



PROCEDURE FOR PLACING HERITAGE RESOURCES ON THE HERITAGE REGISTER

NOTE: This procedure should be read together with the Heritage Western Cape policy for placing heritage resources on the heritage register, which can be downloaded from the HWC website, as well as the Heritage Western Cape Regulations, relating to the consultation process for listing heritage resources on the heritage register. [Regulations](#)

DEFINITIONS

- a. **National Estate:** The national estate as defined in Section 3 of the NHRA.
- b. **Heritage register:** A list of heritage resources in the province considered to be of cultural significance.
- c. **Local authority:** As defined in the Local Government Transition Act, 1993 (Act No. 209 of 1993).

Heritage resources submitted to Heritage Western Cape for placement on the heritage register must be processed in the manner set out below:

1. Heritage resources proposed for placement on the heritage register can be submitted to Heritage Western Cape (HWC) by any person, conservation body or local authority.
2. Heritage resources proposed for placement on the heritage register can be as a result of a broader heritage Inventory document, an ad hoc submission by means of a Section 30 application form or as a result of HWC refusing an application for the total demolition of a conservation-worthy heritage resource.
3. When a heritage Inventory or an ad hoc submission is submitted, it must include the comments of the owner (if not submitted by the owner), the local authority and conservation body (where applicable).
4. When a heritage Inventory or an ad hoc submission is received by HWC, the responsible official should prepare the documentation for placement on the Inventories, Grading, and Interpretation Committee (IGIC) agenda.
5. The responsible official should furnish the IGIC with all information received no later than 2 weeks before the date of the actual meeting.
6. The responsible official may invite only the local authority or the applicant to make initial submissions at the appropriate IGIC meeting 1 week before the meeting date where the item will be discussed for the first time. The approved or draft agenda for the meeting must be included as part of such invitation.
7. Should the IGIC agree with the proposed grading/s as part of a heritage Inventory or ad hoc submission and of the opinion that a resource is conservation-worthy in terms of Section 7 of the NHRA to be placed on the heritage register, the responsible official should inform the owner, the local authority and all other interested parties of HWCs intention to place the resource on the heritage register. HWC should inform the owner by means of a registered letter as well as an e-mail notification, place a notice in the *Provincial Gazette*, and place a notice in at least one newspaper in general circulation in the province or, if the heritage resource proposed for listing in the heritage register affects only a specific area, in at least one newspaper distributed in that area.

8. All parties should be given 30 days to comment. After the 30-day consultation with all parties, the responsible official must place the matter back on the IGIC agenda, including all comments received.
9. All comments received by the responsible official by the end of the consultation period must be circulated to the IGIC members no later than 2 weeks prior to the date of the meeting.
10. All parties who have expressed an interest in the matter must be invited to attend the IGIC meeting where the final decision will be taken.
11. The IGIC decision should be communicated to all parties who expressed an interest in the matter.
12. The official should allow for a 30-day appeal period from the date that the IGIC decision was communicated to lapse before publishing the gazette notice.
13. Should no appeal be received, the heritage resource/s must be placed on the heritage register by means of the publication of a notice in the *Provincial Gazette* (to be published in 3 official languages).
14. The listing of the heritage resource on the heritage register must be communicated to the relevant local authority, the owner and all interested and affected parties within 30 days of the publication.

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Chief Executive Officer

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References: *Government of the Republic of South Africa. National Heritage Resources Act. (1999) South Africa: Western Cape Province.* **Government of the Republic of South.**