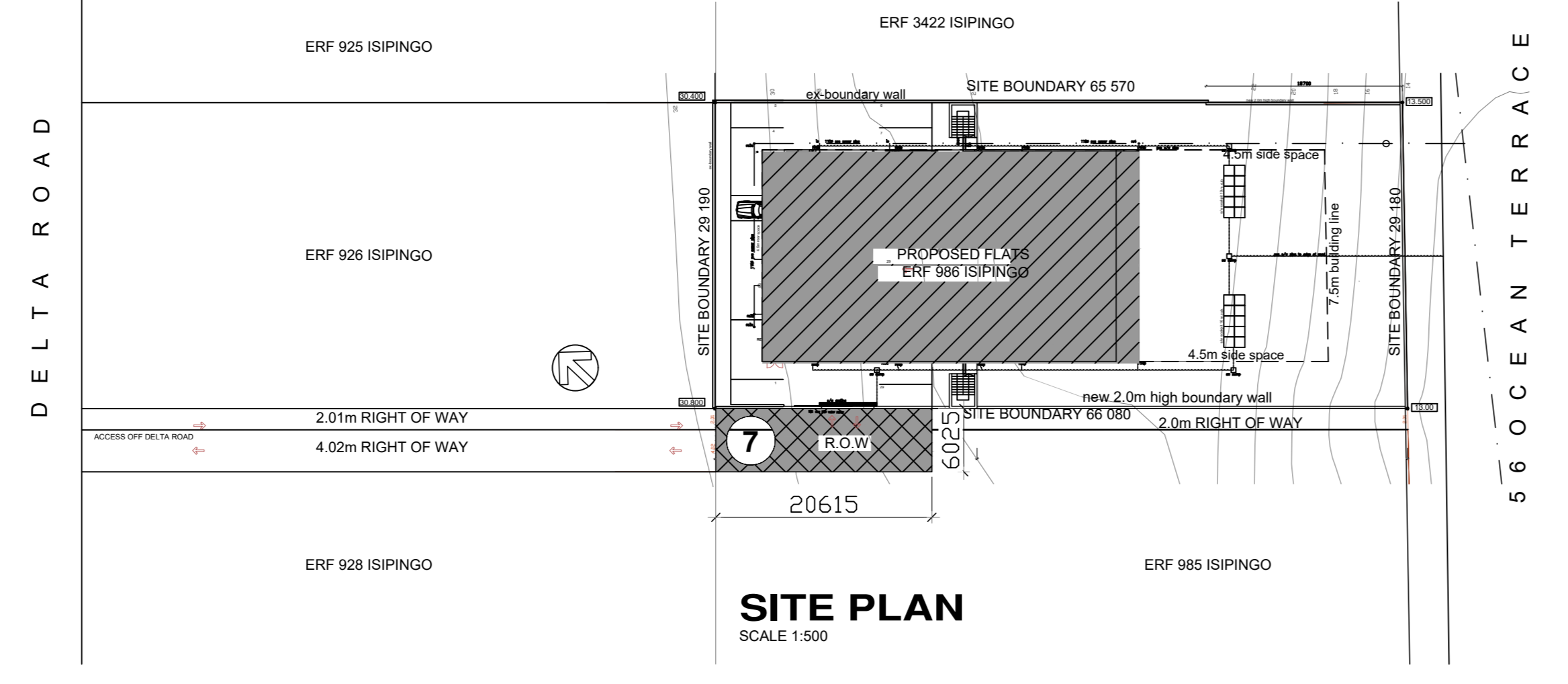
**SOUTH EAST ELEVATION**



**SOUTH WEST ELEVATION**

- NOTES IN RESPECT OF S.A NATIONAL STANDARD FOR THE APPLICATION OF SANS 10400 & SABS 8400**
- PART A GENERAL PRINCIPLES AND REQUIREMENTS**
    - ALL REQUIREMENTS TO COMPLY WITH PART A SANS 10400
  - PART B STRUCTURAL DESIGN**
    - ALL STRUCTURAL DESIGN AS PER RATIONAL DESIGN BY COMPETENT PERSON
  - PART C DIMENSIONS**
    - ALL DIMENSIONS OF ANY ROOM OR SPACE TO COMPLY WITH THE REQUIREMENTS WITH PART C SANS 10400
  - PART D PUBLIC SAFETY**
    - ALL BALUSTRADING TO COMPLY WITH D4.2 & D1 (ANNEX A)
    - ALL RAMP AND DRIVEWAYS TO COMPLY WITH D4.3 & D3 (ANNEX A)
  - PART E SITE OPERATIONS**
    - PART F SANS 10400
  - PART J FLOORS**
    - ALL SITE OPERATIONS TO COMPLY WITH PART G EXCAVATIONS
    - ALL EXCAVATIONS RELATING TO A BUILDING TO COMPLY WITH G4.1 & G4.2
  - PART K WALLS**
    - ALL FOUNDATIONS AS PER RATIONAL DESIGN BY COMPETENT PERSON TO COMPLY WITH PART H (ANNEX A)
    - OF PART K (ANNEX A) J1
    - ALL WATER RESISTANT FLOORS TO COMPLY WITH J4.2
    - ALL CONCRETE FLOORS SLABS TO COMPLY WITH J4.4 (ANNEX A)
    - COMPLY WITH PART K
    - ALL MASONRY WALLS TO COMPLY WITH K4.2 & K1 - K2 (ANNEX A)
    - ALL LINTELS TO COMPLY WITH B1 (ANNEX B) OF PART K K4.4 & K3
  - PART L ROOFS**
    - FIXING OF ROOF TO CONCRETE ELEMENTS TO COMPLY WITH ALL WATERPROOFING TO WALLS TO COMPLY WITH K4.5 & C1 (ANNEX C) COMPLY WITH L4.2
    - ALL FIRE PERFORMANCE AND RESISTANCE OF WALLS TO COMPLY WITH K4.6 & K4 TO COMPLY WITH L4.5
    - ALL STRUCTURAL WALLS AS PER RATIONAL DESIGN BY COMPETENT PERSON TO
    - ALL ROOF ASSEMBLIES TO COMPLY WITH L4.1
    - ALL WATERPROOFING AND COVERINGS TO PITCHED ROOFS TO
    - THE FIRE RESISTANCE AND COMBUSTIBILITY OF THE ROOF ASSEMBLY
  - PART M STAIRWAYS**
    - ALL STAIRWAYS TO COMPLY WITH M4.1
    - DIMENSIONS OF STAIRWAYS TO BE IN COMPLIANCE WITH M4.2
    - ALL BALUSTRADING TO COMPLY WITH M4.3
    - ALL MASONRY STAIRWAYS TO COMPLY WITH M4.4
  - PART N GLAZING**
    - ALL GLAZING TO COMPLY WITH PART N4, N1(ANNEX A) AND AAMSA REGULATIONS
  - PART O LIGHTING & VENTILATION**
    - ALL LIGHTING AND VENTILATION TO COMPLY WITH PART O4.1
    - ALL AREAS TO BE ARTIFICIALLY AND NATURALLY LIT TO COMPLY WITH PART O4.2 OF SANS 10400
    - ALL NATURAL AND MECHANICAL VENTILATION TO BE PROVIDED IN ACCORDANCE WITH PART O4.3 OF SANS 10400
    - BUILDING TO COMPLY IN TERMS WITH THE TOBACCO CONTROL LEGISLATION AS PER PART O4.4
  - PART T FIRE PROTECTION**
    - ALL SAFETY DISTANCES TO COMPLY WITH T4.2
    - ALL MATERIALS TO COMPLY WITH T4.5
    - FIRE RESISTANCE OF DIVISION SEPARATING ELEMENTS TO COMPLY WITH T4.6
    - ALL STRUCTURAL ELEMENTS & COMPONENTS TO COMPLY WITH TENANCY SEPARATING ELEMENTS TO COMPLY WITH T4.8
    - INTERNAL PARTITIONS AND WALLS TO COMPLY WITH T4.9
    - ALL OPENINGS TO BE PROTECTED IN COMPLIANCE WITH T4.10
    - ROOF ASSEMBLIES & COVERINGS TO COMPLY WITH T4.12
    - ALL CEILINGS TO COMPLY WITH T4.13
    - ALL FLOOR COVERINGS TO COMPLY WITH T4.14
    - ALL WALL FINISHES TO COMPLY WITH T4.15
    - ALL ACCESS DOORS TO EMERGENCY ROUTES TO BE SABS CLASS B 120 MIN RATED DOORS FITTED WITH SELF CLOSER'S IN COMPLIANCE WITH T4.16 & T4.17 & LOCKS IN COMPLIANCE WITH T4.16.9 / T4.16.10 T4.16.11
    - EMERGENCY ROUTES TO COMPLY WITH T4.19, T4.20 & T4.21
    - STAIRWAY TO COMPLY WITH T4.23
    - EXTERNAL STAIRWAYS AND PASSAGES TO COMPLY WITH T4.27
    - SIGNAGE TO BE PROVIDED IN ACCORDANCE WITH T4.29, T4.32.2
    - FIRE WATER RETICULATION TO COMPLY WITH T4.33 & SANS 10400.
    - FHR'S TO COMPLY WITH T4.34
    - HYDRANTS TO BE PROVIDED IN ACCORDANCE WITH T4.35
    - PORTABLE FIRE EXTINGUISHERS TO BE PROVIDED IN ACCORDANCE WITH T4.37 AND TO THE SATISFACTION OF THE CHIEF FIRE OFFICER
    - MOBILE FIRE EXTINGUISHERS TO BE PROVIDED IN ACCORDANCE WITH T4.38
    - SERVICE SHAFTS TO COMPLY WITH T4.40
    - SERVICE PIPES, CONDUITS & SLEEVES TO COMPLY WITH T4.41
    - ACCESS FOR FIRE FIGHTING AND RESCUE PURPOSES TO BE PROVIDED IN ACCORDANCE WITH T4.54
    - BUILDING MATERIALS TO COMPLY WITH T4.55 & T4.56
    - FIRE PROTECTION FOR HEALTH FACILITIES TO COMPLY WITH T4.59

