

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

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

**APPLICATION IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5/2018) FOR THE CONDONATION/ APPROVAL/RECTIFICATION OF THE UNLAWFUL COMMENCEMENT OR CONTINUATION OF WORK ON, OR DAMAGE TO, HERITAGE RESOURCES PROTECTED IN TERMS OF CHAPTERS 8 & 9 (sections 37 to 50, including both generally and specially protected heritage resources).**

This form is to be used for applications where work was commenced, alternatively completed without the prior written approval of the Institute in its capacity as the Provincial Heritage Resources Authority. If no work has been undertaken select the appropriate form from the website [www.heritagekzn.co.za](http://www.heritagekzn.co.za).

NB: IT IS AN OFFENCE IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5/2018) TO MAKE ANY FALSE STATEMENT OR FAIL TO PROVIDE REQUIRED INFORMATION IN THIS APPLICATION (Consult the attached guidelines before completing this form)

THE ONUS IS ON THE APPLICANT TO ENSURE THAT THE CURRENT APPLICATION FORM IS USED. APPLICATIONS ON NON-COMPLIANT FORMS WILL NOT BE PROCESSED

**ALL APPLICATION FORMS, REQUIRED SUPPORTING DOCUMENTATION AND PROOF OF PAYMENT MUST BE SUBMITTED TO THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE AS PER THE GUIDELINES ATTACHED, THE TYPE OF CONTRAVENTION WILL DETERMINE THE METHOD OF SUBMISSION.**

**A. DECLARATION BY OWNER**

I, G.M. Graham

(full names of owner/person authorized to sign) undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which the KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE may issue the written approval of the work to me.

Signature \_\_\_\_\_

Place Durban Date 08/09/2021

(The owner of the property must fill in these details and those in Section E: 3 and sign this document and any plans or other documents submitted in support of this application)

**B. PROPERTY DESCRIPTION:**

Title Deed No.

Name of property/Project title: **S24G APPLICATION FOR SAND MINING OPERATION, CLIFFDALE, ETHEKWINI MUNICIPALITY, KWAZULU-NATAL**

Erf/Lot/Farm No: **Cliffdale, 130, 132 and 133 (Portion0)**

GPS Co-ordinates: **29°47'26.82"S 30°41'43.35"E**

Street Address, Suburb, Town: **Cliffdale road, take D535 Road, then take 62010 Street on left and follow the road to site**

Local Municipality: **eThekweni Metropolitan Municipality**

District Municipality: **eThekweni Metropolitan Municipality**

Traditional Authority Area: **N/A**

Current zoning: <b>Agriculture</b>	Present use: <b>Mining</b>
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**C. HERITAGE SIGNIFICANCE:** (complete sections appropriate to site)

**1. Status of Heritage Resources on the Site:**

Permanent Protection:	Heritage Landmark/ Provincial HL	Listed on the Heritage Register	Provisionally Protected (notice issued)	Site in a Protected Area
Generally Protected site containing:	Structures 60 years +	Graves	Archaeological site Battlefield or rock art	Palaeontological material Meteor impact site

**2. Historical/Military Significance:**

Historical maps consulted show no habitation of the site of the sand mining operation. The 1953 & 1968 aerial photographs were consulted. The aerial images show market gardening taking place east of the operation.

The 1968 topo-cadastral (2930DC) map shows a power line running through the bottom half of the sand mining operation and no habitation

The manager of the operation informed the specialist that the community to the west of surrounding community to west after the borrow pit had commenced with mining of sand. This is reflected in the Google Earth images. In 2002, the operation had begun; the community to the west starts around 2012

References: [www.cdngportal.co.za](http://www.cdngportal.co.za); Association for Rural Advancement; Govindasamy, S. I.

**3. Architectural Significance:**

Original date of construction:

Significance: Not Applicable

References

**4. Archaeological Significance:**

No known archaeological sites close to the sand mining operation; no sites found during site inspection

References

**5. Palaeontological Significance:**

The South African fossil sensitivity map indicates that the borrow pit falls in an area of low fossil sensitivity/significance.

A protocol for chance fossil finds is required. A Chance Find Protocol is included in the Phase 1 HIA report

References: SAHRIS fossil sensitivity map

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

1. Purpose of Application:	Damage/destruction/demolition	Alterations/Additions
Redecoration	Disfigured Written/drawn on	Excavation

Exhumation		Inundation		Development	
Collection/Removal from original site		Trade/export (heritage objects)		Restricted use of equipment s40(5)	
Consolidation/Subdivision		Amendment of Plan		Other	X Mining

**2. Existing Improvements made on site:**


**3. Detail the work commenced/carried out**

The applicant Umsunguli Group (Pty) Ltd, had an approved Mining Permit (KZN 30/5/1/3/2/10339 MP) that was issued on the 19 February 2015 to legally mine Silica Sand (General) from the Umsunguli Borrow Pit and valid for a period of 2 years and was renewed the allotted 3 times in terms of the MPRDA Act (Act No. 28 of 2002; MPRDA). The approved mining permit had expired in February 2020 and the Applicant continued to mine silica sand from the borrow pit. Department of Mineral Resources (DMR) conducted a monitoring and compliance inspection of the site 10 December 2020 and issued a compliance notice in terms of section 31L of the NEMA, 1998. The Applicant has decided to Lodge a S24G application with DMR to rectify the contravention.

