



**iLifa leMveli leNtshona Koloni**  
**Erfenis Wes-Kaap**  
**Heritage Western Cape**

**NOTIFICATION**  
**OF**  
**INTENT**  
**TO**  
**DEVELOP**

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).

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.

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

HWC Case Number: 18030612

DEADP Reference Number: 16/6/A7/4/3128/17 -  
 Section 30A Directive in terms of the National  
 Environmental Management Act (NEMA)

**NOTE 1:** An HWC case number must be obtained and application fee paid in advance of submission of this form.

**NOTE 2:** A DEADP (W Cape Dept. Environment Affairs & Development Planning) reference number must be included in all NHRA Section 38(8) processes where DEADP is the decision making authority under NEMA. The effect of this requirement is that the NEMA process must be initiated with DEADP prior to the NHRA process with HWC.

If a DEADP reference number is not entered above please check one of the following boxes:

This application is made in terms of Section 38(8) of the NHRA and an application under NEMA has been made to the following authority:

This development will not require a NEMA application.

**NOTE 3:** Making an incorrect statement or providing incorrect information in this part of the form may result in all or part of the application having to be reconsidered by HWC in the future, or submission of a new application.

**B. BASIC DETAILS**

**PROPERTY DETAILS:**

Name of property:

V & A Waterfront

Street address or location (eg: off R44):

East Pier Road, V & A Waterfront Cape Town

Erf or farm number/s:

No erf number as the site is a zoned as "Transport"

Coordinates: The co-ordinates for the centre point of the Desalination Plant is  
 33 degrees 54.070'S  
 18 degrees 25.507'E  
 (A logical centre point. Format based on WGS84.)

Town or District:

Cape Town

Responsible Municipality:

City of Cape Town

Extent of property:

Over 5000 square meters

Current use:

Roads, vehicular parking area

Predominant land use/s of surrounding properties:

Jetty, warehouses, harbour infrastructure, commercial use buildings (eg. for helicopter rides).

REGISTERED OWNER OF PROPERTY:

Name City of Cape Town (Mr. Peter Flower)		
Address Civic Centre – Tower Block, 9th Floor, 12 Hertzog Boulevard, Cape Town		
Telephone 021 400 4859	Cell N/A	E-mail Peter.Flower@capetown.gov.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.		
I confirm that I enclose with this form four hardcopies of all material submitted together with a CD ROM containing digital versions of all of the same.		

Signature of owner or authorised agent  
 (Agents must attach copy of power of attorney to this form.)

Date 12 / 03 / 2018

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 checked="" 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 checked="" type="checkbox"/> (i) exceeding 5 000m <sup>2</sup> in extent;  <input type="checkbox"/> (ii) involving three or more existing erven or subdivisions thereof;  <input type="checkbox"/> (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years.
<input type="checkbox"/> S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length.	
<input type="checkbox"/> S38(1)(d) Rezoning of a site exceeding 10 000m <sup>2</sup> in extent.	
Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details:  <input checked="" type="checkbox"/> NEMA Listed Activity Numbers which are triggered by the development are listed below (refer Annexure 2 for the DEA&DP letter dated 30 May 2017 describing the details of each triggered activity).	
DEA&DP issued a Section 30A letter to the City of Cape Town (CCT) as a result of the	If you have checked any of the three boxes above, describe how the proposed development will change the character of the site: The existing site will be altered by the construction of a desalination plant, a proposed temporary structure for approximately two years.  The proposal is as a result of the current drought in Cape Town and the Western Cape Province,

CCT's request for the Competent Authority (DEA&DP) to issue the Directive in terms of NEMA S30A(2) to address the current emergency situation related to the water supply crisis experienced in the CCT.

Section 30A (1) allows for verbal and written Directives to be issued by the Competent Authority (DEA&DP) to the Project Applicant responsible for undertaking the Listed Activities without obtaining the prerequisite environmental authorisation in order to prevent or contain an emergency situation or to prevent, contain or mitigate the effects of an emergency situation.

On the 1<sup>st</sup> of March 2017 the Mayor declared the CCT a local disaster area under Section 55 of the Disaster Management Act, 2002 (Act No. 57 of 2001). On the 24<sup>th</sup> of May 2017, the Premier of the Western Cape declared the Western Cape a Provincial State of Disaster under Section 41 (1) of the Disaster Management Act, 2002 (Act No. 57 of 2002).

