



NOTICE 3 of 2021 HERITAGE WESTERN CAPE REVISED APPLICATION FORMS AND GUIDELINES

PLEASE NOTE THE FOLLOWING:

1. Heritage Western Cape has drafted the following new application forms for submissions to HWC:
 - 1.1 Section 27, 29, 31 and 34 Application Form
 - 1.2 Section 27, 29, 31 and 34 Minor Works Application Form
 - 1.3 Section 38 Notice of Intent to Develop Application Form

2. In addition, a guideline for the submission for Notice of Intent to Develop and Heritage Impact Assessments has been developed to assist with the submission process.

3. The above documentation can be accessed via the following websites:

<http://www.hwc.org.za/>

or

www.westerncape.gov.za/public-entity/heritage-western-cape

Colette Scheermeyer
Acting Chief Executive Officer
10 February 2021
ceoheritage@westerncape.gov.za



APPLICATION FOR A PERMIT: Section 27/ Section 29/ Section 31/Section 34

**TO DESTROY, DAMAGE, DEFACE, EXCAVATE, ALTER OR REMOVE FROM ITS ORIGINAL POSITION, SUBDIVIDE,
CHANGE THE PLANNING STATUS, OF A PROVISIONALLY PROTECTED OR A HERITAGE AREA
AND/ OR
ALTER OR DEMOLISH ANY STRUCTURE OR PART OF A STRUCTURE OLDER THAN 60 YEARS**

Heritage Western Cape Reference No:

- Prescribed Fee Paid (Proof of Payment)
- The work as applied for has not started
- The work as applied for has started / been completed (*The applicant's attention is drawn to Section 51 of the NHRA*)
- Re-application for permit Date of previous permit: (dd/mm/yy): _____
- Extension of an existing permit Date of current permit: (dd/mm/yy): _____

(The current permit must be attached, extensions are only granted when the existing permit has not lapsed)

- Transfer of an existing permit to a new owner

DETAILS OF SITE, PLACE OR STRUCTURE

Physical address of site: _____

Erf/Stand/Farm name and number: _____

Type of site, place or structure (indicate by means of a cross in the appropriate space(s) below):

- Provincial heritage site (or a previously declared national monument in terms of the National Monuments Act, 1969) or a provisionally protected place (previously a provisionally declared national monument in terms of the National Monuments Act, 1969 (section 27) or a provisionally protected heritage site in terms of Section 29 of the National Heritage Resources Act (1999).
- Structure to be altered, demolished, a new proposed structure within a Heritage Area (Section 31)
- Structure older than 60 years (Section 34)
- Proposed action within a Section 31 Area

NAME AND ADDRESS OF APPLICANT

Name: _____

Identity number of applicant: _____

Company: _____

Address: _____ Postal code: _____

Cellular phone number: _____ Alternative Number: _____

E-mail: _____

Signature: _____ Date: _____

REGISTERED OWNER OF PROPERTY: (if the applicant is not the registered owner of the property; or if the application is made on behalf of the registered owner, a power of attorney must be attached)

Name: _____

Identity number of applicant: _____

Address: _____ Postal code: _____

Cellular phone number: _____ Alternative Number: _____

E-mail: _____

Declaration: I, _____ am fully aware of this application and accept its contents and declare that I intend to undertake to the actions as proposed in this application.

Signature: _____ Date: _____

PROPOSED TYPE OF ACTION (indicate by means of a cross in the appropriate block(s) below):

Type of work (Destroy, damage, deface, excavate, alter or remove from its original position):

- Total Demolition
- Partial Demolition
- Additions to existing structures
- Restoration
- Alteration
- Excavation
- Landscaping
- Remove from its original or current position
- Other; please describe: _____

Subdivide or change planning status: Consolidation Subdivision Rezoning

Estimated construction value cost in South African Rands: R_____

DETAIL OF THE ACTION PROPOSED (Provide a short description of the proposed action which must be supported by accompanying documentation)

DRAWING REFERENCE NUMBERS AND DATES (Please list all drawing reference numbers, including revision numbers, and the dates of the drawings.)

Drawing reference number	Date of drawing	Version	Title of drawing

MOTIVATION FOR PROPOSED ACTION (Motivate fully, with reference to conservation policy and/or principles, where appropriate. This space may also be used for additional details required above.)

