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Our Ref: HM/ CENTRAL KAROO / MODDERFONTEIN (RE/228) AND
PHAISANT KRAAL 1
Case No.: 20210416SB0416E
Enquiries: Stephanie Barnardt
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RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: HIA REQUIRED
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED PART 2 AMENDMENT TO THE EXISTING ENVIRONMENTAL AUTHORISATION FOR THE MODDERFONTEIN WEF, NEAR VICTORIA WEST LOCATED IN WESTERN CAPE, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 20210416SB0416E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received. This matter was discussed at the Heritage Officers Meeting held on 3 May 2021.

You are hereby notified that, since there is reason to believe that the proposed part 2 amendment to the existing Environmental Authorisation for the Modderfontein WEF, near Victoria West located in Western Cape will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of Section 38(3) of the NHRA be submitted. Section 38(3) of the NHRA provides

- (3) *The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2)(a): **Provided that the following must be included:***
- (a) *The identification and mapping of all heritage resources in the area affected;*
 - (b) *an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;*
 - (c) *an assessment of the impact of the development on such heritage resources;*
 - (d) *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;*
 - (e) *the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;*
 - (f) *if heritage resources will be adversely affected by the proposed development, The consideration of alternatives; and*
 - (g) *plans for mitigation of any adverse effects during and after the completion of the proposed development.*

(Our emphasis)

This HIA must in addition have specific reference to the following:

- The Committee resolved that an integrated amended HIA to include the final layout that satisfies the requirements of section 38(3) of the NHRA to be submitted to HWC.

www.westerncape.gov.za/cas

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The HIA must have an overall assessment of the impacts to heritage resources which are not limited to the specific studies referenced above.

The required HIA must have an integrated set of recommendations.

The comments of relevant registered conservation bodies; all Interested and Affected parties; and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied.

Please note, should you require the HIA to be submitted as a Phased HIA, a written request must be submitted to HWC prior to submission. HWC reserves the right to determine whether a phased HIA is acceptable on a case-by-case basis.

If applicable, applicants are strongly advised to review and adhere to the time limits contained the Standard Operational Procedure (SOP) between DEADP and HWC. The SOP can be found using the following link <http://www.hwc.org.za/node/293>

Kindly take note of the HWC meeting dates and associated agenda closure date in order to ensure that comments are provided within as Reasonable time and that these times are factored into the project timeframes.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

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Colette Scheermeyer
Acting Chief Executive Officer



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