- LIST OF AMENDMENTS**
1. THIRD FLOOR ADDED- ADDITIONAL 3 UNITS.
  2. NEW CONC. TILE ROOF ADDED OVER THIRD.
  3. ELEVATIONS CHANGED ACCORDINGLY.
  - 4.
  - 5.
  - 6.
  - 7.



**SITE PLAN**  
SCALE 1:500



**PROJECT: PROPOSED AMENDMENTS TO APPROVED PLAN NO SR 17/02/0009**

**ADDRESS: 56 OCEAN TERRACE**  
**TEL NO: 083 327 8690**

**CADASTRAL DESCRIPTION: ERF 985 ISIPINGO BEACH** **RATE NO.**

**CLIENT: AKR PROPERTY DEVELOPMENT**

**SIGNATURE**

**DATE: JUNE 2017 1:100** **SCALE: 03** **DWG NO: 03** **AUTHOR: S.Reddy**

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**QUEENSBURGH**  
**4147** **CELL: 071 764 0445**  
**EMAIL: reddy.srdesign@gmail.com**

# **Appendix B**

## **Public Participation Process**

**I&AP REGISTER/DATABASE - DISTRIBUTION LIST**

<b>ORGANISATION</b>	<b>CONTACT PERSON</b>	<b>PHONE NUMBER</b>	<b>CONTACT DETAILS</b>	<b>COPY OF THE BID SENT</b>	<b>COPY OF THE DRAFT S24G SENT</b>	<b>COPY OF THE FINAL S24G SENT</b>
KZN Department of Transport	Judy Reddy	033 355 8600	KwaZulu-Natal Department of Transport 224 Prince Alfred Street Pietermaritzburg <a href="mailto:Judy.Reddy@Kzntransport.gov.za">Judy.Reddy@Kzntransport.gov.za</a>	Yes	Yes	Yes - soft copy
Ezemvelo KZN Wildlife	Dominic Wieners	033 845 1346	Ezemvelo KZN Wildlife P.O.Box 13053 Cascades 3202 <a href="mailto:data@kznwildlife.com">data@kznwildlife.com</a> <a href="mailto:Dominic.Wieners@kznwildlife.com">Dominic.Wieners@kznwildlife.com</a>	Yes	Yes	Yes - soft copy
Department of Water and Sanitation	Siyabonga Buthelezi	031 336 2700	Department of Water and Sanitation 88 Joe Slovo Street Durban 4001 <a href="mailto:ButheleziS2@dws.gov.za">ButheleziS2@dws.gov.za</a>	Yes	Yes	Yes - soft copy
AMAFA	Bernadet Pawandiwa	033 394 6543	<a href="mailto:bernadetp@amafapmb.co.za">bernadetp@amafapmb.co.za</a>	online application	Yes - soft copy	Yes - soft copy
KZN Corporate Governance and Traditional Affairs	Vishnu Govender	031 204 1711	KwaZulu-Natal: Corporate Governance and Traditional Affairs 7 Buro Crescent Mayville Durban 4091 <a href="mailto:vishnu.govender@kzncogta.gov.za">vishnu.govender@kzncogta.gov.za</a>	Yes	Yes - soft copy	Yes - soft copy
Ward Councillor, Ward 90	Sunil Brijmohan	0781305450	381 Orient Drive, Orient Hills, Isipingo, 4133 <a href="mailto:sunilbrijmohan6@gmail.com">sunilbrijmohan6@gmail.com</a>	Yes	Yes	Yes - soft copy
Commission on Restitution of Land Rights	Lynn Boucher	033 341 2600	Commission on Restitution of Land Rights Private Bag X9120 Pietermaritzburg 3200 <a href="mailto:lynn.boucher@drdlr.gov.za">lynn.boucher@drdlr.gov.za</a>	Yes	NO - did not want a copy	NO - did not want a copy



eThekwini Municipality Environmental Planning & Climate Protection Department	Diane van Rensburg	031 311 7919	eThekwini Municipality Environmental Planning & Climate Protection Department 166 K.E. Masinga Road Durban 4025 <a href="mailto:diane.VanRensburg@durban.gov.za">diane.VanRensburg@durban.gov.za</a>	Yes	Yes	Yes
KZN Department of Economic Development, Tourism and Environmental Affairs	Nazir Jamal	031 366 7320 081 521 2652	KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs 40 Dr A. B. Xuma Street Durban 4001 <a href="mailto:nazir.jamal@kznedtea.gov.za">nazir.jamal@kznedtea.gov.za</a>	Yes	Yes	Yes
EDTEA: Coastal and Biodiversity Management Unit	Omar Parak	0338979208	KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (EDTEA) Private Bag X9152 Pietermaritzburg 3200 <a href="mailto:omar.parak@kznedtea.gov.za">omar.parak@kznedtea.gov.za</a>	Yes	Yes -soft copy	Yes -soft copy
5 Tiger Rocks Road Isipingo Beach	vacant	n/a	vacant	Yes	Did not register as I&AP	Did not register as I&AP
52 Ocean Terrace Isipingo Beach	Private Landowner	n/a	52 Ocean Terrace Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
50 Ocean Terrace Isipingo Beach	Private Landowner	n/a	50 Ocean Terrace Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
48 Ocean Terrace Isipingo Beach	Private Landowner	n/a	P.O. BOX 26464 Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
46 Ocean Terrace Isipingo Beach	Private Landowner	n/a	46 Ocean Terrace Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
47 Delta Road Isipingo Beach	Private Landowner	n/a	47 Delta Road Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
49 Delta Road Isipingo Beach	Private Landowner	n/a	49 Delta Road Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
51 Delta Road Isipingo Beach	Private Landowner	n/a	51 Delta Road Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP
53 Delta Road Isipingo Beach	Private Landowner	n/a	53 Delta Road Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP

55 Delta Road Isipingo Beach	Private Landowner	n/a	Dr Meer P.O. BOX 26108 Isipingo Beach 4115	Yes	Did not register as I&AP	Did not register as I&AP
56 Delta Road Isipingo Beach	Private Landowner	n/a	56 Delta Road Isipingo Beach	Yes	Did not register as I&AP	Did not register as I&AP

## **BACKGROUND INFORMATION DOCUMENT**

### **FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY.**

#### **Purpose of a Background Information Document (BID)**

The purpose of this Background Information Document (BID) is to provide Interested and Affected Parties (I&AP's) with background information on the project and introduce the Section 24G Application (S24G). The BID aims to:

- (i) inform I&AP's on how to participate in the S24G application,
- (ii) encourage responses to documents that will be distributed for review and
- (iii) encourage I&AP's to attend any public meetings.