The Directive (in terms of Section 30A) issued by the DEA&DP allows the CCT to carry out Listed Activities in terms of NEMA Environmental Impact Assessment ('EIA') Regulations, 2017 (as amended) related to the implementation of interventions to address the current water supply shortage situation in the CCT.

The Section 30A Directive shall remain in effect for the duration that the CCT is declared as a disaster area as defined in Section 1 of the Disaster Management Act, 2002 (Act No. 57 of 2002) and until such time that the CCT can demonstrate the ability to provide adequate water supply to all the areas which fall within its jurisdiction.

The Listed Activities in terms of NEMA EIA Regulations, 2017 (as amended) which may be relevant to the Desalination Plant are the following:

Listing Notice 1 of GN No. R327 (GN No. R983, as amended on 7 April 2017):  
Activity Number: 2, Activity Number: 9,  
Activity Number: 10, Activity Number: 12,  
Activity Number: 13, Activity Number: 14,  
Activity Number: 15, Activity Number: 16,

due to the low rainfall received from 2016.

The proposed temporary structures consisting of a desalination plant, raw water intake station, raw water pipeline, and discharge brine pipeline are situated on sites on the V & A Waterfront East Pier currently used for vehicular parking and roadways. It is a precinct characterised by industrial use and type buildings, in addition to harbour and road infrastructure.



Activity Number: 17, Activity Number: 19,  
Activity Number: 19A, Activity Number: 24,  
Activity Number: 25, Activity Number: 27,  
Activity Number: 28, Activity Number: 31,  
Activity Number: 34, Activity Number: 37,  
Activity Number: 45, Activity Number: 46,  
Activity Number: 47, Activity Number: 48,  
Activity Number: 50, Activity Number: 51,  
Activity Number: 52, Activity Number: 53,  
Activity Number: 54, Activity Number: 55,  
Activity Number: 56, Activity Number: 57,  
Activity Number: 63, Activity Number: 65,  
Activity Number: 66  
Activity Number: 67.

Listing Notice 2 of GN No. R325 (GN No.  
R984, as amended on 7 April 2017):  
Activity Number: 2, Activity Number: 6,  
Activity Number: 9, Activity Number: 11,  
Activity Number: 14, Activity Number: 15,  
Activity Number: 16, Activity Number: 24,  
Activity Number: 25, Activity Number: 26.

Listing Notice 3 of GN No. R324 (GN No.  
R984, as amended on 7 April 2017):  
Activity Number 2, Activity Number 3,  
Activity Number 4, Activity Number 10,  
Activity Number 12, Activity Number 14,  
Activity Number 15, Activity Number 16,  
Activity Number 18, Activity Number 22,  
Activity Number 23, Activity Number 26.

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:

The CCT is exempted from the EIA process and an impact assessment is not required by the Western Cape Provincial Government Department of Environmental Affairs and Development Planning (DEA&DP). Refer to the letter dated 30.05.2017 attached as Annexure 2.

The DEA&DP require that the the CCT provide monthly feedback on the status of the water shortage and the progress made on the implementation of emergency interventions. Feedback must be provided to the DEA&DP, Department of Water and Sanitation, HWC and Department of Environmental Affairs: Oceans and Coasts and include the following:

- Emergency Intervention Plan;
- Generic Environmental Management Programme;
- Method Statements for each of the measures or interventions to be implemented.

The DEA&DP require the CCT to submit Audit Reports during the implementation (construction and operation) of the project (also be submitted to Department of Water and Sanitation, HWC, Department of Environmental Affairs: Oceans and Coasts) and a final audit report during the project decommissioning phase. Refer Annexure 2 for the detail on the DEA&DP submission requirements).

Present phase at which the process with that authority stands: Pre-submission phase

Provide a full description of the nature and extent of the proposed development or activity including its potential impacts (eg: changes in land use, envisaged timeframes, provision of additional bulk services, excavations, landscaping, total floor area, height of development, etc. etc.):

Refer to Annexure 7 for the Site Layout and drawings of the desalination plant and the relevant studies that which informed the application.