**4. Motivation for work (Please motivate fully why work was commenced without approval)**

Local businesses are the primary consumers of the mined sand resource. The material mined will be used in the construction industry, which is an important contributor to municipal and provincial development and growth. Apart from supplying good quality material to the construction market, the mine will create job opportunities (skilled and unskilled) benefiting the landowners and the local economy. Consequently, the mine contributes to the development in the area by supplying a vital material for construction which is widely used by local businesses hence the development may be deemed needed and desirable.

Mining is important for economic development, to construct durable, modern structures, employment creation and revenue collection. The proposed site has previously been used for sand mining activities, known to provide good quality silica sand to the local building industry.

Should the mining application be granted for the proposed mining operation, the following benefits could translate:

- Prolonged economic benefits in terms of employment opportunities (due to the extended life of the mine people will be employed for longer);
- Prolonged local economic development benefits through the implementation of the social and labor plan; and
- Prolonged provision of a source of sand within the local area

Status of work	Commenced	X	Stopped		Completed	
Date commenced	19 February 2015		Date stopped		Completion date	

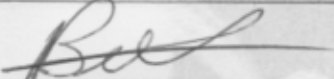
**E. CONTACT DETAILS**

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

NAME:
POSTAL ADDRESS

		POST CODE
TEL	FAX/EMAIL	
CELL	QUALIFICATIONS	
REGISTRATION OF INDUSTRY REGULATORY BODY:		

**2. ARCHITECTURAL PROFESSIONAL/ HERITAGE PRACTITIONER**

NAME <b>JEAN BEATER (JLB CONSULTING)</b>	
POSTAL ADDRESS <b>19 WAGER AVE, PRESTONDALE</b>	
	POST CODE <b>4319</b>
TEL	FAX/EMAIL
CELL <b>0844041118</b>	PROFESSIONAL REG. NO. <b>349 (ASAP)</b>
Author's Drawing Nos. <b>N/A</b>	
SIGNATURE 	DATE <b>08/09/2021</b>

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

NAME: <b>Umsunguli Group (Pty) Ltd</b>	
POSTAL ADDRESS: <b>PO Box 66, Hyper By The Sea, Durban North</b>	
	POST CODE: <b>4051</b>
TEL: <b>031 566 1349 / 083 647 5717</b>	FAX/EMAIL: <b>greg@suretysolutions.co.za</b>

**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: <b>Mr Greg Graham</b>	
TEL: <b>031 566 1349 / 083 647 5715</b>	FAX/EMAIL: <b>greg@suretysolutions.co.za</b>

**F. SUBMISSION FEE: R4000.00** (subject to annual increment on the 1 April)

The submission fee is payable to the Kwazulu-Natal Amafa And Research Institute by bank deposit/internet banking (EFT) and proof of payment must be submitted with the application.  
USE STREET ADDRESS/FARM NAME or DEVELOPMENT/PROJECT TITLE OR SAHRIS ID NUMBER AS REFERENCE  
**ACCOUNT DETAILS:**  
**ABSA BANK: Branch: ULUNDI Bank Code: 630330**  
**Account in the name of the KZN Amafa and Research Institute**  
**Account No. 40-5935-6024**

**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 \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax/Email \_\_\_\_\_

**H. CHECKLIST OF SUPPORTING DOCUMENTATION** (\*see guidelines)

APPLICATION FORM (COMPLETED & SIGNED BY OWNER & CONSULTANT)	
MOTIVATION/INCEPTION REPORT	
PHOTOGRAPHS*	
ORIGINAL/PREVIOUS DRAWINGS/REPORTS	



PLANS (X2 SETS FOR HARD COPY SUBMISSIONS) - NUMBERED AND COLOURED*			
1:50 000 MAP & SATELLITE AERIAL VIEW		KML FILE MAP	
PROOF OF PROFESSIONAL ACCREDITATION (e.g. copy of accreditation card)			
APPOINTMENT LETTERS		CONSENT LETTER	
PAYMENT/PROOF OF PAYMENT			



KWAZULU-NATAL  
**AMAFA**  
 & RESEARCH INSTITUTE

## KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE

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

GUIDELINES FOR THE PREPARATION OF APPLICATIONS FOR PERMITS IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5/2018), CHAPTERS 8 & 9 (SECTIONS 37-50, including all generally and specially protected Heritage Resources) FOR THE CONDONATION/ APPROVAL/RECTIFICATION OF THE UNLAWFUL COMMENCEMENT OR CONTINUATION OF WORK ON PROTECTED HERITAGE RESOURCES. Please detach from the form before submission

NB: THE PROVISIONS OF SECTION 38 OF THE NATIONAL HERITAGE RESOURCES ACT (25/1999), COVERING DEVELOPMENTS, THAT WERE PREVIOUSLY EXCLUDED FROM THE KZN HERITAGE LEGISLATION HAVE BEEN INCLUDED IN THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (5/2018).

