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# SAHRA

South African Heritage Resources Agency

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## **NEW SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA) WITH NEW LEGISLATION AND NEW DIRECTION**

*"Our heritage celebrates our achievements and contributes to redressing past inequities. It educates, it deepens our understanding of society and encourages us to empathise with the experience of others. It facilitates healing and material and symbolic restitution and it promotes new and previously neglected research into our rich oral traditions and customs."*

This quotation from the new National Heritage Resources Act (NHRA) encapsulates the spirit of the South African Heritage Resources Agency, SAHRA, which has replaced the National Monuments Council (NMC). One of the most important elements of the new legislation is the opportunity it will provide for communities to participate in the identification, conservation and management of our cultural resources.

SAHRA is a statutory organisation established under the National Heritage Resources Act, No 25 of 1999, as the national administrative body responsible for the protection of South Africa's

cultural heritage.

The new Act follows the principle that heritage resources should be managed by the levels of government closest to the community. These local and provincial authorities will manage heritage resources as part of their planning process.

In order to develop the skills and capacities of communities, heritage resource agencies will hold training sessions to promote public involvement in the identification of heritage resources, with the recording of living heritage associated with heritage and oral history a crucial element, because much of the past is undocumented.

We present this information about SAHRA in order to create an awareness among the people of our country of their right to conserve what they consider to be valuable heritage resources, the mechanisms for doing this, and to recognise the exciting new possibilities that the new Act creates for them.

The object of SAHRA is to coordinate the identification and management of the national estate. The aims are to introduce an integrated system for the identification, assessment and management of the heritage resources and to enable provincial and local authorities to adopt powers to protect and manage them.

A South African Heritage Resources Survey (SAHRS) will be established to coordinate a national strategy for the identification of heritage resources.

Issues relating to heritage resources and their

to alter or demolish any structure older than 60 years until the survey has been carried out.

### **Heritage Areas**

A planning authority must, at the time of revision of a town or regional planning scheme, or the compilation or revision of a spatial plan, investigate the designation of heritage areas to protect places of environmental or cultural interest.

Specific moveable objects or collections may be formally declared as heritage objects if SAHRA considers it necessary to control their export. It does not restrict their sale or their ownership. A provisional list of objects has been gazetted and includes antiquities that have been in South Africa for more than 100 years; items of importance in South African history or to significant people; paintings and items of artistic interest that have been in the country for over 50 years. Archaeological and palaeontological material and meteorites are exceptions, as they may not be owned, bought or sold.

SAHRA will register dealers in heritage objects and regulate trade in heritage objects.

### **GENERAL PROTECTIONS**

In areas where there has not yet been a systematic survey to identify conservation-worthy places, a permit is required to alter or demolish any structure older than 60 years. This will apply until a survey has been done and identified heritage resources are formally protected.

Archaeological and palaeontological sites and materials and meteorites are the source of our understanding of the evolution of the earth, life on earth and the history of people. In the new

legislation permits are required to damage, destroy, alter or disturb them. People who already possess material are required to register it.

The management of heritage resources are integrated with environmental resources and this means that before developments take place heritage resources are assessed and, if necessary, rescued.

Wrecks in South Africa's maritime cultural zone are a national competence and therefore protected by SAHRA.

### **Burial grounds and graves**

In addition to the formal protection of culturally significant graves, all graves which are older than 60 years and not in a cemetery (such as ancestral graves in rural areas) are protected. The legislation protects the interests of communities which have an interest in the graves: they must be consulted before any disturbance can take place.

The graves of victims of conflict and those associated with the liberation struggle will be identified, cared for, protected and memorials erected in their honour.

### **HERITAGE RESOURCES MANAGEMENT**

Anyone who intends to undertake a development must notify the heritage resources authority and if there is reason to believe that heritage resources will be affected, an impact assessment report must be compiled at the developer's cost. Thus developers will be able to proceed without uncertainty about whether work will have to be stopped if a heritage resource is discovered.



value will be increasingly introduced into school curricula, with universities and technikons encouraged to increase heritage management programmes.

The national estate encompasses heritage resources of cultural significance for the present community and for future generations. It may include places to which oral traditions are attached or which are associated with living heritage; historical settlements; landscapes and natural features of cultural significance; archaeological and palaeontological sites; graves and burial grounds, including ancestral and royal graves and graves of traditional leaders; graves of victims of conflict; and sites relating to the history of slavery in South Africa.

The national estate includes movable objects such as those recovered from the soil or waters of South Africa; objects associated with living heritage; ethnographic and decorative art; objects of scientific interest; and books, documents, photographs, film material or sound recordings.