There are no assessed potential negative impacts to the site and context. The implementation of the DEA&DP approved Generic Environmental Management Programme (EMP) will mitigate / prevent any potential negative impacts to the historic harbour infrastructure, such as damage to the breakwater wall etc.

### C. HERITAGE RESOURCES AND IMPACTS THEREUPON

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.

(The assistance of relevant heritage professionals is particularly relevant in completing this section.)

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

#### HISTORY IN RELATION TO THE HARBOUR INFRASTRUCTURE

The proposed desalination plant infrastructure is situated on the break water known as the East Pier which was constructed during the 1890s (refer to the map compiled in 1900 depicting Walter Thom's survey of the Cape Town Municipality which was undertaken during the 1890s).

The 1911 South African Railways map of the Cape Town Harbour indicates railway lines and buildings on the new harbour structures and the Victoria Basin (which was already named). Compared to the 1900 map, harbour lights have been fixed at the ends of the breakwater and two piers, and the breakwater has been slightly extended inshore at its terminus. The terminus of the harbour rail line is indicated just to the north of the desalination plant site, with two branch lines terminating at the end of East Pier. The eastern most section traverses the desalination plant site (refer to the 1911 South African Railways map of Cape Town Harbour).

The 1939 revised edition of the 1934 Cape Peninsula (1: 25 000) map indicates the extension of the breakwater in length (the triangle at its terminus indicates a trig station), and a new basin is indicated as "under construction" to the south-east of the South Pier.

The 1958 edition of the 3318-2777 TOPO 1: 18 000 map indicates the development of the Duncan Dock east of the project site and the Victoria Basin, and the area to the south-east of Alfred Dock has been developed into two large oil storage sites on either side of Dock Road during and after World



War Two. The original seawall located to the north of the proposed desalination plant site is clearly marked ('Muur'), as is Quay 7 to the west of the East Pier. The rail line configuration has changed somewhat, and no branch lines are indicated on the East Pier itself.

The 1988 edition of the Cape Town 3318CD 1: 50 000 topo-cadastral map indicates the Ben Schoeman Dock has now been constructed (in the early 1970s). A second seawall has been constructed from the bottom of Granger Bay to the foot of the breakwater (already visible on the 1980 map edition). The area at the base of the breakwater situated directly to the east of the proposed desalination plant site has been extended inshore, the built footprint on East Pier has also diminished, and a branch line is once again indicated on East Pier, but this time located to the west of the site.

The 1993 edition of the Cape Town 3318CD 1: 50 000 topo-cadastral map indicates that at the V&A Waterfront site, the railway lines have given way to roads, the oil sites have disappeared and dolosse now protect the new seawall (as indicated on the 1988 map).

The 2000 Google Earth satellite imagery indicates that the built footprint area of the site has increased significantly since 1993, and the Waterfront precinct now accommodates a number of hotels and retail use buildings. The reclaimed area at the base of the breakwater to the east and north-east of the desalination plant site has been extended to its current extent, and all portions of the proposed desalination infrastructure located on land, are now located on land for the first time.

The 2010 edition of the Cape Town 3318CD 1: 50 000 topo-cadastral map indicates the further expansion of the V & A Waterfront and associated built footprint. The old Breakwater Prison / oil sites area has also been redeveloped. The area around the proposed desalination plant site has become more built up, but otherwise the situation is unchanged as depicted in the 2000 map.

#### SITE & IMMEDIATE CONTEXT HISTORY

No buildings or other infrastructure were located on the portions of the East Pier and the breakwater occupied by the proposed desalination plant infrastructure on the Walter Thom's 1892-1900 survey of the Cape Town Municipality (Sheets 130-134). The nearest building is indicated at the foot of what was later known as "Jetty 3".

The 1911 South African Railways map of Cape Town Harbour indicates two large buildings situated on the East Pier and number of smaller structures are now visible at the foot of East Pier, two of which are located within the proposed desalination plant site. The site is traversed by a branch rail line to the end of the East Pier. The seawall structure located to the north of the site is inscribed 'Breakwater capping', and the buildings to the south-west of the site as "Coal transporters".

The 1926 aerial photography indicates that "Jetty 3" situated to the south-west of the "Coal transporters" buildings has disappeared, along with some of the adjacent buildings. The configuration of the small buildings near the desalination plant site has changed relative to the 1911 map. The rail branch line across the site is clearly visible.