**1World Consultants (Pty) Ltd have been appointed as the independent Environmental Assessment Practitioner (EAP), to undertake the Section 24G Application for the rectification of the unlawful commencement and continuation of a listed activity situated at 56 Ocean Terrace, Isipingo Beach, located within the eThekwini Municipality.**

#### **Nature and Location of Activity**

AKR Property Development (Pty) Ltd has commenced with the development of a multi-story residential complex situated at 56 Ocean Terrace, Isipingo Beach, located within the eThekwini Municipality (map 1 below).

The site is located within an urban area and lies within 100m from the High-Water Mark of the sea (HWM). The development footprint is 1600m<sup>2</sup>, and 3 storeys in high. The proposed development will serve as a multi-storey residential complex.

#### **Environmental Impact**

The development involves the construction of a new entrance driveway, new boundary wall, basement and upper floor, ground floor (parking deck) and third floor. The proposed development is located within 100m from the High-Water Mark (HWM) of the sea and will require more than 5 cubic metres of material to be removed from site. Hence an Environmental Authorisation will be required.

Since development has already commenced, a Section 24G Application must be lodged for the rectification and continuation of the listed activity as per Listing Notice 1:

**Activity 19A:** *The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-*

***(ii) a distance of 100 metres inland of the high-water mark of the sea.***

**BACKGROUND INFORMATION DOCUMENT**

**FOR THE RECIFICATION AND CONTINUATION OF THE DEVELOPMENT OF  
A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN  
TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI  
MUNICIPALITY.**

**The Section 24G Application and Public Participation Process (PPP)**

The primary aim of the Section 24G Application is to allow for the department to retrospectively authorise the development and to ensure that any potential environmental impacts that may have occurred, due to the construction and operation of the development, are mitigated.

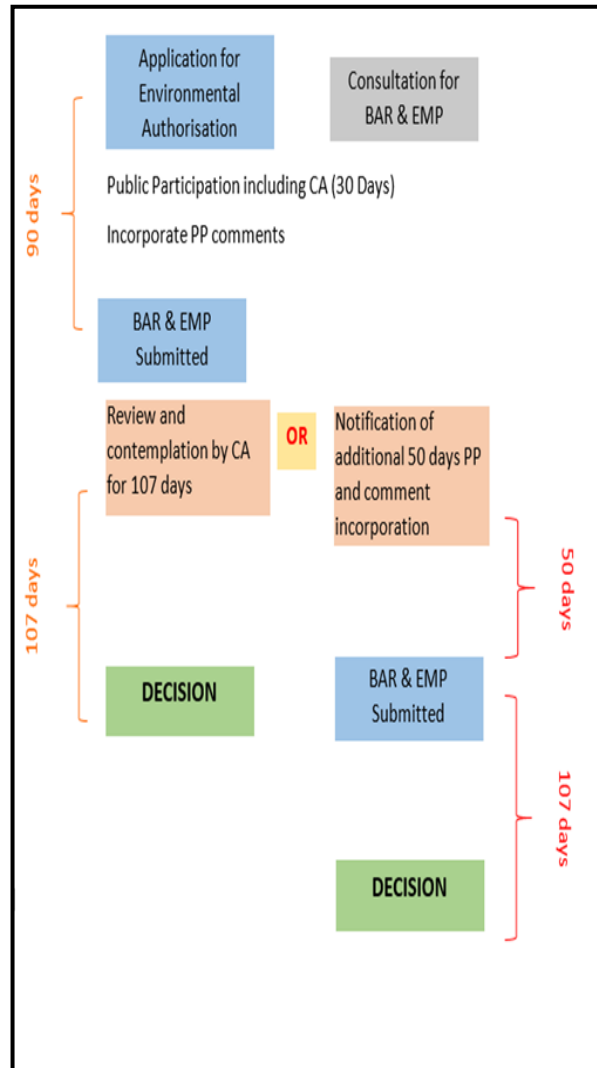
The main aspects of an S24G Application are:

- Investigate and gather information on the area,
- Describe the environment and how the development would fit in,
- Identify and involve potential I&AP's and stakeholders,
- Identify potential impacts,
- Investigate alternatives to the development,
- Recommend mitigation measures and compile an Environmental Management Plan (EMP) for the construction and operational phases.

An S24G application adheres to the same timeframe as per a Basic Assessment Report.

**Mitigation Measures:**

There are several risks associated with construction activities. Initial mitigation measures include a minimal working footprint, site demarcation, demarcation of no-go areas, designated and demarcated site access routes, sediment control measures, spillage control measures, dust control measures, general construction control, staff training and site rehabilitation post construction. A monitoring and auditing plan for the construction and operational phases of the development, will be formulated to ensure that the mitigation measures, detailed in the Environmental Management Plan (EMP) are followed.



## **BACKGROUND INFORMATION DOCUMENT**

### **FOR THE RECIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY.**

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#### **Elements of the PPP**

The public will be invited to register as an I&AP and take part in the PPP through:

- Media Notices placed in newspapers.
- Distribution of this Background Information Document (BID)
- Site notice boards
- Stakeholder meetings (if necessary)
- Public meeting (if necessary)
- Submission of comments on the media notices, BID and S24G Application

Note: All information is available on request.

#### **How to Participate?**

All Interested and Affected Parties (I&AP's) are invited to register, on the database managed by 1World Consultants by email or fax using the details provided.

Comments and recommendations regarding the development are welcome and may be addressed to:

**Roschel Maharaj**  
**(Environmental Assessment Practitioner)**

Tel: 031 262 8327

Fax: 086 726 3619

Postal: PO Box 2311, Westville, 3630

Email: [roschel@1wc.co.za](mailto:roschel@1wc.co.za)

**BACKGROUND INFORMATION DOCUMENT**

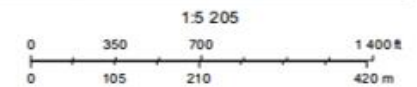
**FOR THE RECIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY**

Map 1: General Locality of the Development Site at 56 Ocean Terrace, Isipingo Beach



January 29, 2018

56 Ocean Terrace



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- 10. Catering
- 11. Computers
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- 16. Eastern Garments
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- 20. For Sale
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- 26. Leisure
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- 31. Medical
- 32. Messages
- 33. Musical Instruments
- 34. Notice
- 35. Opportunity
- 36. Painting
- 37. Personal
- 38. Pets
- 39. Property
- 40. Services
- 41. To-Let
- 42. Tuition
- 43. Vacancy
- 44. Wanted

**36 PERSONAL**

**PRAYER OF ST JUDE**

Holy St Jude, Apostle and Martyr Great in virtue and rich in miracles, Kinsman of Jesus Christ, faithful intercessor for all who invoke you, special patron in time of need, to you I have recourse from the depth of my heart and humbly beg you to come to my assistance, help me now in my urgent need and grant my petition. In return I promise to make your name known. AC

**PRAYER TO HOLY SPIRIT**

Holy Spirit, you who make me see everything and who shows me the way to reach my ideals, you who give me the divine gift all that is done to me, you are in all instincts of my life with me, I want to thank you for everything and confirm once more that I never want to be separated from you, no matter how great the material desires may be, I want to be with you and my loved ones in your perpetual glory. Amen. Say this prayer for three days and no matter how difficult your wish will be granted. You must promise to publish as soon as your favour has been granted. AC

**PRAYER OF ST JUDE**

Holy St Jude, Apostle and Martyr Great in virtue and rich in miracles, Kinsman of Jesus Christ, faithful intercessor for all who invoke you, special patron in time of need, to you I have recourse from the depth of my heart and humbly beg you to come to my assistance, help me now in my urgent need and grant my petition. In return I promise to make your name known. PDC

