



KWAZULU-NATAL
AMAFA
& RESEARCH INSTITUTE

APPLICATION FORM J

FOR COMMENTS ON PROPOSED
DEVELOPMENTS AS SET OUT IN
SECTION 41(1)

**APPLICATION IN TERMS OF THE SECTION 41(1) OF THE KWAZULU-NATAL
AMAF A AND RESEARCH INSTITUTE ACT, 2018 (Act no 5 of 2018), AND
SECTION 38 OF THE NATIONAL HERITAGE RESOURCES ACT (Act no 25 of
1999) FOR COMMENT ON THE PROPOSED DEVELOPMENT OF A SITE**

THE ONUS IS ON THE APPLICANT TO ENSURE THAT THE CORRECT AND CURRENT APPLICATION FORM IS USED. APPLICATIONS ON NON-COMPLIANT OR INCORRECT FORMS WILL NOT BE PROCESSED. Forms can be downloaded from the website www.amafainstitute.org.za – search “Forms” or look under the tab RESOURCES - FORMS.

If work has commenced/been completed without a permit, Form I - Rectification must be used.

Take note that there are application forms that must be used for specific interventions (see attached guidelines) and Form H must be used for permits for any action on sites that are permanently protected in terms of Sections 42-48 (specially protected areas, landmarks, royal graves, monuments/memorials, fortifications or battlefields and sites listed in the Heritage Register).

NB: IT IS AN OFFENCE IN TERMS OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (Act no 5 of 2018) TO MAKE FALSE STATEMENTS OR FAIL TO PROVIDE REQUIRED INFORMATION IN THIS APPLICATION (see attached guidelines before completing this form)

ALL APPLICATION FORMS, REQUIRED SUPPORTING DOCUMENTATION, AND PROOF OF PAYMENT must be uploaded to the online system, SAHRIS, run by the S A Heritage Resources Agency – go to www.sahra.org.za to register to use the system.

A. DEVELOPMENT DETAILS

1. PROJECT TITLE:

2. PROJECT DESCRIPTION:

3. EXTENT OF THE SITE: m2 ha

EXTENT OF THE DEVELOPMENT AREA (m2):

GPS CO-ORDINATES: (Decimal format only)

SOUTH:

EAST:

1:50 000 SHEET no:

1:10 000 SHEET no:

B. PROPERTY DESCRIPTION:					
Name of property:				Title Deed No.:	
Erf/Lot/Farm No:		Size of land:		GPS Co-ordinates:	
Street Address:				Suburb:	
Town/Local Municipality:				District Municipality:	
Traditional Authority Area:					
Current zoning:				Present use:	
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					
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		BAR		EIA	
EMP		WULA		MPRDA	
OTHER (describe)					

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, 2018 (Act no 5 of 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, 2018 (Act no 5 of 2018).	
s49 - Artefacts, or collections thereof on which Heritage Object status has been conferred.	
ESTIMATED COST OF THE DEVELOPMENT:	

E. CONTACT DETAILS:	
1. OWNER OF PROPERTY (Owner or delegated person to sign on the front of this form)	
NAME:	
PHYSICAL ADDRESS:	
TEL:	EMAIL:
I undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which the KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE may issue the permit to me.	
I acknowledge that the Institute may need to inspect the site and undertake not to hinder access.	
SIGNATURE:	DATE:
2. DEVELOPER (where different from the owner – the owner must provide written consent for a developer to submit the application)	
NAME:	
PHYSICAL ADDRESS:	
TEL:	EMAIL:
I undertake strictly to observe the terms, conditions, restrictions, by-laws and directions under which the KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE may issue the permit to me.	
I acknowledge that the Institute may need to inspect the site and undertake not to hinder access.	
SIGNATURE:	DATE:
3. 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:	
PHYSICAL ADDRESS:	
TEL:	EMAIL:

4. CONSULTANTS DETAILS:	
NAME(Company/institution/individual):	
PHYSICAL ADDRESS:	
	POST CODE:
CELL:	EMAIL:
SIGNATURE:	DATE:

F. SUBMISSION FEE: see the 2023 schedule of fees on www.amafainstitute.org.za. The submission fee is payable by bank deposit and proof of payment must be submitted with the application. ACCOUNT DETAILS: ABSA BANK: Branch: ULUNDI Bank Code: 630330 Account Name: KZN AMAFA AND RESEARCH INSTITUTE Account No. 40-5935-6024 <u>USE STREET ADDRESS/FARM or PROJECT NAME AS REFERENCE</u>
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G. PUBLIC PARTICIPATION: (Contact details of Interested and Affected Parties (I & A Ps) Consulted - written opinion to be attached to form and drawings to be signed by the I & A Ps. See Guidelines)	
Name:	
Tel:	Email:

H. CHECKLIST OF DOCUMENTATION SUBMITTED	
APPLICATION FORM (SIGNED BY THE OWNER AND THE DEVELOPER) 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	
PROOF OF OWNERSHIP & 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, 2018 (Act no 5 OF 2018) AND SECTION 38 OF THE NATIONAL HERITAGE RESOURCES ACT, 1999 (Act no 25 of 1999).

(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, 2018 (Act no 5 OF 2018)**. This application covers the requirement to give notice of intention to develop.

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
NB: Section 39 of the KZN Amafa and Research Institute Act, 2018 (Act no 5 of 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 and the developer must sign the form and any accompanying documentation and must consent to submissions by a third party/agent.
- F. SUBMISSION FEE** – a processing fee determined by the Council of the Institute in terms of Section 24(1)(e)(i) is payable – see fee schedule on www.amafainstitute.org.za. – **UPLOAD TO Proof of Payment** – on Sahrís (this is compulsory before submission can be registered).
- G. PUBLIC PARTICIPATION:** Proof of public consultation must be submitted. Alternatively, the Institute will advise on the level of public consultation required. **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.**

DOCUMENTS REQUIRED IN SUPPORT OF THIS APPLICATION

1. The minimum requirement is a NOTICE OF INTENTION TO DEVELOP, or A BASIC INFORMATION DOCUMENT, or A BASIC ASSESSMENT REPORT outlining the proposed development must be submitted. This document must include or be supported by items 1.1 to 1.4 below:
 - 1.1 **PHOTOGRAPHS** OF EXISTING FEATURES AND HERITAGE RESOURCES - STRUCTURE/S, ARCHAEOLOGICAL REMAINS, GRAVES, ETC. AND THEIR SURROUNDINGS: Photographs that clearly illustrate the features and heritage resources on 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 suitably qualified and experienced heritage practitioners. If an HIA is not submitted, the Institute will notify the applicant of the need to submit an HIA where the potential for the discovery of heritage resources that will be affected by the development is high.
 - 1.7 **PROOF OF PUBLIC CONSULTATION** must be uploaded to the case, especially in the instance where graves are discovered on the development site or where they may be impacted upon.
2. **SUBMISSION OF APPLICATIONS**: Application forms can be downloaded from www.amafainstitute.org.za – look under the “RESOURCES” tab - download forms – Form J. Submissions must be uploaded to the sahris system operated by the South African Heritage Resources Agency www.sahra.org.za. Enquiries to khanyi.zondi@amafainstitute.org.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 system will change mid-October 2023 which will allow for the selection of Form J once you have checked KZN-Amafa as the heritage authority.

The applicant is the “owner” and the Assessor is the “Consultant” and the correct fields must be completed. Ensure that the correct fields are 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: complete** applications are processed in the order in which they are received, except during the holiday break 15 Dec – 15 Jan. Allow 10 working days for the initial review and a further 10 days for processing. The processing of complex applications will take longer. **Sites may be inspected as part of the processing of this application.**

Written responses to applications will be uploaded to the case on Sahrís exclusively. Email will only be used for communication if the Sahrís system becomes inoperable.

***PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Allow a minimum of 30 days from the receipt of all required documentation**



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