CONSULTATION *Public Consultation is required in terms of the HWC Public Consultation Guidelines*

Conservation bodies

Conservation bodies are interested parties in the management of our heritage resources. HWC requires that registered conservation bodies are informed and provided with 30 days to comment when applications are received for particular geographical areas or categories of heritage resources in terms of section 25(1) of the National Heritage Resources Act 1999. Please find the list of registered conservation bodies on our website: <http://www.hwc.org.za/conservation-bodies>.

PLEASE NOTE

Unless the applicant and the registered owner sign the application form, the form will not be processed by HWC. Applications are considered to be public documents and are open to public scrutiny. Should you wish your application to be kept confidential, please motivate your request on a separate sheet attached to your application form. For applications that are granted confidentiality, this confidentiality will be limited to one year (12 months).

PLEASE ENSURE THAT ALL ADDITIONAL DOCUMENTS REQUIRED (see *HWC Checklist for Applications*) ARE ATTACHED TO THIS APPLICATION FORM PRIOR TO SUBMISSION. Please visit www.hwc.org.za for more information.



APPLICATION FOR A PERMIT: MINOR WORKS

Section 27/ Section 29/ Section 31/Section 34

Minor Works Permits are only issued at the discretion of HWC, in instances where the subject building has not been identified as having heritage significance, or in the opinion of HWC the work being undertaken will not impact on the significance of a structure identified as having significance, or which in the opinion of HWC, may have significance.

Heritage Western Cape Reference No:

Prescribed Fee Paid (Proof of Payment)

The work as applied for has not started

The work as applied for has started / been completed *(The applicants attention is drawn to Section 51 of the NHRA)*

Re-application for permit Date of previous permit: (dd/mm/yy): _____

Extension of an existing permit Date of current permit: (dd/mm/yy): _____

(The current permit must be attached, extensions are only granted when the existing permit has not lapsed)

Transfer of an existing permit to a new owner

DETAILS OF SITE, PLACE OR STRUCTURE

Physical address of site: _____

Erf/Stand/Farm name and number: _____

Type of site, place or structure (indicate by means of a cross in the appropriate space(s) below):

- Provincial heritage site (or a previously declared national monument in terms of the National Monuments Act, 1969) or a provisionally protected place (previously a provisionally declared national monument in terms of the National Monuments Act, 1969 (section 27) or a provisionally protected heritage site in terms of Section 29 of the National Heritage Resources Act (1999).
- Structure to be altered, demolished, a new proposed structure within a Heritage Area (Section 31)
- Structure older than 60 years (Section 34)
- Proposed action within a Section 31 Area

NAME AND ADDRESS OF APPLICANT

Name and Surname: _____

Identity number of applicant: _____

Company: _____

Address: _____ Postal code: _____

Cellular phone number: _____ Alternative phone number: _____

E-mail: _____

Signature: _____ Date: _____
(Applicants/ agents must attach copy of power of attorney)

REGISTERED OWNER OF PROPERTY: (if the applicant is not the registered owner of the property; or if the application is made on behalf of the registered owner, a power of attorney must be attached)

Name and Surname: _____

Identity number of applicant: _____

Address: _____ Postal code: _____

Cellular phone number: _____

E-mail: _____

Declaration: I, _____ am fully aware of this application and accept its contents and declare that I intend to undertake to the actions as proposed in this application.

Signature: _____ Date: _____

PROPOSED TYPE OF ACTION (indicate by means of a cross in the appropriate block(s) below):

Type of work:

- Maintenance/repair
- Internal Alteration
- External Alteration
- Minor addition
- Shopfitting
- Fabric Analysis
- Other; please describe:

Subdivide or change planning status: Consolidation Subdivision Rezoning

Estimated construction value cost in South African Rands: R_____

DETAIL OF THE ACTION PROPOSED (Provide a short description of the proposed action which must be supported by accompanying documentation)

DRAWING REFERENCE NUMBERS AND DATES (Please list all drawing reference numbers, including revision numbers, and the dates of the drawings.)

Drawing reference number	Date of drawing	Version	Title of drawing

PLEASE NOTE

Unless the applicant and the registered owner sign the application form, the form will not be processed by Heritage Western Cape.

Applications are considered to be public documents and are open to public scrutiny. Should you wish your application to be kept confidential, please motivate your request on a separate sheet attached to your application form. For applications that are granted confidentiality, this confidentiality will be limited to one year (12 months).

PLEASE ENSURE THAT ALL ADDITIONAL DOCUMENTS REQUIRED (see *HWC Checklist for Applications*) ARE ATTACHED TO THIS APPLICATION FORM PRIOR TO SUBMISSION. Please visit www.hwc.org.za for more information.