A place or object is considered part of the national estate if it has cultural significance because of its importance in the community, or pattern of South Africa's history, its possession of rare aspects of South Africa's natural or cultural heritage, its strong or special association with a particular cultural group for social, cultural or spiritual reasons.

### **TYPES OF PROTECTION**

The well known 'national monument' has disappeared and other formal categories of protection under the old National Monuments Council (NMC) have been modified. A new category of 'national heritage site' exists for

sites of outstanding national importance

In terms of general protections, the scope of the NHRA is wider with more safeguards against arbitrary decisionmaking. The linking of aspects of the national estate to the two main environmental impact assessment systems operating in the country, makes the conservation system more friendly to development. This does not mean that developers may now disturb heritage resources, but that they are able to identify and deal with areas of risk more efficiently.

The system creates a situation whereby heritage resources authorities no longer operate in a vacuum, but from a position where it is informed by the feelings of a community regarding their heritage resources.

### **FORMAL PROTECTIONS UNDER THE NEW ACT**

SAHRA and members of the public must identify places with qualities so exceptional that they are of special national significance to be declared national heritage sites. These will be marked with a new badge, which is being designed with the participation of schools.

Provincial heritage resources authorities must identify places which make them significant in the context of the province \_ to be declared provincial heritage sites.

### **Heritage Registers**

At the time of the compilation or revision of a town or regional planning scheme or a spatial development plan, a planning authority must compile an inventory of the heritage resources. As an interim measure, a permit will be required

## MANAGEMENT TOOLS

The incentives provided to those interested in the conservation of the national estate are more flexible.

Fines for unlawful destruction or other damage to heritage resources are more extensive, and other disincentives include community service, reconstruction of a heritage resource, or payment equivalent to the costs of disturbing or damaging a heritage resource and the forfeiture of equipment being used when committing the offence.

**National heritage resources assistance programme** - SAHRA will provide financial assistance in the form of a grant or a loan to community organisations or individuals for any project which will promote heritage resource conservation.

If you would like any further information please contact:

**South African Heritage  
Resources Agency  
(SAHRA)  
PO Box 4637  
CAPE TOWN  
8000**

Tel: (021) 462 4502  
Fax: (021) 462 4509  
e-mail: [library@sahra.org.za](mailto:library@sahra.org.za)  
website: [www.sahra.org.za](http://www.sahra.org.za)

## SAHRA'S VISION

SAHRA's vision is to provide for the identification, conservation, protection and promotion of our heritage resources for future generations

## SAHRA'S MISSION

As custodians of our national estate our mission is:

to coordinate and monitor the identification of our national heritage;

to set norms and standards and maintain the management of heritage resources nationally;

to encourage cooperative conservation of our national estate;

to enable and facilitate the development of provincial structures;

to control export and import of nationally significant heritage resources;

to develop policy initiative on the promotion and management of our heritage;

to nurture an holistic celebration of our history;

to set national policy for heritage resources management, ie formal protection, general protection and management;

to develop an integrated and interactive system for the management of national heritage resources by April 2002; and

resource management



**SAHRA**

South African Heritage Resources Agency

**OFFICIAL USE ONLY:**

SAHRA Ref: .....

Date received: .....

Application No: .....

Application approved: .....

Not approved: .....

Date of permit/notification: .....

**APPLICATION**

To destroy, damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of a Provincial Heritage Site or a Provisionally Protected Place, or to alter or demolish a Structure 60 years old or more, as protected in terms of the National Heritage Resources Act (Act No. 25 of 1999).

PLEASE FILL IN ALL SECTIONS RELATING TO YOUR APPLICATION.

**1. APPLICANT**

Name: .....

Address: .....

.....

Post Code: ..... Telephone: ..... Fax: .....

Identity Number: ..... e-mail: .....

**2. OWNER OF PROPERTY (when this is not the applicant)**

Name: .....

Address: .....

.....

Post Code: ..... Telephone: ..... Fax: .....

Identity Number: ..... e-mail: .....

Signature: ..... Date: .....

3. **SITE** (indicate by means of a cross in the appropriate space(s) below):

- Provincial Heritage Site (previously a National Monument) Gazette No: .....
- Provisionally Protected Place
- Structure older than 60 years
- Situated Within a Heritage Area (previously Conservation Area)

Current use: .....

Proposed Use: .....

Name of Property: .....

Address: .....

Erf/ Stand/ Farm no: .....

Magisterial District: .....

Address of Local Authority: .....

4. **NAME AND ADDRESS OF PRIMARY RESPONSIBLE AGENT** (Architect, Designer, etc.)