**PRAYER TO HOLY SPIRIT**

Holy Spirit you who make me see everything and who shows me the way to reach my ideals, you who give me the divine gift all that is done to me, you are in all instincts of my life with me, I want to thank you for everything and confirm once more that I never want to be separated from you no matter how great the material desires may be, I want to be with you and my loved ones in your perpetual glory. Amen. Say this prayer for three days and not matter how difficult your wish will be granted. You must promise to publish as soon as your favour has been granted. PDC

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**36 PERSONAL**

**PRAYER OF ST JUDE**

Holy St Jude, Apostle and Martyr Great in virtue and rich in miracles, Kinsman of Jesus Christ, faithful intercessor for all who invoke you, special patron in time of need, to you I have recourse from the depth of my heart and humbly beg you to come to my assistance, help me now in my urgent need and grant my petition. In return I promise to make your name known. VB

**PRAYER TO HOLY SPIRIT**

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**PUBLIC PARTICIPATION PROCESS**  
 NOTICE TO UNDERTAKE A SECTION 24G (S24G) FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY, KWAZULU-NATAL

EIA REFERENCE NUMBER: DM/S24G/0004/2017

Notice is hereby given in terms of the NEMA Regulations, as promulgated in GNR 326 (07 April 2017), of intent to lodge an Application for Environmental Authorisation with the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (DEDTEA) by AKR Property Development (Pty) Ltd, for the development of a residential complex located within an urban area and approximately 100m from the High-Water Mark (HWM) of the sea.  
**Project Outline:** AKR Property Development (Pty) Ltd has undertaken the development of a multi-storey residential complex situated at 56 Ocean Terrace, Isipingo Beach, located within the eThekweni Municipality. The development includes a new entrance driveway, a new boundary wall, ground floor (parking deck), two lower levels and three upper levels. Excavation of soils within 100m of the High-Water Mark of the sea is required.  
 Therefore, an Environmental Authorisation is needed from the KZN EDTEA. The S24G application and the relevant components for the application are available on request from 1World Consultants (Pty) Ltd.

**PROCESS FOR INCLUSION IN THE PUBLIC PARTICIPATION PROCESS**

1World Consultants (Pty) Ltd, the independent Environmental Assessment Practitioner (EAP) have been appointed by AKR Property Development (Pty) Ltd, to undertake the S24G application and the associated Public Participation Process for the project.

- Interested and Affected Parties (I&AP's) are invited to register via email or fax by submitting their name, contact information and interest in the project to the environmental consultant within 30 days of this advertisement publication, for inclusion in the Public Participation Process.
- Copies of all documents and reports are available for review and comment, upon request from the EAP.

**EAP Details:**  
 Roschel Maharaj, B.Sc.  
 Address | P.O. Box 2311, Westville, 3630  
 Fax | 086 726 3619  
 Email | roschel@1wc.co.za



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**031 581 1806**

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			3		5			
6			8	1	2			3
	6	7		8		9	4	
			5	4	6			
1	4	3				5	6	8
			5			4		
8	3		7	2	4		5	9
4		9				2		7

**SUDOKU NO.008**

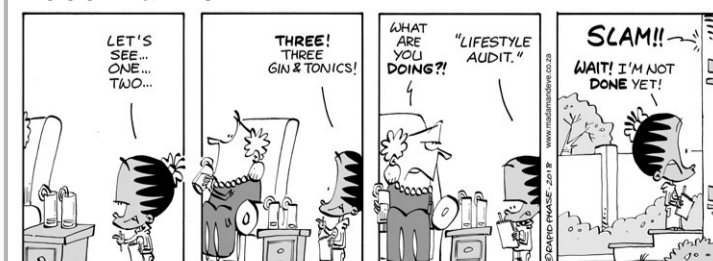
**PUZZLE**

**Object:** Fill in the remaining empty cells (one number in each cell) so that every row, every column, and every 3x3 box contains the digits 1 through 9. This means that once the sudoku puzzle is complete, every number from 1 to 9 occurs and only once in a row, column and 3x3 region

5	2	3	6	9	4	8	7	1
9	7	4	2	8	1	3	6	5
8	1	6	7	3	5	2	4	9
1	8	5	3	6	2	7	9	4
2	3	7	4	5	9	1	8	6
4	6	9	8	1	7	5	2	3
6	9	8	5	2	3	4	1	7
3	4	1	9	7	8	6	5	2
7	5	2	1	4	6	9	3	8

SOLUTION NO-007

**Madam & Eve**



# NOTICE OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE SECTION 24G APPLICATION

FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULT-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY

EIA REFERENCE NUMBER: DM/S24G/0004/2017

Notice is hereby given in terms of the NEMA Regulations, as promulgated in GNR 326 (07 April 2017), of intent to lodge an Application for Environmental Authorisation with the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (DEDTEA) by **AKR Development (Pty) Ltd**, for the development of a structure that is located within an urban area and approximately 100m from the High-Water Mark (HWM) of the sea.



**Project Details:** AKR Development (Pty) Ltd, has commenced with the development of a multi-story residential block situated at 56 Ocean Terrace, Isipingo, eThekweni Municipality, (as depicted above). The development activity is subject to a Section 24G application. All Interested and Affected Parties (I&AP's) are invited to register with 1World Consultants (Pty) Ltd, (contact details below) and to participate in the process.

**Contact Details:** Interested and Affected Parties must register via email or fax by submitting their name, contact information and interest in the project using the contact details for Roschel Maharaj below.

**Roschel Maharaj (Environmental Assessment Practitioner)**

Postal: PO Box 2311, Westville, 3630

Email: [roschel@1wc.co.za](mailto:roschel@1wc.co.za)

Tel: 031 262 8327

Fax: 086 726 3619



Date of this Notice: February 2018



**Photographs of Notice Boards on Site**



**Plate 1: Site Notice Board Place Along the Main Access Road to 56 Ocean Terrace, Zoomed in image.**



**Plate 2: Site Notice Board Along the Main Entrance to 56 Ocean Terrace.**



**Plate 3: Site Notice Board Along Tiger Rocks Road.**



**Plate 4: Site Notice Board Placed Along Tiger Rocks Road, Zoomed in image.**

**Table 8: Physical Addresses of Landowners within 100m of 56 Ocean Terrace as per Map 3 Above.**

	Physical Address	Letter Delivery	EAP Comment	Signature
	56 Ocean Terrace, Isipingo Beach	N/A	Client and Development Site	
A	5 Tiger Rocks Road, Isipingo Beach	VACANT	The property was inaccessible. A copy of the BID was deposited into the post box at the property.	
B	52 Ocean Terrace, Isipingo Beach	Hand delivered to postbox	The BID was hand delivered and received by Mr. Naveen.	
C	50 Ocean Terrace, Isipingo Beach	YES	The BID was hand delivered and received by Ms. Jeanette.	Jeanette Waicker 083 839 3050
D	48 Ocean Terrace, Isipingo Beach	Hand delivered to postbox	The property was inaccessible. A copy of the BID was deposited into the post box at the property.	
E	46 Ocean Terrace, Isipingo Beach	YES	The BID was hand delivered and received by Ms. Fahmeeda.	MRS. B. S. BHAGWANDIA Bhagwandi Adina Kamtha 08134 70947
F	47 Delta Road, Isipingo Beach	YES.	The property was inaccessible. A copy of the BID was deposited into the post box at the property.	
G	49 Delta Road, Isipingo Beach	YES	The BID was hand delivered and received by Mr. Sam.	ZAINUB / KATHIJA HASSIM 0832776299 . Z A

0731961762  
WORK: 0319026623



Environmental & Engineering Consultants

Postal Address: P.O Box 2311, Westville, 3630

Tel: 031 262 8327

Fax: 086 726 3619

H	51 Delta Road, Isipingo Beach	YES	The property was inaccessible. A copy of the BID was deposited into the post box at the property.	HAMEES 0604170501 HADI
I	53 Delta Road, Isipingo Beach	YES	The BID was hand delivered and received by Ms. Naidoo.	U. Naidoo 073 24 74 546
J	55 Delta Road, Isipingo Beach	Hand delivered to postbox	The property was inaccessible. A copy of the BID was deposited into the post box at the property.	
K	56 Delta Road, Isipingo Beach	YES	The BID was hand delivered and received by Mr. Mohamed.	E. KADUNA 084 409 7865