Comment from the Local Municipality or Public is not required in respect of Minor Works Applications.

HWC reserves the right to request that a full application be submitted should, in its opinion and for whatever reason, the application submitted not be deemed to be minor.

**APPLICATION FORM
NOTIFICATION OF INTENT TO DEVELOP (NID)
SECTION 38 (1) AND SECTION 38 (8)**

Heritage Western Cape Reference No:
To be completed by the applicant

Completion of this form is required by Heritage Western Cape for the initiation of all impact assessment processes under Section 38 (1) & (8) of the National Heritage Resources Act (NHRA)

As per Section 38 (1) (e) of the NHRA, submission of the NID must be initiated at the earliest stage of development. Should the development trigger any other legislation, practitioners may submit the NID without formal submission to other statutory bodies in order to comply with the NHRA.

This form is to be read in conjunction with the HWC Notification of Intent to Develop, Heritage Impact Assessment, (Pre-Application) Basic Assessment Reports, Scoping Reports and Environmental Impact Assessments, Guidelines for Submission to HWC

Whilst it is not a requirement, it may expedite processes and in particular avoid calls for additional information if certain of the information required in this form is provided by a heritage specialist/s with the necessary qualifications, skills and experience. All sections of the form must be completed in order to deem the application to be complete.

Making an incorrect statement or providing incorrect information may result in all or part of the application having to be reconsidered by HWC in the future, or submission of a new application.

The following information is to be included upon submission to HWC:

1. Proof of payment with correct reference number
2. Completed and signed application form – the application form must be completed in full in order to be considered
3. Power of Attorney
4. Locality Map
5. Images of the site and its context
6. Additional information pertaining to the heritage of the site

Application and associated documentation to be emailed to ceoheritage@westerncape.gov.za

A. APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

Department of Environmental Affairs Development Planning (Western Cape); Department of Mineral Resources (National); Department of Environmental Affairs (National);
Reference Number (if applicable):

Please tick the applicable section:

This application is made in terms of Section 38(8) of the NHRA and an application under NEMA has been made to the following authority:

This development will not require a NEMA application.

B. BASIC DETAILS**PROPERTY DETAILS:**

Name of property:	
Street address or location (eg: off R44):	
Erf or farm number/s:	Coordinates: S E (A logical centre point. Format based on WGS84.)
Town or District:	Municipality:
Extent of property:	Current use:
Predominant land use/s of surrounding properties:	

REGISTERED OWNER OF PROPERTY:

Name and Surname:		
Address		
Telephone	Cell	E-mail
APPLICANT/ AUTHORISED AGENT:		
Name and Surname:		
Address:		
Telephone	Cell	E-mail

By the submission of this form and all material submitted in support of this notification (ie: 'the material'), all applicant parties acknowledge that they are aware that the material and/or parts thereof will be put to the following uses and consent to such use being made: filing as a public record; presentations to committees, etc; inclusion in databases; inclusion on and downloading from websites; distribution to committee members and other stakeholders and any other use required in terms of powers, functions, duties and responsibilities allocated to Heritage Western Cape under the terms of the National Heritage Resources Act. Should restrictions on such use apply or if it is not possible to copy or lift information from any part of the digital version of the material, the material will be returned unprocessed. All sections of the form have been completed.

Signature of Owner:

Date:

Should the owner not be able to sign, the applicants/ agents must attach copy of power of attorney to this form.

Signature of Applicant/ Authorised Agent:

Date:

Applicants/ agents must attach copy of power of attorney to this form.

C. DEVELOPMENT DETAILS:

Please indicate below which of the following Sections of the National Heritage Resources Act, or other legislation has triggered the need for notification of intent to develop.

<input type="checkbox"/> S38(1)(a) Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length.	S38(1)(c) Any development or activity that will change the character of a site -
<input type="checkbox"/> S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length.	<input type="checkbox"/> (i) exceeding 5 000m ² in extent;
<input type="checkbox"/> S38(1)(d) Rezoning of a site exceeding 10 000m ² in extent.	<input type="checkbox"/> (ii) involving three or more existing erven or subdivisions thereof;
<input type="checkbox"/> Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details:	<input type="checkbox"/> (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years.
	If you have checked any of the three boxes above, describe how the proposed development will change the character of the site:

If an impact assessment process has also been / will be initiated in terms of other legislation please provide the following information:

Authority / government department (ie: consenting authority) to which information has been /will be submitted for final decision:

Present phase at which the process with that authority stands:

Provide a full description of the nature and extent of the proposed development or activity including its potential impacts:

Estimated value cost of the project in South African Rands: R _____

D. ANTICIPATED IMPACTS ON HERITAGE RESOURCES

Section 3 of the National Heritage Resources Act sets out the following categories of heritage resource as forming part of the national estate. Please indicate the known presence of any of these by checking the box alongside and then providing a description of each occurrence, including nature, location, size, type

Failure to provide sufficient detail or to anticipate the likely presence of heritage resources on the site may lead to a request for more detailed specialist information.