Name: .....

Qualification: .....

Company: .....

Address: .....

Post Code: ..... Telephone: ..... Fax: ..... E-Mail: .....

5. **PROPOSED WORK** (indicate by means of a cross in the appropriate space(s) below):

- |   |                                      |                                      |
|---|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> Total Demolition   | <input type="checkbox"/> Alteration  | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Partial Demolition | <input type="checkbox"/> Restoration | <input type="checkbox"/> Rezoning    |
| <input type="checkbox"/> Excavation         | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Departure   |

Other: .....



**Drawing Reference Numbers and their Dates:**

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**Detail the manner in which the proposed work is carried out:**

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**Motivation For Proposed Work** (Please motivate fully, with reference to conservation principles where appropriate. This space may also be used for additional details required above.)

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**Approximate value of proposed work: R**

Old buildings require special treatment in terms of specifications, techniques and planning of alterations:

What experience does the Primary Agent have in working with historical sites?

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.....  
.....  
.....

What experience does the contractor working on the site have in working with historical sites?

.....  
.....  
.....

**6. APPLICANT**

I, .....  
undertake fully to observe the terms, conditions, restrictions, regulations, guidelines and directions under which the South African Heritage Resources Agency may issue the permit to me.

Signature: .....

Place: .....

Date: .....

**ITEMS TO ACCOMPANY THIS FORM:**

- \* THREE SETS OF DRAWINGS, ONE OF WHICH MUST BE COLOURED-UP
- \* PHOTOGRAPHS OF STRUCTURES IN THEIR PRESENT FORM AND IN CONTEXT
- \* ANY OTHER INFORMATION REQUESTED BY SAHRA

**PLEASE NOTE:**

- \* UNLESS THIS FORM IS SIGNED IT WILL NOT BE PROCESSED
- \* IT IS AN OFFENCE IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT TO MAKE ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION



# SAHRA

## GUIDELINES

1. TO DRAFT AND IMPLEMENT A CONSERVATION STRATEGY.
2. DETERMINING CULTURAL SIGNIFICANCE FOR HERITAGE VALUE AND ENVIRONMENTAL IMPACT ASSESSMENTS.

[Adapted from certain principles and guidelines provided by *ICOMOS, the South African Heritage Resources Agency,* and the *Burra Charter: ICOMOS Australia,* for use in the Northern Province]

## CONSERVATION PRINCIPLES

Heritage resources are worth keeping because they enrich our lives - by helping us to understand the past; by contributing to the richness of the present environment; and because we expect them to be of value to future generations.

The cultural and historical significance of a heritage resource is embodied in its fabric, its setting and its contents; in the associated documents; in its use; and in people's memory and association with the place.

The cultural and historical significance of a heritage resource, and other issues affecting its future, are best understood by a methodical process of collecting and analysing information before making decisions.

Keeping accurate records about decisions and changes to the resource helps in its care, management and interpretation.

The above aims arise from the principles:

To care for the culturally and historically significant fabric and other significant attributes.

To care for the resource's setting.

To provide an appropriate use.

To use available expertise.

To understand the resource and its significance before making decisions about its future and changes to its fabric.

To make records of the fabric and of decisions and actions.

To interpret the resource in a manner appropriate for its cultural and historical significance.

These guidelines use the following ideas as a basis:

1. The place itself is important.
2. Understand the significance of the place.
3. Understand the fabric.
4. Significance should guide decisions.
5. Do as much as is necessary and as little as possible.
6. Keep records.
7. Do everything in logical order.

### 1. The place itself is important.

Although this may be common sense, in any consideration about important heritage resources, the place itself has prime importance. A fundamental reason for conserving a heritage resource is that it contains information which documents, photographs, drawings, film or video cannot.

No matter how skillfully a heritage resource may be recorded there is no substitute for the experience of the actual resource. Heritage resources are valued because they are the settings for important events, day to day living, or which become symbols of identity and aspiration. Many churches and public buildings are important in this way. They are not just neutral venues for social events, they are important as the symbols and reminders of the events.

The fabric of the heritage resource encompasses all the physical evidence available. This may not only refer to a building or structure, but also to a trampled footpath across the ground or the signs of ageing that go with continual use [ a worn stone step for instance].

### 2. Understand the significance of the place.

Before deciding how to care for a heritage resource it is important to understand what makes it important. The qualities that make a heritage resource important are referred to as historic and cultural significance. Significance helps us to understand the past, enrich our lives now, and is expected to be of value to future generations.