## **Comments and Responses**

COMMENTS AND RESPONSES REPORT: COMMENT RECEIVED ON THE BID			
ORGANISATION	CONTACT PERSON	COMMENT RECEIVED	EAP RESPONSE
Commission on Restitution of Land Rights	Lynn Boucher	<p>(19 February 2018)</p> <p>Dear Sir/ Madam</p> <p><b>Request Information on Property: Land Claim</b></p> <p>We acknowledge receipt of your enquiry received on 12 February 2018 and advise that our records indicate that no claim for restitution in terms of the provisions of the Restitution of Land Rights Act, 22 of 1994 (as amended) has been lodged in respect of the property described as <b>56 Ocean Terrace, Isipingo Beach</b>.</p> <p>Whilst great care is taken to verify the accuracy of the information regarding all claims, the Regional Land Claims Commission will not be held responsible for any damage or loss suffered as a result of information furnished in this regard as there are claims lodged with the Commission which are not yet captured in our database as they are not yet published in the relevant government gazette.</p>	<p>(09 April 2018)</p> <p><b><u>RE: BACKGROUND INFORMATION DOCUMENT FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY</u></b></p> <p>Your comments dated 19 February 2018 on the BID provided to your department by 1World Consultants (Pty) Ltd for the multi-storey residential complex at Isipingo Beach refers. Kindly note, in the interest of providing you with a comprehensive response there was a delay in formally responding to your comments.</p> <p>1World acknowledges that as per your records, no claims have been lodged in respect of the property described as 56 Ocean Terrace, Isipingo Beach.</p>
eThekwini Municipality Environmental Planning & Climate Protection Department	Diane van Rensburg	<p>(15 March 2018)</p> <p>Dear Sir/Madam</p> <p><b><u>RE: BACKGROUND INFORMATION DOCUMENT FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH.</u></b></p> <p>With reference to the above-mentioned Background Information Document, please be advised that various Municipal Departments have had sight of the proposal and the following comments are submitted for your attention:-</p> <p><b>1. eThekwini Electricity Department</b> The H.V. Department has no objection however please note:</p> <p>1.1. The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition, should any</p>	<p>(09 April 2018)</p> <p><b><u>RE: BACKGROUND INFORMATION DOCUMENT FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH, LOCATED WITHIN THE ETHEKWINI MUNICIPALITY</u></b></p> <p>Your comments dated 06 April 2018 on the BID provided to your department by 1World Consultants (Pty) Ltd for the rectification and continuation of a multi-story residential complex refers.</p> <p><b>1. eThekwini Electricity Department</b> 1World acknowledges that the eThekwini Electricity Department has no objection to the proposed development. The points stated have been noted and will be communicated to the developer and contractor team.</p> <p><b>2. Environmental Planning and Climate Protection Department</b> 1World has noted that this Department has no objection to the</p>

	<p>overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.</p> <p>1.2. The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.</p> <p><b>2. Environmental Planning and Climate Protection Department</b> This Department has reviewed the Background Information Document prepared for the proposed multi-storey residential complex located on the above property and presents the following comments:</p> <p>2.1. The site is located outside of the Durban Metropolitan Open Space Systems (D'MOSS) and is low ecological significance.</p> <p>2.2. The site is located within 100m of the High Water Mark, however existing infrastructure separates the site from the coastal zone.</p> <p>2.3. This Department has no objection to the proposal.</p> <p><b>3. Land Use Management Branch</b> Erf 986 Isipingo is zoned General Residential 01, Multiple Unit Development is a free entry with the following additional condition.</p> <p>Multi-Unit Development shall have a Floor Area Ratio of 0.5, Coverage of 40% and Height of 2 storeys.</p> <p><b>4. Strategic Spatial Planning Branch</b> The Strategic Spatial Planning Branch (SSPB) has reviewed the abovementioned application and has the following comments:</p> <p>4.1. The Spatial Development Framework (2017/18) and South Spatial Development Plan (2013/14) identified the area for Residential purposes.</p> <p>4.2. Furthermore, the Isipingo Local Area Plan (2016) considers the subject site for Residential purposes and the site is currently zoned General Residential 1.</p> <p>4.3. At this stage giving a definitive comment whether or not the proposed development is meeting the density requirements highlighted in the afore</p>	<p>development. A Draft S24G application has been prepared and submitted to this Department on 22 March 2018 for a 30-day commenting period.</p> <p><b>3. Land Use Management Branch</b> Noted.</p> <p><b>4. Strategic Spatial Planning Branch</b> 1WC acknowledges that this department requires more information to provide detailed comment on the proposal. A Draft S24G application has been prepared and submitted to this Department on 22 March 2018 for a 30-day commenting period. The Coastal, Stormwater and Catchment Management Department has reviewed the proposal and has no objection as per point 6 of the consolidated comments.</p> <p><b>5. Project Executive: Coastal Policy</b> 1WC will engage with Dr Mather to discuss the requirements for a Shadow Impact Assessment. However, it must be noted that the Draft S24G application has been distributed on 22 March 2018 allowing for a 30-day commenting period i.e. prior to receipt of the consolidated comments on the BID.</p> <p><b>6. Coastal, Stormwater and Catchment Management</b> Noted</p> <p><b>7. Parks, Leisure and Cemeteries</b> Noted. EPCPD has reviewed the proposal and has no objection to the proposal. A Draft S24G Application has been distributed on 22 March 2018 to the said department for a 30-day commenting period.</p> <p><b>8. Pavement and Geotechnical Engineering</b> Noted. A geotechnical investigation has been conducted by Peter Allen and Associates in February 2017. The geotechnical report has been appended to the draft S24G application. The draft S24G application has been distributed on 22 March 2018 for a 30-day commenting period.</p> <p><b>9. eThekweni Transport Authority</b> Noted</p>
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		<p>mentioned package of plans is not possible. This Branch needs more information regarding the full extent of the development proposal. This will enable this Branch to issue a more detailed comment based on this Branch's approved plans.</p> <p>4.4. Given that the site is located within 100m of the High Water Mark and is at higher risk of sea level rise and coastal erosion the application is to be referred to the Coastal, Stormwater and Catchment Management Department for consideration and comment.</p> <p>4.5. This Branch reserves the right to comment further should the need arise.</p> <p><b>5. Project Executive: Coastal Policy</b> The Applicant must undertake a shadow impact assessment and submit this to Project Executive: Coastal Policy (Dr AA Mather Telephone 031 311 7281).</p> <p>Please note that this is a requirement of the building plan approval phase however, it is in the best interest of the client to ascertain what site specific impacts the eThekweni Minimisation of Beach Shadow Policy could have on their development. The Applicant is to contact Dr Mather if they require sight of the Shadow Policy.</p> <p><b>6. Coastal, Stormwater and Catchment Management</b> This Department has no objection.</p> <p><b>7. Parks, Leisure and Cemeteries</b> This Department has no objection to the development however, comment must be obtained from the Environmental Planning and Climate Protection Department.</p> <p><b>8. Pavement and Geotechnical Engineering</b> The Background Information Document does not say how far the development has gone. The site is underlain by loose dune sands which are very easily destabilised by careless excavations. Although not itself zoned unstable, the immediately adjacent site to the south is zoned so this site could be considered marginally at risk in its natural state. A basement excavation would certainly be a high risk for collapse - a particular concern with a multi-storey block on the northern boundary. A detailed stability and founding assessment must be done by a suitably experienced, SACNASP registered engineering geologist to</p>	<p><b>10. Environmental Health Department</b> World acknowledges the points made by this department. These points have been addressed in the draft S24G application which has been distributed on 22 March 2018 for a 30-day commenting period.</p> <p><b>11. eThekweni Water and Sanitation Department</b> Noted. Wastewater generated from the development will discharge into the municipal sewer network. The quantity will be confirmed and included in the final report as the draft report has already been distributed on 22 March 2018 for a 30-day commenting period i.e. prior to receipt of this comment.</p> <p><b>12. Durban Solid Waste</b> Noted.</p> <p><b>13. Disaster Management</b> Noted.</p> <p><b>14. Fire Safety</b> Noted.</p>
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		<p>ensure that excavations and development do not induce slope instability on this property.</p> <p><b>9. eThekweni Transport Authority</b> Please be advised that there is no objection to the proposed multi-storey residential development at 56 Ocean Terrace, Isipingo Beach.</p> <p>The Planning application has already been approved by this Department.</p> <p><b>10. Environmental Health Department</b> This Department submits the following comments:</p> <p>10.1. All construction waste generated must be disposed to an approved land fill site.</p> <p>10.2. Dust and noise emitted during the construction phase must be monitored.</p> <p>10.3. All building works to be built according to the national building regulation and building standards acts.</p> <p>10.4. All the infrastructure development is to comply with all the Municipal By-Laws.</p> <p><b>11. eThekweni Water and Sanitation Department</b> Sanitation Planning Branch:</p> <p>This Branch would like to see the information requested in 11.1, 11.2 and 11.3 below included in the Draft Basic Assessment Report, under the wastewater/ sanitation section.</p> <p>11.1. Will there be wastewater generated from the proposed project during construction and operation?</p> <p>11.2. If so, will the wastewater be discharged into the Municipal sewer network?</p> <p>11.3. If yes, then what will the quantity of the wastewater be in "Ml/day" (i.e. mega litres per day)?</p>	
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**COMMENTS AND RESPONSES REPORT: COMMENT RECEIVED ON THE DRAFT S24G APPLICATION**

