



**KWAZULU-NATAL
AMAFA AND RESEARCH
INSTITUTE**

THE KZN PROVINCIAL HERITAGE
RESOURCES AUTHORITY

APPLICATION FORM J

Ref/Amafa ID:
File Ref:
EIA no:
Date Received:
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Comment date:

**APPLICATION IN TERMS OF THE SECTION 41 OF THE KWAZULU-NATAL
AMAFA AND RESEARCH INSTITUTE ACT (5/2018) AND THE NATIONAL
HERITAGE RESOURCES ACT (SECTION 38) FOR COMMENT ON THE
PROPOSED DEVELOPMENT OF A SITE**

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. APPLICATIONS ON NON-COMPLIANT FORMS WILL NOT BE PROCESSED

ALL APPLICATION FORMS, DEVELOPMENT PROPOSALS, PHOTOGRAPHS, MOTIVATION, AND PROOF OF PAYMENT ARE TO BE UPLOADED TO THE SAHRIS SYSTEM (www.sahra.org.za). A hard copy must also be delivered to 195 Langaibalele Street, Pietermaritzburg, 3201 OR posted to Box 2685, Pietermaritzburg, 3200. In the case of a failure of the sahris system the application can be emailed to archaeology@amafapmb.co.za and bernadetp@amafapmb.co.za.

A. DEVELOPMENT DETAILS	
1. PROJECT TITLE: S24G APPLICATION FOR SAND MINING OPERATION, CLIFFDALE, ETHEKWINI MUNICIPALITY, KWAZULU-NATAL	
2. PROJECT DESCRIPTION:	
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.	
3. EXTENT OF THE SITE:	96 000m ² m ² 9.6 ha
EXTENT OF THE DEVELOPMENT AREA (m ²): 55 000m ²	
GPS CO-ORDINATES: (Decimal format only)	
SOUTH: 29°47'26.82"S	EAST: 30°41'43.35"E
1:50 000 SHEET no: 2930DC	1:10 000 SHEET no:


B. PROPERTY DESCRIPTION:	
Name of property: Sterkspruit 907 FT	Title Deed No.
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: 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 Agriculture	Present use Mining

C. DEVELOPMENT TYPE:					
1. DECISION REQUIRED IN TERMS OF SECTION s41(1) (tick the appropriate box/boxes)					
Linear Development/Barrier exceeding 300m in length e.g. road, pipe/power line, trench, canal or wall					
Other similar form of linear development/Barrier exceeding 300m in length					
Construction of a bridge or similar structure exceeding 50m in length					
Any development exceeding 5 000m ² in extent or any other category of development provided for in regulations					
Any other activity which would change the character of an area of land or water exceeding 10 000m ² in extent					X
Any development involving three or more existing erven or sub-divisions thereof					
Any other activity involving three or more existing erven or sub-divisions thereof					
Any development or other activity involving three or more existing erven or sub-divisions thereof which have been consolidated within the past 5 years					
Any development or other activity the costs of which will exceed a sum set out in the regulations					
Re-zoning of a site exceeding 10 000m ²					
2. DEVELOPMENTS THAT TRIGGER OTHER LEGISLATION (NEMA, ENVIRONMENTAL CONSERVATION ACT, MINERALS ACT, ETC)					
RESPONSE REQUIRED IN TERMS OF s41(8) (tick the appropriate box/boxes)					
BID	X	BAR		EIA	
EMP	X	WULA		MPRDA	X
OTHER (describe)	Section 24G rectification – Basic Assessment Process and EMP				

D. IMPACT ON HERITAGE RESOURCES:	
To your knowledge would the Development impact on any known heritage resources protected in terms of the KZN Amafa and Research Institute Act (5/2018), or is the development located in the vicinity of any of the above? If yes, the Heritage Practitioner must create a site on sahris pinpointing the position of the heritage resource/s discovered. (tick the appropriate box/boxes below)	
s37 - Structures or part thereof that can reasonably be expected to be over 60 years of age	
s38 - Graves of victims of conflict,	
s39 - Informal and private burial grounds (traditional graves or graves outside of a formal cemetery e.g. a farm cemetery that are over 60 years of age).	

s40 - Battlefield sites , archaeological sites, rock art sites, palaeontological sites, historic fortifications, ruins over 100 years old, meteorite or meteorite impact sites and any objects or ecofacts associated therewith	
s42 - Protected areas (is the site within a known protected area?)	
s43 - Specially protected heritage resources are listed in Schedule of Heritage Resources	
s44 - Heritage Landmarks including the site on which they are situated	
s45 - Provincial Landmarks and the site on which they are situated (state owned)	
s46 - Graves of members of the Royal Family listed in Schedule of Heritage Resources	
s47 - Battlefield site, public monument or memorial listed in the Schedule of Heritage Resources and any public monument defined in the NHRA and protected in terms of Section 37 of the NHRA, & Section 47 of the KZN Amafa and Research Institute Act (5/2018)	
s49 - Artefacts, or collections thereof on which Heritage Object status has been conferred	

