

Our Ref: HM / CAPE TOWN METROPOLITAN / BLUE DOWNS / SILVERSANDS /
ERF 42309
Case No.: 22012706CN0707E
Enquiries: Corne Nortje
E-mail: corne.nortje@westerncape.gov.za
Tel: 021 483 5959



Wally Johnstone
Macroplan Town & Regional Planners
wallyj@macroplan.co.za
082 452 6252

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
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 COMMERCIAL CENTRE ON ERF 42309 (PORTION OF RE OF ERF 20733) 4 BATLEY ROAD (NOOIENSFONTEIN ROAD), SILVERSANDS, BLUE DOWNS, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999).

The matter above has reference.

Heritage Western Cape is in receipt of the above matter received. This matter was discussed at the Heritage Officers meeting held on 25 July 2022.

You are hereby notified that, since there is no reason to believe that the proposed commercial centre on Erf 42309 (Portion of RE of Erf 20733) 4 Batley Road (Nooiensfontein Road), Silversands, Blue Downs will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

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
Deputy Director



Heritage Western Cape
Erfenis Wes-Kaap
ILifa leMveli leNtshona Koloni

29 July 2022

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, ekapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

**APPLICATION FORM
NOTIFICATION OF INTENT TO DEVELOP (NID)
SECTION 38 (1) AND SECTION 38 (8)**

Heritage Western Cape Reference No:

To be completed by the applicant

Completion of this form is required by Heritage Western Cape for the initiation of all impact assessment processes under Section 38 (1) & (8) of the National Heritage Resources Act (NHRA)

As per Section 38 (1) (e) of the NHRA, submission of the NID must be initiated at the earliest stage of development. Should the development trigger any other legislation, practitioners may submit the NID without formal submission to other statutory bodies in order to comply with the NHRA.

This form is to be read in conjunction with the HWC Notification of Intent to Develop, Heritage Impact Assessment, (Pre-Application) Basic Assessment Reports, Scoping Reports and Environmental Impact Assessments, Guidelines for Submission to HWC

Whilst it is not a requirement, it may expedite processes and in particular avoid calls for additional information if certain of the information required in this form is provided by a heritage specialist/s with the necessary qualifications, skills and experience. All sections of the form must be completed in order to deem the application to be complete.

Making an incorrect statement or providing incorrect information may result in all or part of the application having to be reconsidered by HWC in the future, or submission of a new application.

The following information is to be included upon submission to HWC:

1. Proof of payment with correct reference number
2. Completed and signed application form – the application form must be completed in full in order to be considered
3. Power of Attorney
4. Locality Map
5. Images of the site and its context
6. Additional information pertaining to the heritage of the site

Application and associated documentation to be emailed to ceoheritage@westerncape.gov.za

A. APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

Department of Environmental Affairs Development Planning (Western Cape); Department of Mineral Resources (National); Department of Environmental Affairs (National);
Reference Number (if applicable):

Please tick the applicable section:

X This application is made in terms of Section 38(8) of the NHRA and an application under NEMA will be made to the following authority: Western Cape Provincial Government

This development will not require a NEMA application.

B. BASIC DETAILS**PROPERTY DETAILS:**

Name of property: ERF 20733 BLUE DOWNS	
Street address or location (eg: off R44): 69 NOOIENSFONTEIN ROAD, BLUE DOWNS	
Erf or farm number/s: ERF 20733, BLUE DOWNS	Coordinates: S 33°58'09.26" E 18°40'50.54" (A logical centre point. Format based on WGS84.)
Town or District: BLUE DOWNS, CAPE TOWN	Municipality: CITY OF CAPE TOWN
Extent of property: 46.281ha (5.898ha for Phase 6)	Current use: VACANT
Predominant land use/s of surrounding properties: RESIDENTIAL	

REGISTERED OWNER OF PROPERTY:

Name and Surname: BARDALE VILLAGE DEVELOPMENT (PTY) LTD		
Address P O BOX 1212, KUILSRIVER 7589		
Telephone	Cell 082 452 6252	E-mail mark@bardalevillage.co.za

APPLICANT/ AUTHORISED AGENT:

Name and Surname: WALLY JOHNSTONE (MACROPLAN TOWN & REGIONAL PLANNERS)		
Address: 22 RINGWOOD DRIVE, PINELANDS		
Telephone 021 531 7379	Cell 082 332 6793	E-mail wallyj@macroplan.co.za

By the submission of this form and all material submitted in support of this notification (ie: 'the material'), all applicant parties acknowledge that they are aware that the material and/or parts thereof will be put to the following uses and consent to such use being made: filing as a public record; presentations to committees, etc; inclusion in databases; inclusion on and downloading from websites; distribution to committee members and other stakeholders and any other use required in terms of powers, functions, duties and responsibilities allocated to Heritage Western Cape under the terms of the National Heritage Resources Act. Should restrictions on such use apply or if it is not possible to copy or lift information from any part of the digital version of the material, the material will be returned unprocessed. All sections of the form have been completed.

Signature of Owner:

Date:

Should the owner not be able to sign, the applicants/ agents must attach copy of power of attorney to this form.

Signature of Applicant/ Authorised Agent:

Date: 28/03/2023


Applicants/ agents must attach copy of power of attorney to this form.

C. DEVELOPMENT DETAILS:

Please indicate below which of the following Sections of the National Heritage Resources Act, or other legislation has triggered the need for notification of intent to develop.

<input type="checkbox"/> S38(1)(a) Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length.	S38(1)(c) Any development or activity that will change the character of a site -
<input type="checkbox"/> S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length.	<input checked="" type="checkbox"/> (i) exceeding 5 000m ² in extent;
<input type="checkbox"/> S38(1)(d) Rezoning of a site exceeding 10 000m ² in extent.	<input type="checkbox"/> (ii) involving three or more existing erven or subdivisions thereof;
<input type="checkbox"/> Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details:	<input type="checkbox"/> (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years. If you have checked any of the three boxes above, describe how the proposed development will change the character of the site: RESIDENTIAL AND ASSOCIATED LAND USES DEVELOPMENT ON A PORTION OF A PROPERTY 46.2816ha IN EXTENT AND CURRENTLY ZONED AGRICULTURAL. A RESIDENTIAL DEVELOPMENT (5.898ha in extent - Phase 6) IS PROPOSED WITHIN AN ALREADY DISTURBED AREA WITH EXISTING RESIDENTIAL DEVELOPMENT ALL ROUND

If an impact assessment process has also been / will be initiated in terms of other legislation please provide the following information:

Authority / government department (ie: consenting authority) to which information has been /will be submitted for final decision: WESTERN CAPE PROVINCIAL GOVERNMENT

Present phase at which the process with that authority stands: AMENDMENT REPORT SUBMITTED

Provide a full description of the nature and extent of the proposed development or activity including its potential impacts:

RESIDENTIAL DEVELOPMENT (5.898ha – Phase 6) ON A PORTION OF A PROPERTY 46.2816ha IN EXTENT AND

CURRENTLY ZONED AGRICULTURE. THE AFFORDABLE HOUSING DEVELOPMENT IS PROPOSED WITHIN AN ALREADY DISTURBED AREA WITH EXISTING RESIDENTIAL DEVELOPMENT ALL ROUND. IT IS NOT EXPECTED THAT ANY HERITAGE RESOURCES EXIST ON SITE OR THAT THERE WILL BE ANY IMPACT ON ANY HERITAGE RESOURCES THAT MAY EXIST IN THE IMMEDIATE SURROUNDS. THE DEVELOPMENT IS CONSIDERED TO BE INFILL DEVELOPMENT WITHIN AN EXISTING RESIDENTIAL NEIGHBOURHOOD.

Estimated value cost of the project in South African Rands: R _____

D. ANTICIPATED IMPACTS ON HERITAGE RESOURCES

Section 3 of the National Heritage Resources Act sets out the following categories of heritage resource as forming part of the national estate. Please indicate the known presence of any of these by checking the box alongside and then providing a description of each occurrence, including nature, location, size, type

Failure to provide sufficient detail or to anticipate the likely presence of heritage resources on the site may lead to a request for more detailed specialist information.