ORGANISATION	CONTACT PERSON	COMMENT RECEIVED	EAP RESPONSE
<p>Economic Development, Tourism and Environmental Affairs</p>	<p>Nazeer Jamal</p>	<p>(16 April 2018)</p> <p><b>RE: DM/S24G/0004/2017 - COMMENTS ON THE DRAFT S24G ASSESSMENT REPORT DATED MARCH 2018 FOR THE RECTIFICATION OF THE UNLAWFUL COMMENCEMENT AND CONTINUATION OF THE DEVELOPMENT SITUATED AT 56 OCEAN TERRACE, ISIPINGO LOCATED WITHIN THE ETHEKWINI MUNICIPALITY</b></p> <p>1. The Draft S24G Assessment Report dated March 2018 for the Rectification of the Unlawful Commencement and Continuation of the Development situated at 56 Ocean Terrace, Isipingo, refers.</p> <p>2. Following a review of the above mentioned report, the Department hereby comments as follows:</p> <p>2.1. <i>Entire Report:</i> Please note that the GNR 983 EIA Regulations of 2014 has been repealed and replaced with GNR 327 EIA Regulations of 2017. Therefore please remove any references to the 2014 EIA Regulations.</p> <p>2.2. <i>Page 6:</i> Please clarify the date of ownership of the property by AKR Property Development (Pty) Ltd as we were informed that the purchase was done in 2017 and not in 2016 as stated in the report.</p> <p>2.3. <i>Page 19 &amp; 41:</i> Please ensure that the document is drafted in the past tense as reference is made to the proposed development rather than the existing development.</p> <p>2.4. <i>Page 23:</i> A more detailed description of the Environmental Attributes must be provided.</p> <p>2.5. <i>Page 31:</i> The Department is concerned that Soil Erosion and Stormwater Impacts are described as being low impact when there exists already erosion of the banks on site.</p> <p>2.6. <i>Page 33:</i> Please ensure that the report only deals with impacts and mitigation during the construction and operational phases with no reference to earthworks or pre-construction issues.</p>	<p>(17 April 2018)</p> <p><b><u>RE: COMMENTS ON THE DRAFT S24G ASSESSMENT REPORT DATED MARCH 2018 FOR THE RECTIFICATION AND CONTINUATION OF THE UNLAWFUL COMMENCEMENT AND CONTINUATION OF THE DEVELOPMENT SITUATED AT 56 OCEAN TERRACE, ISIPINGO LOCATED WITHIN THE ETHEKWINI MUNICIPALITY</u></b></p> <p>1. Your comments dated 16 April 2018 on the draft S24G report provided to your department by 1World Consultants (Pty) Ltd for the rectification and continuation of a multi-story residential complex refers.</p> <p>2.1. The S24G Report will be scanned and updated. Any reference to the 2014 EIA Regulations will be replaced by the 2017 EIA Regulations.</p> <p>2.2. As per the title deed that was provided by the client, the transfer of property was made in 2016. However, AKR Property Development took over the site and building plans in 2017. This will be confirmed and updated in the final report.</p> <p>2.3. Noted. The document will be updated to be read in past tense.</p> <p>2.4. The Environmental Attributes section will be updated, and more detail will be added before the final submission.</p> <p>2.5. Soil erosion and stormwater impacts have been rated as low impacts with mitigation measures. However, the impact will be reviewed considering that the bank is currently eroded.</p> <p>2.6. Noted. Impacts and mitigation measures will focus on construction and operational phases only.</p> <p>2.7. Noted. 1World will confirm if this had been done and will be updated before final submission.</p> <p>2.8. Noted. The author will be contacted to sign the report.</p>

		<p>2.7. <i>Page 6 of the Geotech Report</i>: recommends that pressure grouted auger piles must support the development. Please advise if this was done by the developer. If not how is this to be mitigated.</p> <p>2.8. <i>Page 6 of The Stormwater Management Plan</i>: Must be signed by the author and engineer.</p> <p>2.9. <i>Page 1 of the Traffic Impact Assessment Report</i>: Must be signed by the author.</p> <p>2.10. <i>Page 41: Condition of Authorisation</i>: The Department advises that the ECO monitor the facility during the operational phase over a year with an audit carried out once every two months.</p> <p>2.11. <i>Page 6 of EMPr</i>: As per Appendix 4 of the EIA Regulations, the EMPr needs to include the expertise and curriculum vitae of the EAP.</p> <p>2.12. <i>Page 6 of EMPr</i>: Clarification is needed regarding the number of apartments and floor levels as it states there are 18 apartments and 5 levels.</p> <p>2.13. <i>Page 17 Design and Pre-construction Phases of EMPr</i>: Content regarding the pre-construction phase can be removed.</p> <p>2.14. <i>Page 20 Construction Phase of EMPr</i>: The introductory statement needs to be revised as it makes reference to a pipeline development.</p> <p>2.15. <i>Page 28 Rehabilitation Phase of EMPr</i>: Please provide a more detailed explanation of mitigation measures to be undertaken with regards to storm water management and stipulate the person(s) responsible and monitoring frequency.</p> <p>2.16. <i>Page 29 &amp; 30 Operational Phase of EMPr</i>: Ensure impacts and mitigation strategies are elaborated and explained and not posed as a statement for example – Mitigation measures for the air quality issues need to be stipulated here and not the potential impacts, alternatively, it is advised to remove the statement if it is unnecessary.</p> <p>2.17. <i>Page 30 Stormwater Management of EMPr</i>: Please add that vehicle washing areas must drain into sewage drains and not storm water drains.</p>	<p>2.9. Noted. The author will be contacted to sign the report.</p> <p>2.10. 1World has not been appointed to carry out compliance audits. 1World will contact the client and advise that an ECO will be required to monitor the facility during the operational phase for a period of 1 year.</p> <p>2.11. Noted. The EMPr will be updated according to Appendix 4 of the EIA Regulations.</p> <p>2.12. The development comprises of 3 levels and 15 apartments. This will be kept consistent throughout the report.</p> <p>2.13. Noted. The design and pre-construction phases will be removed from the EMPr.</p> <p>2.14. Noted. This error will be corrected before final submission.</p> <p>2.15. Noted. More detail will be provided explaining the mitigation measures to be undertaken with regards to stormwater management</p> <p>2.16. Noted. Impacts/ statements will be removed and replaced with mitigation measures.</p> <p>2.17. Noted. The EMPr will be updated accordingly.</p> <p>2.18. Noted. The EMPr will be updated as per Appendix 4 of the EIA Regulations. A map displaying the proposed development will be included.</p> <p>2.19. The Rehabilitation Plan will be updated to be read in past tense. The updated plan will be included in the final submission of the report.</p>
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Ezemvelo KZN Wildlife	Noluthando Dlamini	<p>(25 April 2018)</p> <p><b>PROPOSED RECTIFICATION OF THE UNLAWFUL COMMENCEMENT AND CONTINUATION OF THE DEVELOPMENT SITUATED AT 56 OCEAN TERRACE, ISIPINGO</b>  <b>District Municipality: Ethekwini</b></p> <p>Dear Madam</p> <p>Thank you for forwarding the Draft Basic Assessment Report and Environmental Management Plan, dated April 2018, for the abovementioned application to Ezemvelo KZN Wildlife (Ezemvelo) for review and comment.</p> <p>Ezemvelo will not be providing comment on this application, but trust that all significant biodiversity related concerns have been clearly identified and made known in this assessment together with appropriate measures (viz. avoid, mitigate and thereafter ameliorate) to safeguard the ecological integrity of the developable area.</p> <p>Please be advised that the potential impacts upon biodiversity will be evaluated by the Competent Authority who may, upon receipt, refer the application this organisation for evaluation and advice prior to making a decision. In such case, the environmental principles prescribed in the National Environmental Management Act 107 of 1998, the objectives of the National Environmental Management Biodiversity Act 10 of 2004 and best practice will be applied.</p> <p>Ezemvelo KZN Wildlife wishes you well with your assessment.</p>	<p>(25 April 2018)</p> <p><b><u>RE: DRAFT S24G APPLICATION FOR THE RECTIFICATION OF THE UNLAWFUL COMMENCEMENT AND CONTINUATION OF THE DEVELOPMENT SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH</u></b></p> <p>Your comments dated 25 April 2018 on the draft S24G provided to your department by 1World Consultants (Pty) Ltd for the proposed Inanda Glebe Sewer Reticulation refers.</p> <p>1World acknowledges that Ezemvelo will not be providing comment on this application. The EAP has identified and addressed all biodiversity related concerns for this application and notes that the application may be referred to Ezemvelo for comment prior to authorisation being granted.</p>
Development Planning, Environment & Management Unit	Diane Van Rensburg	<p>(10 May 2018)</p> <p><b>RE: DRAFT S24G REPORT FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH.</b></p>	<p>(24 May 2018)</p> <p><b><u>RE: DRAFT S24G REPORT FOR THE RECTIFICATION AND CONTINUATION OF THE DEVELOPMENT OF A MULTI-STOREY RESIDENTIAL COMPLEX SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH.</u></b></p>