E. CONTACT DETAILS

1. APPLICANT'S DETAILS (OWNER OF PROPERTY)	
NAME Umsunguli Group (Pty) Ltd	
POSTAL ADDRESS PO Box 66, Hyper By The Sea, Durban North	
	POST CODE 4051
TEL 031 566 1349 / 083 647 5715	FAX/EMAIL greg@suretysolutions.co.za
DECLARATION BY OWNER	
I. <u>Gregory Michael Graham</u>	
(full names of owner/person authorized to sign on behalf of the owner)	
undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which the KZN Amafa and Research Institute may issue the comment to me.)	
Signature 	
Place <u>Durban</u>	Date <u>25/08/2021</u>

2. DELEGATED AUTHORITY (The name of the person authorized to act on behalf the applicant where the owner is a company, trust, or institution – Power of Attorney/proof of authorization to be attached)

NAME	
TEL	FAX/EMAIL

3. DEVELOPER'S DETAILS

NAME(Company/institution/individual) Eyensimbi Mining (Pty) Ltd	
POSTAL ADDRESS PO Box 66, Hyper By The Sea , Durban North	
	POST CODE 4051
TEL 031 566 1349	FAX 086 764 7330
CELL 083 647 5715	EMAIL greg@suretysolutions.co.za
SIGNATURE	DATE

4. CONSULTANT'S DETAILS

NAME(Company/institution/individual)		JLB Consulting – Ms Jean Beate
POSTAL ADDRESS		19 Wager Avenue, Prestondale
		POST CODE 4319
TEL	084 404 1118	FAX
CELL	084 404 1118	EMAIL
SIGNATURE		DATE
		20 August 2021

F. SUBMISSION FEE: R800.00 (subject to annual increment on the 1 April)

The submission fee is payable to the **KZN Amafa and Research Institute** by bank deposit/internet banking (EFT) and proof of payment must be submitted with the application.

ACCOUNT DETAILS:

ABSA BANK: Branch: ULUNDI Bank Code: 630330
 Account in the name of **AMAFI AKWAZULU-NATALI**
 Account No. 40-5935-6024
 USE SAHRIS ID AS REFERENCE

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 _____ Fax _____
 Telephone _____

H. CHECKLIST OF DOCUMENTATION SUBMITTED

HARD COPY APPLICATION FORM (COMPLETED & SIGNED BY OWNER, DEVELOPER & CONSULTANT)	
APPLICATION FORM UPLOADED TO SAHRIS	
MOTIVATION	
SITE PHOTOGRAPHS/CASE IMAGES	
1:50 000 MAP & SATELLITE AERIAL VIEW	
KML FILE MAP	
SITE PLAN SHOWING ALL FEATURES & HERITAGE RESOURCES	
DEVELOPMENT PLAN SHOWING ALL FEATURES & HERITAGE RESOURCES SUPERIMPOSED THEREON	
PROOF OF PROFESSIONAL ACCREDITATION (e.g. copy of accreditation card/certificate)	
PROOF OF PUBLIC PARTICIPATION	
ENVIRONMENTAL IMPACT ASSESSMENT	
HERITAGE IMPACT ASSESSMENT	
CONSENT LETTER FROM THE OWNER	
LETTER OF APPOINTMENT OF CONSULTANT	
PROOF OF PAYMENT OF SUBMISSION FEE (EFT/BANK DEP/AMAFI CARD)	

KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE

THE KZN PROVINCIAL HERITAGE RESOURCES AUTHORITY
(accredited in terms of the National Heritage Resources Act)

GUIDELINES FOR THE PREPARATION OF APPLICATIONS FOR COMMENT FROM THE PROVINCIAL HERITAGE RESOURCES AUTHORITY ON DEVELOPMENT PROPOSALS IN TERMS OF SECTION 41 OF THE KZN AMAFA & RESEARCH INSTITUTE ACT (5 OF 2018) AND THE NATIONAL HERITAGE RESOURCES ACT (SECTION 38). Please detach from the form before submission

NOTE: The provisions of s38 of the NHRA have been incorporated verbatim into s41 of the KZN AMAFA & RESEARCH INSTITUTE ACT (5 OF 2018).