Provide a short history of the site and its environs (Include sources where available):

THE SITE FORMS PART OF THE GREATER BLUE DOWNS AREA THAT WAS ORIGINALLY PLANNED (DURING 1985) TO ACCOMMODATE A POPULATION OF AROUND 250 000. ERF 20733 FORMS PART OF BARDALE VILLAGE LOCATED TO THE NORTH OF THE BLUE DOWNS CBD. BARDALE VILLAGE HAS BEEN DEVELOPED IN PHASES OVER A NUMBER OF YEARS AND THREE OF EIGHT PHASES HAVE BEEN COMPLETED TO DATE. THE DEVELOPER NOW WISHES TO PROCEED WITH PHASE 6 OF THE AFFORDABLE HOUSING DEVELOPMENT.

Please indicate which heritage resources exist on the site and in its environs, describe them and indicate the nature of any impact upon them:

<input type="checkbox"/>	<p>Places, buildings, structures and equipment of cultural significance</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Places to which oral traditions are attached or which are associated with living heritage</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>

<input type="checkbox"/>	<p>Historical settlements and townscapes</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Landscapes and natural features of cultural significance</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Geological resources of scientific or cultural importance</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Archaeological resources (Including archaeological sites and material, rock art, battlefields & wrecks):</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Palaeontological resources (ie: fossils):</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Graves and burial grounds (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries):</p> <p>Description of Resource: NONE</p> <p>Description of Impact on Heritage Resource: NONE</p>
<input type="checkbox"/>	<p>Other human remains:</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Sites of significance relating to the history of slavery in South Africa:</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<input type="checkbox"/>	<p>Other heritage resources:</p> <p>Description of resource: NONE</p> <p>Description of impact on heritage resource: NONE</p>
<p>Describe elements in the environs of the site that could be deemed to be heritage resources: Description of impacts on heritage resources in the environs of the site:</p> <p>NONE</p>	

Summary of anticipated impacts on heritage resources:

NO IMPACTS ANTICIPATED

E. ILLUSTRATIVE MATERIAL:

Attach to this form a minimum A4 sized locality plan showing the boundaries of the area affected by the proposed development, its environs, property boundaries and a scale. The plan must be of a scale and size that is appropriate to creating a clear understanding of the development.

Attach also other relevant graphic material such as maps, site plans, satellite photographs and photographs of the site and the heritage resources on it and in its environs. These are essential to the processing of this notification.

Please provide all graphic material on paper of appropriate size and on CD/ USB in JPEG format. It is essential that graphic material be annotated via titles on the photographs, map names and numbers, names of files and/or provision of a numbered list describing what is visible in each image.

F. RECOMMENDATION

In your opinion do you believe that a heritage impact assessment is required? Yes No

Recommendation made by:

Name WALLY JOHNSTONE

Capacity TOWN & REGIONAL PLANNER

PLEASE NOTE: No Heritage Impact Assessment should be submitted with this form or conducted until Heritage Western Cape has expressed its opinion on the need for such and the nature thereof.

G. INFORMATION TO BE PROVIDED AND STUDIES TO BE CONDUCTED AS PART OF THE HERITAGE IMPACT ASSESSMENT (HIA)

If it is recommended that an HIA is required, please complete this section of the form.

DETAILS OF STUDIES TO BE CONDUCTED IN THE INTENDED HIA

In addition to the requirements set out in Section 38(3) of the NHRA, indicate envisaged studies:

<input type="checkbox"/>	Heritage resource-related guidelines and policies.
<input type="checkbox"/>	Local authority planning and other laws and policies.
<input type="checkbox"/>	Details of parties, communities, etc. to be consulted.
<input type="checkbox"/>	Specialist studies, eg: archaeology, palaeontology, architecture, townscape, visual impact, etc. Provide details:
<input type="checkbox"/>	Other. Provide details:

PLEASE NOTE: Any further studies which Heritage Western Cape requires should be submitted must be in the form of a single, consolidated report with a single set of recommendations. Specialist studies must be incorporated in full, either as chapters of the report, or as annexures thereto.

Please refer to the *Guidelines for Heritage Impact Assessments required in terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999)*