		<p>With reference to the abovementioned Draft S24G Report, please be advised that various Municipal Departments have had sight of the proposal and the following comments are submitted for your attention:-</p> <p><b>1. eThekweni Electricity Department.</b> The H.V. Department has no objection however please note:</p> <p>1.1. The applicant must consult eThekweni Electricity's main records (held in the drawing office at eThekweni Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.</p> <p>1.2. The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.</p> <p><b>2. Environmental Planning and Climate Protection Department.</b> This Department has reviewed the Draft Basic Assessment Report (DBAR) prepared for the proposed multi-storey residential complex located on the above property and has no biodiversity objection to the proposed rectification activities.</p> <p><b>3. Land Use Management Branch.</b> This Branch has no objection provided that the applicant will comply with the South Scheme requirements for Multi-Unit development on property zoned General Residential 01.</p> <p><b>4. Strategic Spatial Planning Branch.</b> The Strategic Spatial Planning Branch (SSPB) has reviewed the Draft Basic Assessment report and has the following comments:</p> <p>4.1. Reference is made to the comments provided on the Background Information Document. According to the eThekweni Densification Strategy (2013) the proposed density for the area allows for a maximum of 15 units for the site.</p> <p>4.2. However, the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008) promotes the use of defensible scientific</p>	<p><b>BEACH</b></p> <p>Your comments dated 11 May 2018 on the draft S24G report provided to your department by 1World Consultants (Pty) Ltd for the rectification and continuation of a multi-story residential complex refers.</p> <ol style="list-style-type: none"> <li><b>1. eThekweni Electricity Department</b> 1World acknowledges that the eThekweni Electricity Department has no objection to the proposed development. The points stated have been noted and will be communicated to the developer and contractor team.</li> <li><b>2. Environmental Planning and Climate Protection Department</b> 1World has noted that this Department has no biodiversity objection to the development.</li> <li><b>3. Land Use Management Branch</b> It has been noted that this department has no objection to the development.</li> <li><b>4. Strategic Spatial Planning Branch</b> The development comprises a maximum of 15 apartments. The Coastal, Stormwater and Catchment Management Department has reviewed the draft S24G report and has no objection to the development.</li> <li><b>5. Project Executive: Coastal Policy</b> Hard Black Architects have been appointed to undertake the Shadow Impact Assessment. The Shadow Impact Assessment will be subject to a 7-day commenting period and will be made available to this department for review and comment.</li> <li><b>6. Coastal, Stormwater and Catchment Management</b> Noted</li> <li><b>7. Parks, Leisure and Cemeteries</b> 1World acknowledges that this department has no objection to the development.</li> <li><b>8. Pavement and Geotechnical Engineering</b> 1World acknowledges that this department has no objection to the</li> </ol>
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	<p>information in conjunction with the principle of cooperative governance on order to achieve sustainable coastal management. Chapter 2 (COASTAL ZONE), Part 2 (Coastal Protection Zone), Section 17 (c) of the Act, states that:  "The coastal protection zone is established for enabling the use of land that is adjacent to coastal public property or that plays a significant role in coastal ecosystem to be managed, regulated or restricted in order to -  Protect people, property and economic activities from risks arising from dynamic coastal processes, including the risk of sea-level rise."  In respect of the above the eThekweni Municipality has undertaken studies with regards to the rise in sea level over the next 100 years (i.e. up to the year 2100) using the rise in sea levels during 1980 - 1999 as a base. The studies were conducted by Mr Andrew A. Mather and documented as "PROJECTIONS AND MODELING SCENARIOS FOR SEA-LEVEL RISE AT DURBAN, SOUTH AFRICA" in 2009.</p> <p>4.3. Given that the site is located within 100m of the High Water Mark and is at higher risk of sea level rise and coastal erosion the applicant is to be referred to the Coastal, Stormwater and catchment Management Department for consideration and comment.</p> <p>4.4. This Branch reserves the right to comment further should the need arise.</p> <p><b>5. Project Executive: Coastal Policy.</b>  The Applicant must be undertake a shadow impact assessment and submit this to Project Executive: Coastal Policy (Dr AA Mather Telephone 031-3117281) Room 501, 5th Floor, City Engineers Building, 166 K.E. Masinga Road BEFORE formal comment can be made on this EIA.</p> <p>Please note that this is a requirement of the building plan approval phase however, it is in the best interest of the client to ascertain what site specific impacts the EThekweni Minimisation of Beach Policy could have on their development.</p> <p>The Applicant is to contact Dr Mather if they require sight of the Shadow Policy.</p> <p><b>6. Coastal, Stormwater and Catchment Management.</b>  No comment from this Department.</p> <p><b>7. Parks, Leisure and Cemeteries.</b></p>	<p>development. Rehabilitation plans have been compiled and have been implemented on site with particular attention on bank stability. Landscaping and Environmental Contractors were responsible for the bank stabilisation. Refer to Appendix A for the Contractors Report on Rehabilitation of the bank. Figure 1 below is a picture taken of the bank after the implementation of rehabilitation methods.</p> <p style="text-align: center;"><b>[Figure 1: Post Bank Rehabilitation]</b></p> <p><b>9. eThekweni Transport Authority</b>  Noted.</p> <p><b>10. Environmental Health Department</b>  1World acknowledges that this department has no objections.</p> <p><b>11. eThekweni Water and Sanitation Department</b>  1World acknowledges that this department has no objections.</p> <p><b>12. Durban Solid Waste</b>  Noted. The comments provided are acknowledged and will be communicated to the developer.</p> <p><b>13. Disaster Management</b>  Noted.</p> <p><b>14. Fire Safety</b>  Noted.</p>
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		<p>This Department has no objection.</p> <p><b>8. Pavement and Geotechnical Engineering</b> No geotechnical objection.</p> <p>Since the construction was underway by the time the geotechnical assessment was done, one hopes the constructed foundations are adequate for the subsoil conditions.</p> <p>The Google Earth photos for late-October 2017 show considerable erosion on the lower southern corner of the site, presumably due to uncontrolled surface run-off now that the vegetation cover has been cleared along Fifth Ave. While October 2017 did include a sizable storm that, will not be the last big storm, the stormwater disposal system put in place must ensure the high bank is protected against, inducing instability, and the Municipal road below is not covered with dangerous sand deposits.</p> <p><b>9. eThekweni Transport Authority.</b> There is no objection to the rectification of the unlawful commencement and continuation of the 18 unit multi-storey residential development at 56 Ocean Terrace, Isipingo Beach.</p> <p><b>10. Environmental Health Department.</b> No further comment received.</p> <p><b>11. eThekweni Water and Sanitation Department</b> No comment from Wastewater Design Branch.</p> <p><b>12. Durban Solid Waste.</b> This Department's previous comments still stand:</p> <p>12.1. A suitable refuse storage area must be constructed close to the entrance and such that the collection crew have easy access and such that the collection vehicle does not impede the free flow of traffic on a public road.</p> <p>12.2. The proposal needs to ensure that the refuse storage area is adequate and suitable.</p> <p>12.3. The development must ensure that the designs of the roads are suitable</p>	
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		<p>for refuse trucks with a poor tuning circle and a 10,2 ton legal axle load.</p> <p>12.4. Given the extent of the development this Department would require additional resources to be able to service this area and therefore need a financial year advanced notice to be able to motivate for funds to acquire these additional resources.</p> <p>12.5. Consideration to recycling of waste in the development to be allowed for, the objective is to minimise waste sent to landfill.</p> <p><b>13. Disaster Management.</b> This Department has no comment.</p> <p><b>14. Fire Safety</b> No comment received.</p>	
AMAFA	Bernadet Pawandiwa	<p>(18 May 2018)</p> <p>In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)</p> <p><b>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 for AKR Property Development (Pty) Ltd 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. The KZN Department of Economic Development, Tourism and Environmental Affairs (EDTEA), was informed on 18 May 2017 regarding the construction of a multi-storey residential complex located at 56 Ocean Terrace, Isipingo Beach. A site visit was conducted on 18 July 2017 by the department officials to verify the activities on site. It was then noted and confirmed by the department that the property was located within 100m from the High-Water Mark of the sea triggering listed activities as per EIA Regulations. Additionally, it was observed that construction activities had already commenced, and two</b></p>	<p>(21 June 2018)</p> <p><b><u>RE: S24G APPLICATION FOR THE RECTIFICATION OF THE UNLAWFUL COMMENCEMENT AND CONTINUATION OF THE DEVELOPMENT SITUATED AT 56 OCEAN TERRACE, ISIPINGO BEACH</u></b></p> <p>Your comments received 18 May 2018 on the draft S24G report provided to your department by 1World Consultants (Pty) Ltd for the rectification and continuation of a multi-story residential complex refers.</p> <p>As per the comment received by the said department, the developer is required to complete Application Form I erroneously referred to as an Application Form J in the comment provided.</p> <p>The client/ developer has appointed 1World Consultants (Pty) Ltd as the EAP to undertake the required tasks. Therefore, an Application I Form will be completed and lodged accordingly with AMAFA. This process will be run concurrently with the Environmental Authorisation process.</p>