The 1945 aerial photograph indicates the clearly visible seawall. The two large structures situated on the East Pier have made way for one large structure covering most of the pier, and a smaller structure at the tip of the pier. The "Coal transporters" site now accommodates a row of large adjoining buildings. The nature of the clearly visible crescent-shaped structure (which may possibly be stacked containers) occupying the central portion of the proposed site is unclear. Rail cars are visible to the north of the site.

The 1960 aerial photograph indicates that the built pattern has remained essentially unchanged from 1945 as well as the removal of the crescent-shaped object/structure. The objects occupying the area of the proposed desalination plant site appear to be a collection of rail cars and containers.

From observing the 1960 photograph until the 2000 Google Earth satellite imagery, it is evident that the desalination plant site was vacant. The 2000 image indicates the present vehicular parking area and that the rail lines have been replaced with roads.

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 checked="" type="checkbox"/>	<p><b>Places, buildings, structures and equipment of cultural significance</b></p> <p>Description of resource: East Pier Breakwater structure</p> <p>Description of impact on heritage resource: No impact anticipated, as the desalination plant is situated away from this historic structure</p>
<input type="checkbox"/>	<p><b>Places to which oral traditions are attached or which are associated with living heritage</b></p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input checked="" type="checkbox"/>	<p><b>Historical settlements and townscapes</b></p> <p>Description of resource: Establishment of the harbour infrastructure</p> <p>Description of impact on heritage resource: No impact anticipated, as the desalination plant is situated away from this historic structure</p>
<input type="checkbox"/>	<p><b>Landscapes and natural features of cultural significance</b></p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p><b>Geological resources of scientific or cultural importance</b></p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p><b>Archaeological resources</b> (Including archaeological sites and material, rock art, battlefields &amp; wrecks):</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p><b>Palaeontological resources</b> (ie: fossils):</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p><b>Graves and burial grounds</b> (eg: ancestral graves, graves of victims of conflict, historical graves &amp; cemeteries):</p> <p>Description of Resource:</p> <p>Description of Impact on Heritage Resource:</p>
<input type="checkbox"/>	<p><b>Other human remains:</b></p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p><b>Sites of significance relating to the history of slavery in South Africa:</b></p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p><b>Other heritage resources:</b></p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</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:

Summary of anticipated impacts on heritage resources:  
No impacts to the significant heritage resources surrounding the desalination plant site are anticipated.

**ILLUSTRATIVE MATERIAL** (This form will not be processed unless the following are included):

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 ROM 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.

#### D. RECOMMENDATION

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

Recommendation made by:

Name Bridget O'Donoghue

Capacity Heritage Practitioner (Accredited member of the Association of Professional Heritage Practitioners (APHP), membership number: 0042).

**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.

#### E. 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 HERITAGE PRACTITIONERS AND SPECIALISTS INTENDING TO CONDUCT THE HIA:**

	Name of individual:	Name of Practice:	Area of specialisation:
1.	Qualifications:		
	Experience:		
	Standing in heritage resource management:		
	E-mail Address:	Telephone:	Cell:



2.	Name of individual:	Name of Practice:	Area of specialisation:
	Qualifications:		
	Experience:		
	Standing in heritage resource management:		
	E-mail Address:	Telephone:	Cell:
3.	Name of individual:	Name of Practice:	Area of specialisation:
	Qualifications:		
	Experience:		
	Standing in heritage resource management:		
	E-mail Address:	Telephone:	Cell:
4.	Name of individual:	Name of Practice:	Area of specialisation:
	Qualifications:		
	Experience:		
	Standing in heritage resource management:		
	E-mail Address:	Telephone:	Cell:
5.	Name of individual:	Name of Practice:	Area of specialisation:
	Qualifications:		
	Experience:		
	Standing in heritage resource management:		
	E-mail Address:	Telephone:	Cell:
If this submission is made in terms of Section 38(8) of the National Heritage Resources Act indicate below the particulars of the principle environmental consultant on the project.			
Name of individual:			
Name of Practice:			
Area of specialisation:			
E-mail Address:			
Telephone:			
Cell:			
Postal Address:			

**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 may resolve 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.	