Knowing about the history of a heritage resource usually assists in understanding its significance. Why was it created, was it extraordinary, why was it put in that location, how was it and is it being used, how has it changed. Then ask if these facts are shown by the fabric. This requires comprehensive but not complicated information. Background knowledge may be needed. For instance missionary activity provides the background for the establishment of many modern communities and historic fabric within the Northern Province.

The way the fabric expresses itself may be quite subtle. Economic relationships may be shown in the physical arrangement of a town. The very fact that a heritage resource came into existence can be expressed by its fabric, even when there



have been numerous and great changes to it.

### 3. Understand the fabric.

It is necessary to understand the nature of the fabric if it is to be rehabilitated, conserved or maintained. You will need to understand it in terms of significance [what's important about it?] and in terms of stability [how and to what extent is it deteriorating?].

What is culturally significant about the fabric may not be easy to see at first. It may even go against 'common sense' - like graffiti on a wall, which may be historically significant [prisoner's writing on the walls of the prison on Robben Island for instance.]

It is a necessity to closely examine the fabric to understand its significance. Systematic inspection, informed by a knowledge of the history of the resource, will reveal its significance. Changes to the resource will show up and the manner of its construction will become apparent.

The stability of the fabric is also essential. Would gardening activities destroy evidence of a trampled footpath or alter what may be considered a culturally and historically significant garden or hedge. Have the timber door/ window frames and roof trusses been damaged by termites?

Reliable information assists sound decision making.

### 4. Significance should guide decisions.

What is significant about a place should help determine how to look after it and what changes are appropriate. There are no prescriptions specifying what to do. Whatever changes are made, including new work, should not detract from the significance of the place. There may be conflict between protecting cultural and historical significance and meeting other expectations. All possible options should be considered in order to resolve the conflict. For example there would be a good case for not removing the graffiti from the walls of the prison on Robben Island, but the removal of graffiti on rocks near the Tropic Of Capricorn Geodetic Marker may be a necessity.

### 5. Do as much as necessary, as little as possible.

The steps of investigation, analysis and policy making may lead to implementation of a conservation strategy. Implementation could fall into 3 categories:

1. Work to protect the fabric [a coat of paint]
2. Work which aims to reveal or explain the significance [information leaflets or plaques]
3. Work which makes the place useful. [making additions to accommodate more modern facilities]

Doing less to the fabric is to be favoured rather than more. The fabric of a heritage resource should be allowed to tell its own story, even if some of the physical evidence of that story has disappeared or has been altered. Keeping change to a

minimum protects the evidence of history.

This minimalist approach is different from the popular understanding of 'restoration' as an act of heroic change, intended to 'return a place to its former glory'. Dramatic transformations, which shock and astonish with their revelations, are not precluded. But the value of the heritage resource as a complex and genuine entity should be upheld to encourage the retention of layers of complexity which are easily lost during radical change. To further protect authenticity changes should be readily reversible and done in a way that makes them recognisable as changes.

## 6. Keep records

Careful records should be made of the state of a heritage resource before any change is made, of all the work that is undertaken, and the reasons for decisions. In repairing fabric, evidence may be destroyed and a record of its state beforehand will be needed to ensure that new material or work is appropriate.

New evidence may also be revealed by conservation work, and it is also important to record this. The aim is to leave good evidence for people who will conserve and maintain the place in the future. The keeping of records also encourages rigour in decision making.

## 7. Do everything in logical order.

The above principles need to be applied in a logical order. These Guidelines do not prescribe the techniques to be used or the level of detail needed in each case, but it

does set out the essential sequence of steps. None of these steps should be omitted. They can be grouped into 3 basic stages:

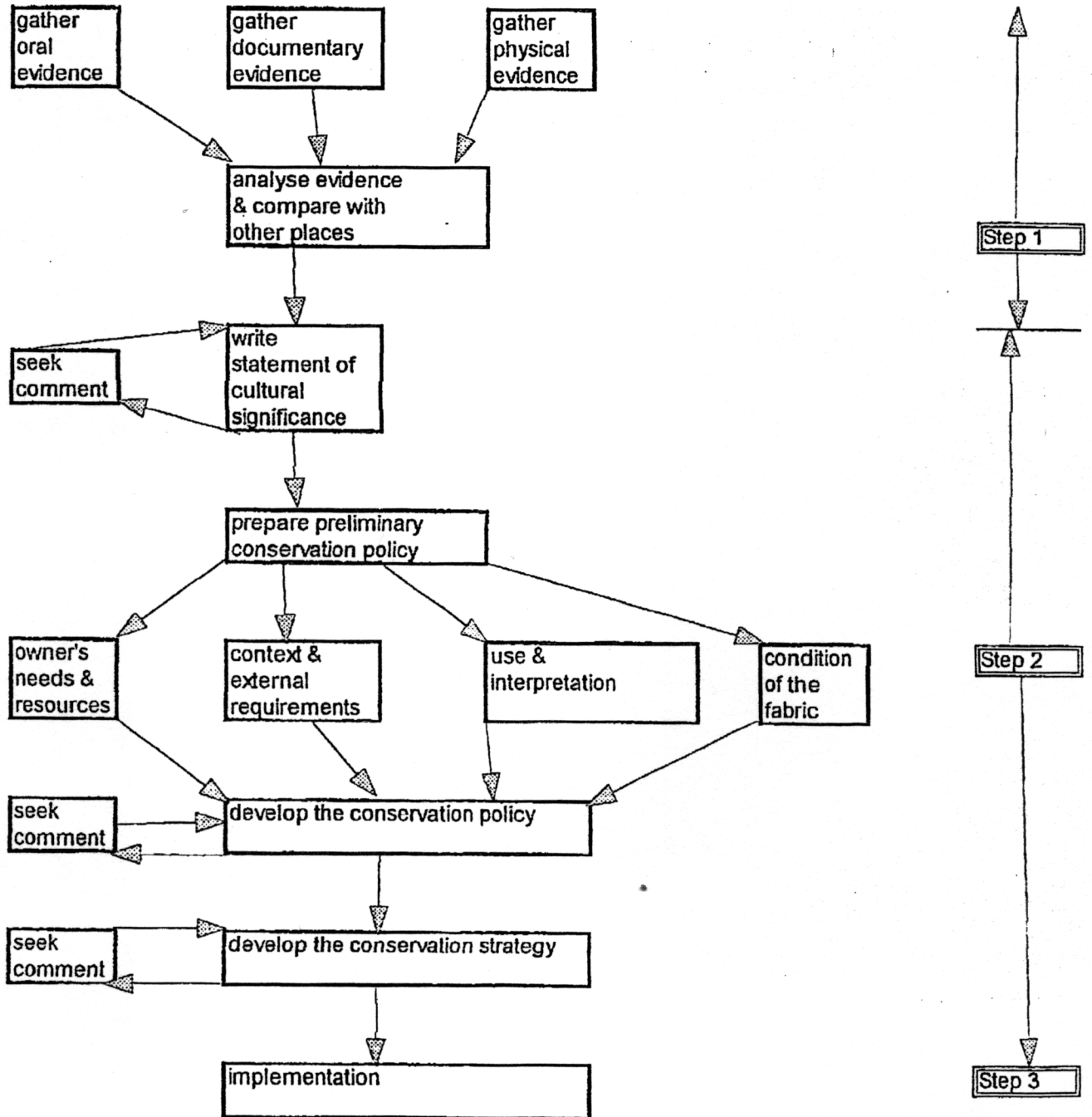
1. Assess cultural significance.
  - 1.1. Gather evidence
  - 1.2. Analyse evidence
  - 1.3. Decide what is significant
2. Develop conservation policy and strategy.
  - 2.1. gather information
  - 2.2. decide conservation policy
  - 2.3. decide conservation strategy
3. Carry out the conservation strategy.

## THE LOGICAL ORDER OF MAKING DECISIONS.

The procedure for making decisions must be appropriate to the resource and circumstances, but should always involve a number of essential steps. Included in this process would be to determine the extent of the preservation, restoration, reconstruction [to be avoided if possible] and adaptation of the resource. The owner's needs should also be taken into account. Community participation in any conservation strategy [although time consuming] is vital if the implementation of the strategy is to succeed. Make use of the expertise and skills of qualified professionals to assist you in drafting and implementing a conservation strategy.

The diagram on the following page illustrates how this process should unfold:





From: Ron Viney. National Monuments Council. (no date) Guidelines to Draft and Implement a Conservation Strategy. Adapted from certain principles and guidelines provided by ICOMOS, the South African Heritage resources Agency, and the Burra Charter: ICOMOS Australia for use in the Northern province.

## GUIDELINES FOR THE PREPARATION OF PLANS COMMITTEE SUBMISSIONS

### INFORMATION

It is important to submit sufficient information to clearly describe the property and your proposals. To avoid delay in the consideration of your application, please make sure that your submission is complete.

The information required may vary according to the extent of your proposals. For example, if the proposal is very minor, the completed application form and photographs of the affected area may be sufficient. For a major structural alteration or addition to a national monument, however, historical and architectural reports and a full set of plans, sections, elevations and details may be required. If in doubt about the extent of information required, please discuss your proposals with the NMC's Regional Manager (see page 8).