levels of the multi-storey complex was already under construction. A warning letter was issued to the client on 11 September 2017 and the department had advised that the matter can be resolved by means of retrospectively authorising the construction of the multi-storey residential complex via the NEMA section 24G process, Rectification of the unlawful commencement of activity. An S24G application was submitted to the department on 31 October 2017 and a site visit followed on 12 December 2017 with the EAP and officials of the Compliance Monitoring and Enforcement Unit of the Department. It was observed that the construction is near completion and would be ready to be sold from February 2018. A Directive was issued to the client and EAP in terms of section 24G of NEMA 1998 (Act No. 107 of 1998) following an application for the rectification of the unlawful commencement and continuation of a listed activity for AKR Property Development (Pty) Ltd situated at 56 Ocean Terrace. A Section 24G application will be lodged with the department for review and consideration. AKR Property Development (Pty) Ltd has commenced with the unlawful construction of a multi-storey residential complex, which necessitated excavation of soils within 100m of the High-Water mark of the sea. The subject site is located at 56 Ocean Terrace, Isipingo, on the South Coast of the eThekweni Municipality. Map 2 above is a zoomed in image providing an indication of the general locality of the development site and the distance from the HWM of the sea. The development is limited to the site Erf 986 Isipingo. The site extent is 1921m<sup>2</sup> and the development covers approximately 83% of the site. The height is within the town planning allowances of three storeys. The development includes: • New Entrance Driveway (via Delta Road) • New Boundary Wall • Basement and Upper Floor • Ground Floor (Parking Deck) • Third Floor (Additional 3 units) The development has two lower levels and three upper levels, comprising a parking level and 18 apartments in total. A traffic impact assessment was completed, and the parking area in terms of capacity was designed accordingly. The plumbing and electrical design of the development also aligns to the proposed development capacity in terms of residential usage. The design of the house does take into consideration the risks that are posed by rise in sea levels. However, the distance from the HWM of the sea to the boundary of the property is 57.9m. The new boundary wall will be maintained at a height of 2m. All of the boundary's walls will be within the site boundary of Erf 986. The property itself is situated above road level. The building will also be situated at least 3m above sea level reducing the

**risk of being affected by rise in sea level. The nature of the material which will be removed during the rehabilitation phase will be of the building and construction material such as concrete, bricks, timber etc. and most of the infill will be consisted from the existing original natural site material by means of reusing any excavated material, that may have occurred from the preparation work for the new structure.**

Thank you for submitting the S24G Application for the rectification of the unlawful commencement and continuation of the development situated at 56 Ocean Terrace, Isipingo Beach. The development was commenced and continued without a development permit from Amafa, as required by both NEMA as well as the National Heritage Resources Act (No 25, 1999) and KwaZulu-Natal Heritage Act (No 4, 2008). This implies that the activity was in contravention of the KwaZulu-Natal Heritage Act (Act No. 4 of 2008) read in conjunction with the National Heritage Resources Act (Act 25 of 1999) that seeks to provide for conservation, protection and administration of both the physical, the living or intangible Heritage Resources of the province of KwaZulu-Natal. The proposed project could impact on graves, structures, archaeological and palaeontological resources that are protected in terms of various sections of the heritage legislation including but not limited to section 33, 34, 35, and 36 of the KwaZulu-Natal Heritage Act (No. 4 of 2008) as well as sections 34, 35, and 36 of the National Heritage Resources Act, Act 25 of 1999.

The developer or agent thereof is required to complete Form J" 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", for rectification of unlawful commencement of activity.

Further comment will be issued once Amafa has received the filled in form. The form and proof of payment should be uploaded on SAHRIS under CaseID: 12212.

The fee for rectification of unauthorised work is currently R4000. (See schedule on the Amafa website on [www.heritagekzn.co.za](http://www.heritagekzn.co.za) under Media Release.)

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

# **Appendix C**

## **Proof of Payment**



## **NOTIFICATION OF PAYMENT**

To Whom It May Concern:

First National Bank hereby confirms that the following payment instruction has been received:

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Date Actioned : 04 Jul 2018  
Time Actioned : 09:25:08  
Trace ID : VODSPLL6Z6D

### **Payer Details**

Payment From : 1world Consultants (pty)ltd - Business Account  
Cur/Amount : ZAR4,000.00

### **Payee Details**

Recipient/Account No : . . 356024  
Name : Amafa  
Bank : ABSA Bank  
Branch Code : 632005  
Reference : 1world Consultants

**END OF NOTIFICATION**

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To authenticate this Payment Notification, please visit the First National Bank website at [fnb.co.za](http://fnb.co.za), select Contact Us+Tools and then select "Verify Payment" and follow the on-screen instructions.

Our customer (the payer) has requested FirstRand Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. FirstRand Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.