APPLICATION FORMS

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

- A. **DEVELOPMENT DETAILS:** Describe the proposed development and motivate and motivate the need and desirability for such a development. Details must be given of the work to be carried out – do not merely refer to the documents submitted.
- B. **PROPERTY:** Include the name of the development where applicable. The FARM NAME is the key information and is used as a tracking device in the filing system. Where development is in an urban area the street address is key and if several street numbers apply to the site, all the numbers must be included.
- GPS CO-ORDINATES: The KZN Amafa and Research Institute only accepts GPS co-ordinates in decimal format. Other formats may be provided in addition to the decimal format but not to the exclusion of the decimal format.
- C. **DEVELOPMENT TYPE:** development applications are made either in terms of:
s41(1) – check the list under C 1 – or
s41(8) – check the list under C 2.
- D. **HERITAGE RESOURCES:** Identify any heritage resources uncovered through initial scoping or through the Heritage Impact Assessment. Create a site on the step/page 1 of the application on sahris and pinpoint the positions of the resources on the google map provided. When heritage resources have been found the Institute will require that a Heritage Impact Assessment is carried out by a practitioner registered with the Institute and accredited to carry out such assessments. When appointing the Heritage Practitioner stipulate that the HIA must be uploaded to the application on sahris and that a hard copy must be provided to the Institute.
NB: Section 39 of the KZN Amafa and Research Institute Act (5/2018) has been brought in line with the NHRA and limits the protection of traditional graves to those over 60 years of age.
- E. **CONTACT DETAILS:** full contact details of all major players in the development are required.
DECLARATION: The owner must sign the form and any accompanying documentation and must consent to submissions by a third party/agent.
- F. **A SUBMISSION FEE** – a service fee determined by the Council of the Institute is payable on submission of all applications. **THE APPLICATION WILL NOT BE REGISTERED AS SUBMITTED IF THE PROOF OF PAYMENT IS NOT ATTACHED. USE THE SAHRIS CASE ID AS THE REFERENCE.**
- G. **PUBLIC PARTICIPATION:**
WHERE GRAVES ARE PRESENT COMMUNITY CONSULTATION MUST BE CARRIED OUT AND EVERY EFFORT MADE TO LOCATE AND CONSULT THE FAMILIES OF THE DECEASED PRIOR TO SUBMISSION OF THIS APPLICATION.
The applicant will be notified of the level of public participation required and will have to bear the costs thereof. Neighbours, Ward Councillors, Traditional Leaders and Heritage Groups should be consulted in the case of demolition/destruction applications.

DOCUMENTS REQUIRED IN SUPPORT OF THIS APPLICATION

All documentation submitted is retained for record purposes and interested and affected parties may apply to view the documentation.

1. **SUPPORTING DOCUMENTATION:** Only Heritage Practitioners registered with the Institute may compile the HIA and related supporting documentation. Permits will require their overseeing the work. Where architectural drawings are required, they must be authored by SACAP registered professionals.
- 1.1. **PHOTOGRAPHS OF EXISTING FEATURES, STRUCTURE/S ARCHAEOLOGICAL REMAINS, GRAVES, ETC AND THEIR SURROUNDINGS:**
Photographs that clearly illustrate the features of the affected site relevant to the application must be submitted.
- 1.2. **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 pools on the site (coloured grey or uncoloured); proposed work (coloured red) and buildings or portions of buildings proposed for demolition (in dotted lines); and the extent of the declared area (in the case of a proclaimed property). Heritage resources must be clearly marked on the plan.
- 1.3. **KML MAP FILE AND AERIAL OR SATELLITE VIEWS OF THE SITE** that clearly illustrate the features of the affected site relevant to the application must be submitted.
- 1.4. **1:50 000 MAP OF THE SITE** that clearly illustrates the features of the affected site relevant to the application must be submitted.
- 1.5. **ENVIRONMENTAL IMPACT ASSESSMENT** where required the EIA must be compiled in accordance with standards set out in regulations under the environmental legislation.
- 1.6. **HERITAGE IMPACT ASSESSMENTS** must be submitted where any Heritage Resources are found. These reports must comply with the standards set out by the South African Heritage Resources Agency (go to www.sahra.org.za to download the standards) and may only be compiled by practitioners who have registered their accreditation for this work with the Institute. If the HIA is not submitted with the application, the Institute will notify the applicant of the need to submit an HIA if there is reason to believe that heritage resources will be affected by the development.
2. **SUBMISSION OF APPLICATIONS:** Application forms can be downloaded from www.heritagekzn.co.za – look under the "Permits" tab - download forms – Form J. Electronic submissions must be uploaded to the sahris system operated by the South African Heritage Resources Agency www.sahra.org.za. The application must also be submitted in hard copy delivered to 195 Langalibalele Street, Pietermaritzburg, 3201 OR posted to Box 2685, Pietermaritzburg, 3200. In the case of a failure of the sahris system the application can be emailed to archaeology@amafapmb.co.za and bernadelp@amafapmb.co.za.
When submitting on sahris note that you must still check Section 38 under the case type and KZN – Amafa for the Provincial Heritage Resources Authority.
The applicant is the "owner" and the Assessor is the "Consultant" and the correct fields must be completed.
The Consent Letters allowing a developer to act on behalf of the owner or the Consultant to upload the case to sahris must be placed in the correct boxes which are blocked from public view.
The proof of payment must also be loaded to the designated box to prevent members of the public obtaining banking details, etc from the document.
3. **PROCESSING OF APPLICATIONS:** applications are processed in the order in which they are received, except during the December/January holiday break. The Institute will receipt the application and alert the applicant to any missing information within 2 weeks of submission. Allow 90 days for processing of complex applications as these may be submitted to external reviewers. Lobbying of external reviewers will disqualify the application. Written responses to applications will be uploaded to sahris. The application will not be responded to telephonically or via email unless the sahris system is not operating.

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