Please note that the information submitted is required for NMC records. Two approved and stamped sets of plans will be returned to the applicant.

### PLANS

Plans (see nos 4, 3 and 8 below) must be copies of the original, and must be submitted in triplicate. All sets must be coloured in accordance with the instructions below, and signed in ink by the owner and the architect or designer and dated. One set will be kept by the NMC.

Plans should not be smaller than A4 size (210 x 297 mm) and should preferably not be larger than A0 size (841 x 1 189 mm).

### 1. SITE PLAN

The site plan may be drawn at 1:1 000, 1:500, 1:200 or 1:100 scale, and the scale must be clearly stated on the plan. The site plan must be drawn in accordance with the approved surveyor's diagram of the site and must show -

- the north point
- 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 which it is proposed to demolish (in dotted lines)
- the erf/property/farm number of the site
- the extent of the declared area (in the case of a national monument)

### 2. FLOOR PLANS, ELEVATIONS AND SECTIONS

Sufficient plans, sections and elevations must be submitted to show the proposed work clearly. These drawings should be at 1:100, 1:50 or 1:20 scale, and must be fully dimensioned.

The position of section lines must be indicated on the plan.

The elevations should accurately reflect the effect of the proposal on the structure and its relationship to adjacent buildings.



All new materials, including finishes, must be specified. Drawings should be coloured as follows:

MATERIALS	COLOUR
all existing .....	grey
demolition .....	dotted lines
new masonry .....	red
new concrete .....	green
new iron or steel .....	blue
new wood .....	brown
other .....	clearly indicated using colours other than those above

### 3. SCALE PLAN OF EXISTING STRUCTURE(S)

If it is impossible to distinguish the existing layout from the plans submitted, a measured floor plan of the structure as it exists is required. It should preferably be at the same scale as the plans of the proposed work to facilitate comparison.

### 4. PHOTOGRAPHS OF EXISTING STRUCTURE(S) AND SURROUNDINGS

Sufficient photographs (colour or black and white) must be submitted to clearly illustrate the features of the affected building which are relevant to the application. Photographs showing all the elevations which will be affected by the proposed work, as well as a general view showing the building in its context, must be provided.

Photographs should preferably be mounted with photo corners on A4 sheets, and be keyed (indicating position and direction of view) to a suitable copy of the plan. Photographs not mounted are to be placed in an envelope. They will be kept and entered into the NMC's photographic data base.

### 5. HISTORICAL REPORT

When the building or site is of historical importance, a brief history of the occupation of the site and the phases of construction, as well as an assessment of historical significance is necessary. Consult the NMC's Regional Manager if you are in doubt about the amount of information required.

### 6. ARCHITECTURAL REPORT

An assessment of the condition of the building should usually be given. When required, provide an analysis of the styles and phases of construction of the building, including alterations and additions and a statement of its architectural significance.

### 7. DOOR AND WINDOW SCHEDULES AND DETAILS

Proposals for changing or replacing doors or windows must include sufficient information about their size, proportion and detail. This may be in the form of manufacturer's information (for stock windows and doors) or joinery details (for specials). If shutters are to be changed or added, this information should be included.

### 8. SURVEYOR'S DIAGRAM

A land surveyor's diagram is required for any application to subdivide a national monument. All copies must be signed by a registered land surveyor.

### 9. ARCHAEOLOGICAL REPORT

If the development is likely to disturb buried features and artefacts of historical, archaeological or palaeontological interest, a professional archaeologist must be hired to do an impact assessment and a written report must be submitted to the NMC. See the NMC publication "Archaeology for Planners, Developers and Local Authorities" for details.

# SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)

## GAUTENG PROVINCE

### APPLICATION REQUIREMENTS

1. Requirements for SAHRA permits
2. Check list
3. Explanatory notes
4. Definitions

#### 1. Requirements for SAHRA permits

The following must be submitted with reference to the proposed destruction, damaging, defacement, excavation, alteration, removal from its original position, subdivision or changing of the planning status of a **provincial heritage site** or a **provisionally protected place**, or the proposed alteration or demolition of a **structure or part of a structure that is older than 60 years**.