Provide a short history of the site and its environs (Include sources where available):

Please indicate which heritage resources exist on the site and in its environs, describe them and indicate the nature of any impact upon them:

<input type="checkbox"/>	<p>Places, buildings, structures and equipment of cultural significance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Places to which oral traditions are attached or which are associated with living heritage</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Historical settlements and townscapes</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Landscapes and natural features of cultural significance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Geological resources of scientific or cultural importance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>

<input type="checkbox"/>	<p>Archaeological resources (Including archaeological sites and material, rock art, battlefields & wrecks):</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Palaeontological resources (ie: fossils):</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Graves and burial grounds (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries):</p> <p>Description of Resource:</p> <p>Description of Impact on Heritage Resource:</p>
<input type="checkbox"/>	<p>Other human remains:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Sites of significance relating to the history of slavery in South Africa:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Other heritage resources:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<p>Describe elements in the environs of the site that could be deemed to be heritage resources: Description of impacts on heritage resources in the environs of the site:</p>	

Summary of anticipated impacts on heritage resources:

E. ILLUSTRATIVE MATERIAL:

Attach to this form a minimum A4 sized locality plan showing the boundaries of the area affected by the proposed development, its environs, property boundaries and a scale. The plan must be of a scale and size that is appropriate to creating a clear understanding of the development.

Attach also other relevant graphic material such as maps, site plans, satellite photographs and photographs of the site and the heritage resources on it and in its environs. These are essential to the processing of this notification.

Please provide all graphic material on paper of appropriate size and on CD/ USB in JPEG format. It is essential that graphic material be annotated via titles on the photographs, map names and numbers, names of files and/or provision of a numbered list describing what is visible in each image.

F. RECOMMENDATION

In your opinion do you believe that a heritage impact assessment is required? Yes No

Recommendation made by:

Name

Capacity

PLEASE NOTE: No Heritage Impact Assessment should be submitted with this form or conducted until Heritage Western Cape has expressed its opinion on the need for such and the nature thereof.

G. INFORMATION TO BE PROVIDED AND STUDIES TO BE CONDUCTED AS PART OF THE HERITAGE IMPACT ASSESSMENT (HIA)

If it is recommended that an HIA is required, please complete this section of the form.

DETAILS OF STUDIES TO BE CONDUCTED IN THE INTENDED HIA

In addition to the requirements set out in Section 38(3) of the NHRA, indicate envisaged studies:

<input type="checkbox"/>	Heritage resource-related guidelines and policies.
<input type="checkbox"/>	Local authority planning and other laws and policies.
<input type="checkbox"/>	Details of parties, communities, etc. to be consulted.
<input type="checkbox"/>	Specialist studies, eg: archaeology, palaeontology, architecture, townscape, visual impact, etc. Provide details:
<input type="checkbox"/>	Other. Provide details:

PLEASE NOTE: Any further studies which Heritage Western Cape requires should be submitted must be in the form of a single, consolidated report with a single set of recommendations. Specialist studies must be incorporated in full, either as chapters of the report, or as annexures thereto.
Please refer to the *Guidelines for Heritage Impact Assessments required in terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999)*

**NOTIFICATION OF INTENT TO DEVELOP, HERITAGE IMPACT ASSESSMENT,
(PRE-APPLICATION) BASIC ASSESSMENT REPORTS, SCOPING REPORTS AND
ENVIRONMENTAL IMPACT ASSESSMENTS, GUIDELINES FOR SUBMISSION TO HERITAGE
WESTERN CAPE**

SECTION 38 (1) AND SECTION 38 (8)

As per Section 38 (1) (e) of the National Heritage Resources Act (NHRA), No. 25 of 1999, submission of the Notification of Intent to Develop (NID) must be initiated at the earliest stage of development. Should the development trigger any other legislation, practitioners are able to submit the NID to Heritage Western Cape (HWC) prior to formal submission to other statutory bodies in order to comply with the NHRA. The authority will determine if a heritage impact assessment (HIA) will be required.

