



PROVINCIAL HERITAGE RESOURCES AUTHORITY - GAUTENG

PRIVATE BAG X33, JOHANNESBURG, 2000
35 RISSIK STREET, SURREY HOUSE,
JOHANNESBURG, 2000
TEL: 011 355 2500 – FAX: 011 355 2513

PHRA-G Procedures - Section 38 (HIA) Applications

N.B.: The Applicant must please note that the PHRA-G HIA Committee and its procedures are guided by the National Heritage Resources Act 25: 1999, especially section 38.

Application process

- a) Compile a Notification of Intent to Develop, to give basic information about the proposed development. This document must clearly give details regarding the Location, Nature and Extent of the proposed development.
- b) Submit the report to PHRA-G
- c) A notice must be placed in an English and applicable language to the area where the development is to take place and on the site notifying people of the intention to develop the property and that an application has been submitted to PHRAG for its consent to deal with the heritage matter. It must further invite any interested and affected party to lodge an objection or comment on the proposed application within 30 days after appearance of the notice to the PHRAG. Information of the proposed application can be inspected at PHRAG's offices or can be requested from the applicant.
- d) Your application will be tabled before the Heritage Impact Assessment (HIA) Committee for adjudication and recommendations only after 30 days period mentioned above has expired. If objections have been received, the HIA Committee may invite all parties (Interested and Affected parties and applicant) to attend a meeting in order to answer questions of clarity or address the committee on his/her objections/comments.
- e) The Committee may ask for a Heritage Impact Assessment (HIA) to be conducted and submitted, which will give more detailed information about the project.
- f) You will get written feedback from the HIA Committee meeting via PHRA-G administrator
- g) If your application is approved, you will be issued with a Permit / Record of Decision (ROD) confirming the approval and conditions attached to that. (PHRA-G letterhead is used).
- h) If your application is declined, you will still be issued with an official letter informing you of reasons.
- i) Please note that the HIA Committee can request further/additional information to assist in making an informed decision, except what is normally submitted, before your application can be concluded.

- j) Positive ROD, must be displayed on site, for 30 days period, allowing the Interested and Affected parties who have registered their interest in the proposed development.
- k) Remember only an Interested and Affected party who has submitted an objection or comment during the initial advertisement process can appeal the decision of the HIA Committee.
- l) If an appeal is received, the matter is referred to the PHRA-G Appeals Committee for further judgement.

An HIA study must amongst other things:

- a) clearly identify and map the heritage resources on the earmarked property/area.
- b) give the historical background of the area.
- c) show how the proposed work might have an impact on heritage resources
- d) outline mitigation measures
- e) give a report on the Public Participation process

Public Participation Process

- a) Before or during the Heritage Impact Study, the heritage consultant must advertise in the local newspaper and/or popularly read newspaper (according to the area of the development), informing the Public about their intention to develop.
- b) In addition to the advert, A3 site notices must be displayed in the front façade of the property in question.
- c) Public Notices must also be distributed to the registered Interested and Affected Parties (I&As).
- d) The same details as on the advert must be on the site notices.
- e) The Advert/Public Notice must at least, clearly mention the Location, Nature and Extent of the proposed development.
- f) The Advert/Public Notice must be open for comments for 30 days, to allow the I&As enough time to comment.
- g) Meaning the closing date for comments must be clearly indicated.
- h) After the 30 days period, if comments/objections were received, the applicant/heritage consultant must meet with the objector/s to address their concerns.
- i) Whatever the outcome, the Public Participation report must be compiled which will form part of the Heritage Impact Assessment (HIA) report to be submitted to PHRA-G for adjudication.
- j) Proof of all notices and the advert/s, must be attached to the HIA report.
- k) The HIA Committee will adjudicate on the application/report.
- l) Remember comments received, either positive or negative, will determine the next step of your application, but the Committee will have to analyse them and give a decision.
- m) If the Committee approves the application, the applicant must display an A3 size permit/ROD on the front façade of the property in question for 30 days period inviting for comments from the I&As.
- n) After the comment period has lapsed, the applicant must compile a report to PHRA-G for further adjudication.
- o) If objections were received, this application will be referred to the Appeals Committee.

Please contact PHRA-G if you require further clarification.