

Stephan Jacobs

From: Natasha Higgitt <niggitt@sahra.org.za>
Sent: Friday, 07 June 2019 11:38 AM
To: Stephan Jacobs
Cc: Andrea Gibb; Hlengiwe Ntuli
Subject: RE: Request for Assistance with Notice of Intent Form Template and Provincial Authority Contacts

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

With regards to the section 38 development application process, only developments that are applied for in terms of section 38(1) of the NRHA require that the relevant Heritage Resources Authority is notified at the earliest phase via a NID document. HWC has a form, however, if an application to SAHRA is submitted via SAHRIS, the SAHRIS application acts as a NID document. Other documents such as project motivation and map etc. can be uploaded as additional documents.

If the application is being conducted in terms of section 38(8) of the NHRA, then no NID is required as 38(1) does not apply when a 38(8) process is undertaken. Here we require the BID or announcement letter, the draft BAR and appendices, or the draft scoping with appendices, and draft EIA with appendices to provide comments.

With regards to the Northern Cape Provincial Heritage Resources Authority (<http://www.nbkb.org.za/>), the NCPHRA does not have the authority to provide comments on section 38 application with the exception that if a structure as defined and protected by section 34 is impacted, then the NCPHRA must be consulted for comments. All section 38(1) and 38(8) cases for the Northern Cape are processed by SAHRA via SAHRIS.

The Eastern Cape Provincial Heritage Resources Authority has been assessed to be competent to perform all function of the NHRA and therefore all section 38(1) and 38(8) application in the EC are process by the ECPHRA. They do not use SAHRIS and must be contacted directly. Please see the contact details for Sello Mokhanya (smokhanya@ecphra.org.za).

I hope this is helpful.

Kind regards,

From: Stephan Jacobs <StephanJ@sivest.co.za>
Sent: Thursday, June 06, 2019 2:05 PM
To: Natasha Higgitt <niggitt@sahra.org.za>
Cc: Andrea Gibb <AndreaG@sivest.co.za>; Hlengiwe Ntuli <HlengiweN@sivest.co.za>
Subject: Request for Assistance with Notice of Intent Form Template and Provincial Authority Contacts
Importance: High

Good Afternoon Ms/Mrs Higgitt,

I trust you are well.

SiVEST are in the process of compiling DEA application forms for EIA processes which we are planning on undertaking for Renewable Energy (RE) projects in the Northern and Eastern Cape provinces and came across the following statement:

“If Section 38 of the National Heritage Resources Act (Act No. 25 of 1999) is applicable to your proposed development, you are requested to submit the Notice of Intent form to the relevant SAHRA or a Provincial Heritage Resources Authority and attach a copy to this form.”

In light of this, does SAHRA perhaps have a Notice of Intent Form Template which we could make use of, or know where we can find one? We have only ever encountered this for Heritage Western Cape (HWC) and thus are not certain where to find a template of this.

Also, can you please confirm who the Northern Cape and Eastern Cape Provincial Heritage Resources Authorities would be?

I did some research and found that the provincial authority for the EC is the Eastern Cape Provincial Heritage Resources Agency (ECPHRA). Is this correct? For the Northern Cape Province, Ngwao Boswa Kapa Bokone (commonly known as 'Boswa') seems to be the provincial heritage authority. Could you kindly please confirm whether this is correct or if all heritage related matters in the Northern Cape should go straight to SAHRA?

Your assistance will be greatly appreciated.

Do not hesitate to contact me should you have any queries or should you wish to discuss this.

Kind Regards,

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