Section 38(8) of the NHRA states that if the development activities listed in Section 38(1) must be subjected to an environmental impact assessment (EIA) in terms of NEMA, separate HIA and approval from the relevant heritage resources authority is not required, provided that the environmental authority must:

1. Ensure that if the relevant heritage resources authority requires an HIA, the application fulfils the requirements of the heritage resources authority in terms of Section 38(3) of the NHRA, and
2. The comments and recommendations of the relevant heritage resources authority have been considered prior to granting the environmental authority's consent.

MAKING AN APPLICATION

Notification of Intent to Develop

Should the development trigger the provisions of Section 38(1) and Section (8) a NID must be submitted.

The following information is to be included upon submission:

1. Proof of payment with correct reference number – reference numbers are issued by contacting hwc.hwc@westerncape.gov.za
2. Completed and signed application form
3. Power of Attorney
4. Locality Map
5. Images of the site and its context
6. Additional information pertaining to the heritage of the site

Please note, ALL APPLICATIONS are only accepted via email submission to:
ceoheritage@westerncape.gov.za

Heritage Impact Assessments

A Heritage Impact Assessment (HIA) must provide insight into the impact of the proposed development on heritage resources and provide mitigation measures to limit the effect of that impact. The HIA must provide the heritage authority with sufficient information to properly assess the significance of resources on and around a site and to understand the short, medium- and long-term consequences of the proposed development on heritage resources so that the heritage authority can make an informed comment or decision on the impacts of a proposed development.

At a minimum, a HIA must include the following:

1. Title page including the HWC and DEAP, DEA or DMR Reference numbers, applicable section of the NHRA, and author information;
2. Executive summary;
3. Table of contents;
4. Background information on the project;
5. If the HIA forms part of a NEMA process, a timeline of where the project is within the approval process must be provided;
6. A description of the property/affected environment;
7. A description of methodology;
8. History and evolution of the site and context;
9. The identification and assessment of the significance of all heritage resources as set out in Sections 3 (2), 3 (3) and / or prescribed under Sections 6 (2) and 7 as per the heritage assessment criteria;
10. The mapping and spatialization of these identified resources. At least two maps are required (a regional map and a more detailed map, including a project polygon indicating the boundaries of the project area);
11. An assessment of the significance of these identified resources;
12. The details and summary of findings of specialist reports requested by HWC;
13. An assessment of the impact of the development on such identified heritage resources;
14. An evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;
15. The results of consultation with communities and state bodies (e.g. local authorities) affected by the proposed development and other interested parties regarding the impact of the development on heritage resources including unabridged copies of the comments received.
Should the HIA be within a NEMA process, the applicant may advertise simultaneously. The advert needs to clearly indicate that the consultation includes a call for comment on the HIA which is integrated in the NEMA process;
The comments must be tabulated in a response table and included with the submission;
16. The consideration of alternatives and any plans for mitigation of any adverse effects during and after the completion of the proposed development;
17. Conclusions;
18. An integrated set of Recommendations;
19. References;
20. Relevant appendices which must include the full reports of any specialist assessments

Please note, ALL APPLICATIONS are only accepted via email submission to: ceoheritage@westerncape.gov.za

Pre-Application Basic Assessment Reports, Scoping Reports and Environmental Impact Assessments

Should HWC be required to comment on any of the pre-application basic assessment reports, scoping reports and environmental impact assessments such report must be submitted via ceoheritage@westerncape.gov.za. The report must clearly indicate the HWC reference number for which the NID was applied for and a copy of the HWC NID response must be included. The prescribed payment fee will be applicable for comments at this stage of submission.

Applicants are strongly advised to familiarise themselves with the HWC committee meeting schedule. HIA's are assessed by either or both the Archaeology, Palaeontology and Meteorites Committee (APM) and the Impact Assessment Committee (IACom). The HIA must be submitted to HWC a minimum of three weeks prior to the scheduled meeting of the relevant committee.

These are guidelines as per Heritage Western Cape requirements. This does not exonerate owners and applicants from applying to their relevant municipality or any other statutory authority for necessary approvals.

Please note, ALL APPLICATIONS are only accepted via email submission to: ceoheritage@westerncape.gov.za

Relevant legislation, application forms, meeting schedules and other relevant documentation can be downloaded via:

www.hwc.org.za / www.westerncape.gov.za/public-entity/heritage-western-cape

For enquiries please contact the office of the CEO:
ceoheritage@westerncape.gov.za