### APPLICATION FORMS

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

**A. DECLARATION:** The owner must sign the form and any accompanying documentation and must consent to submissions by a third party/agent.

**B. PROPERTY:** Include the name of the property where applicable: e.g. Government House. The street address or farm name and number is the key information and is used as a tracking device in the filing system. Where several street numbers apply to the site, all the numbers must be included.

**C. 1. 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 palaeontological remains must be provided

**D. WORK CARRIED OUT WITHOUT APPROVAL:** Motivate and give full details of the work carried out and give reasons why this was done without obtaining heritage authority approval prior to commencement. Detail the work to be carried out – do not merely refer to the plans/report submitted. As this is a serious offence punishable through hefty fines and/or a prison sentence if not approved by the heritage authority the applicant must treat this process as if it were a court proceeding and provide as much evidence in mitigation as possible.

**E. CONTACT DETAILS:** All fields must be completed. **THE OWNERS MUST SIGN THE APPLICATION FORMS!! PERMITS ARE NOT TRANSFERABLE**

**G. PUBLIC PARTICIPATION:** the applicant will be notified of the level of public participation required and will have to bear the costs thereof. Neighbours within 100m, Ward Councilors, and Heritage Societies should be consulted in the case of demolition applications. All documentation submitted is retained for record purposes and interested and affected parties may apply to view the documentation.

**F. A SUBMISSION FEE** – a service fee determined by the Council of the Institute is payable on submission of all applications. This is not an admission of guilt fine and the Institute reserves its rights

to prosecute offenders. The application will not be registered as submitted if the proof of payment is not attached to the application form. Ref the street address or farm name on the payment.

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

**FOR STRUCTURES:** PLEASE REFER TO THE GUIDELINES CONTAINED IN FORM A which can be downloaded from the website [www.heritagekzn.co.za](http://www.heritagekzn.co.za) under the tab "Permits"

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

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

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

**SUBMISSION OF APPLICATIONS:** Application forms can be downloaded from [www.heritagekzn.co.za](http://www.heritagekzn.co.za) – look under the "Permits" tab - download forms – Form I.

**APPLICATIONS FOR STRUCTURES:** Hard copy applications must be addressed to: The Head – Built Environment Section (not to an official's name), Kwazulu-Natal Amafa And Research Institute, either delivered to 195 Langalibalele Street, Pietermaritzburg, 3201 or posted to BOX 2685, Pietermaritzburg, 3200. Electronic submissions can be made via email to [beadmin@amafapmb.co.za](mailto:beadmin@amafapmb.co.za) or uploaded to the Sahris system operated by the South African Heritage Resources Agency (confirm upload to [beadmin@amafapmb.co.za](mailto:beadmin@amafapmb.co.za)). Minor work applications can be brought into the Institute's offices on a Monday between 09:00-15:00 and, where possible, they will be handled within about an hour, provided that the bearer waits for the permit or collects it on the same day.

**APPLICATIONS FOR MILITARY, ARCHAEOLOGICAL AND PALAEOLOGICAL SITES:** these applications must be uploaded to the Sahris system operated by the South African Heritage Resources Agency – go to [www.sahra.org.za/sahris](http://www.sahra.org.za/sahris). Remember to tick "Amafa" under the KZN Province so that the application lands in the correct inbox on the system. The owner's details must be entered into the "Applicant" field and the professional's details must be entered into the "Consultant" field.

**APPLICATIONS FOR DEVELOPMENTS RESTRICTED UNDER SECTION 41 (SECTION 38 OF THE NHRA):** these applications must be uploaded to the Sahris system operated by the South African Heritage Resources Agency – go to [www.sahra.org.za/sahris](http://www.sahra.org.za/sahris). Remember to tick "Amafa" under the KZN Province so that the application lands in the correct inbox on the system. The owner's details must be entered into the "Applicant" field and the professional's details must be entered into the "Consultant" field.

**NB:** there may be some overlap with regard to the historical and military sites, graves, memorials and sites containing ruins over 100 years of age or other structures. Applicants must use their discretion and follow the process that best suits the nature of the resources and the work carried out. If incorrect the receiving officer will direct the application to the most appropriate heritage officer.

**PROCESSING OF APPLICATIONS:** applications are processed in the order in which they are received, except during the December/January holiday break. Allow 90 days for processing of complex applications as these may be submitted to external reviewers before submission to the Council of the Institute. Lobbying of external reviewers will disqualify the application and the matter will be reported to the relevant professional bodies. Written

responses to applications will be forwarded to applicants by email. Telephonic or e-mails enquiries will not generally be responded to.

**PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Allow 90 days from the receipt of all required documentation**



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