Provincial heritage site	Provisionally protected place	Structure/any part of a structure older than 60 years
Completed SAHRA application form ( <i>see attached</i> )	Completed SAHRA application form ( <i>see attached</i> )	Completed SAHRA application form ( <i>see attached</i> )
		A copy of the original building plan or a signed note from the responsible local authority stating that this is not available
Locality plan showing the position of the site in relation to its surroundings	Locality plan showing the position of the place in relation to its surroundings	Locality plan showing the position of the structure in relation to its surroundings
Site Development Plan in the event of any proposed new development of the property associated with the site	Site Development Plan in the event of any proposed new development of the property associated with the place	Site Development Plan in the event of any proposed new development of the property associated with the structure



		Brief history of the structure: includes architectural history and previous ownership details (all owners). This can be obtained at the Deeds Office.
<b>Provincial heritage site (continued)</b>	<b>Provisionally protected place (continued)</b>	<b>Structure/any part of a structure older than 60 years (continued)</b>
Coloured photographs of all elevations of the site in its present form and context	Coloured photographs of all elevations of the place in its present form and context	Coloured photographs of all elevations of the structure in its present form and context ie other houses in the area; street-scape.
		In the event of complete demolition, proof of the prior calling for comments from interested or affected parties
In the event of proposed alteration/s, three sets of drawings, one of which must be coloured up to show the proposed work / restoration details	In the event of proposed alteration/s, three sets of drawings, one of which must be coloured up to show the proposed work / restoration details	In the event of proposed alteration or partial demolition, three sets of drawings, one of which must be coloured up to show the proposed work / restoration details
Written comments on the subject of the application from the <i>Heritage Assets Management Section</i> of the Department of Public Works (PWD), in the case of the site being under the control of PWD (National)	Written comments on the subject of the application from the <i>Heritage Assets Management Section</i> of the Department of Public Works (PWD), in the case of the place being under the control of PWD (National)	Written comments on the subject of the application from the <i>Heritage Assets Management Section</i> of the Department of Public Works (PWD), in the case of the structure being under the control of PWD (National)

If in doubt about the extent of information required, please discuss your intended application with the SAHRA Provincial Office.

## 2. Check list

The information to be submitted as part of a permit application is required both for SAHRA records and in order for an application to be successfully considered. Prospective permit applicants must therefore ensure that they have *all* the correct information before proceeding to submit their applications. Incomplete applications will not be processed! In order to prevent unnecessary delays and frustration, it is therefore suggested that you *tick the attached check list* and then submit it together with the rest of the application documents.

## 3. Explanatory notes

### ■ What are the contact details of the Heritage Assets Management Section (PWD)?

This Section is presently located at the following address: 14th Floor (Office 1430), Poynton's Building, Church Street (between Bosman and Schubart Streets), Pretoria. Phone (012) 337-2316 or alternatively, fax (012) 321-0936.

### ■ What happens if a prospective applicant finds it difficult to determine the age of a structure (this refers to the so-called 60 Year Rule)?

In the event of the original building plan of a structure not being available, it will be the prospective applicant's responsibility to then research other potential sources of information, such as relevant title deeds, showing information on previous ownerships. Such information is required in order to develop a statement on the cultural significance of the structure in question.

### ■ Why and how to invite comments from interested or affected parties before application is made to demolish a structure / parts of a structure older than 60 years?

Under the National Heritage Resources Act, 1999 (Act 25 of 1999), all efforts are to be made to prevent the destruction of heritage resources that are considered part of the country's *national estate*. A structure/parts of a structure that are older than 60 years, might be culturally significant in view of *inter alia*, "*its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons*" (quoted from the above Act). It is therefore necessary to provide interested or affected parties with an opportunity to comment on any proposed demolition prior to the making of an application to SAHRA.

A prospective applicant must in this regard and together with the rest of his/her application documents, submit to SAHRA clear evidence of a notice - calling for



comments with respect to the proposed demolition - having been published in an appropriate local newspaper and a notice to be put up on site. Such a notice must allow for a minimum period of 30 days for comments. See example below of such a notice. It is important to note that the information shown in this example is the minimum that SAHRA would like to see published.

Where a local residents association exists, prospective applicants will be required to also show evidence of having gauged the opinion of such a residents association. In rural areas, a prospective applicant will be expected to circulate a notice calling for comments through other appropriate means, e.g. radio, school and churches.

All notices in the above connection must call for written comments to be furnished directly to SAHRA.

Example of notice: The owner Mr Jim Brown, (*the name of the registered owner*) plans to demolish the existing structure/s at 37 Happy Street (Erf 212), Arcadia, Pretoria. Any interested or affected party who wishes to comment on this is invited to do so in writing to the SA Heritage Resources Agency at P.O. Box 87552, Houghton, 2041 / facsimile (011) 482-8196 / [nwhittaker@jhb.sahra.org.za](mailto:nwhittaker@jhb.sahra.org.za). Closing date for comments: .....(30 days from and inclusive of date of publication of notice).

■ **Where to submit permit applications?**

Applications may be submitted at either of the following addresses:

Provincial office of SAHRA at "Northwards", 21 Rockridge Road, Parktown, Johannesburg or alternatively, by mail to PO Box 87552, Houghton, 2041

or

Heritage Assets Management, Department of Public Works at Poynton's Building, 14th Floor (Office 1430), Church Street, Pretoria.

■ **What happens when SAHRA approves a permit application?**

In the event of the approval of an application, SAHRA will issue a permit to the applicant. The issuing of such a permit will be subject to a general appeal period of 14 days, and the permit may be suspended should an appeal against the issuing of the permit be received by SAHRA within 14 days from the date of the permit. SAHRA shall not be held responsible for any costs or losses incurred in the event of the suspension or retraction of such a permit. The appeal against the issuing of a permit will be considered by SAHRA's Appeals Committee within 21 days of the receipt of such an appeal.

The following conditions may often precede or be attached to the issuing of a permit:

- amendment of drawings;
- detailed recording of the structure/s to be demolished;
- donation of items e.g. doors, window frames, floor boards to SAHRA's restoration materials bank.

#### ■ Appeals against decisions by SAHRA pertaining to permit applications

An applicant will have the right to appeal against a decision of SAHRA not to approve his/her permit application. An applicant may also lodge an appeal against a decision pertaining to the conditional issuing of a permit. Any such appeal must be considered within 21 days of SAHRA having been notified in writing of the intention to appeal and having been furnished with the grounds of such an appeal.

#### ■ Heritage Impact Assessments (HIA's)

It is important to note that SAHRA may call for a Heritage Impact Assessment (HIA) in the event of a proposed development being categorised as follows and an Environmental Impact Assessment (EIA) not being required under any other legislation:

- the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- the construction of a bridge or similar structure exceeding 50m in length;
- any development or other activity which will change the character of a site
  - exceeding 5 000 square metres in extent; or
  - involving three or more existing erven or subdivisions thereof; or
  - involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - the costs of which will exceed a sum set in terms of regulations by SAHRA...;
- the re-zoning of a site exceeding 10 000 square metres in extent; or
- any other category of development provided for in regulations by SAHRA.

It is suggested therefore that the SAHRA Provincial Office be consulted at the earliest possible opportunity in the event of the likelihood of SAHRA calling for an HIA.

Information pertaining to the following would need to be included in a Heritage Impact Assessment Report:

- *The identification and mapping of all heritage resources in the area affected;*
- *an assessment of the significance of such resources...;*
- *an assessment of the impact of the development on such heritage resources;*
- *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;*

- *the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;*
- *if heritage resources will be adversely affected by the proposed development, the consideration of alternatives;*
- *plans for mitigation of any adverse effects during and after the completion of the proposed development.*

■ **For further information, kindly contact**

SAHRA's Provincial Office : *telephone (011) 482-8365/6/7*  
: *facsimile (011) 482-8196*  
: *nwhittaker@jhb.sahra.org.za*

- *Any comments with respect to the above-mentioned permit application requirements would be welcome. Such comments should likewise be forwarded to SAHRA's Provincial Office.*

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#### **4. Definitions**

**alter** means "*any action affecting the structure, appearance or physical properties of a place or object, whether by way of structural or other works, by painting, plastering or other decoration or any other means*";

**cultural significance** means "*aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance*";

**heritage resource** means "*any place or object of cultural significance*";

**provincial heritage site** means a place declared to be a provincial heritage site in terms of section 27 of the National Heritage Resources Act of 1999 (such sites were previously known as national monuments);

**provisionally protected place** means a place protected under section 29 of the National Heritage Resources Act of 1999 (such places include former provisionally declared monuments);

**structure** means "*any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith*".

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*Please tick this list and attach to completed permit application form*

COMPLETED APPLICATION FORM (SAHRA 301)	
2 SETS OF DRAWINGS (one approved and stamped set will be returned to the applicant)	
1 SET OF COLOURED-UP DRAWINGS	
CLEAR PHOTOGRAPHS: ELEVATIONS AND CONTEXT	
COPY OF ORIGINAL BUILDING PLAN / LETTER FROM LOCAL AUTHORITY	
LOCALITY PLAN	
SITE DEVELOPMENT PLAN (SDP)	
HISTORICAL BACKGROUND INFORMATION OWNERSHIP AND ARCHITECTURAL	
COMMENTS - STATE-OWNED PROPERTY (NATIONAL)	
PROOF OF INVITATION FOR COMMENTS FROM INTERESTED / AFFECTED PARTIES	