



## 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: 17083113	DEADP Reference Number: AA16/6/A7/4/3128/17 -Section 30A Directive in terms of the National Environmental Management Act (NEMA)
<b>NOTE:</b> 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:	
<input type="checkbox"/> 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:	
<input checked="" type="checkbox"/> This development will not require a NEMA application.	
<b>NOTE:</b> 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: -	
Street address or location (eg: off R44): Off the intersection of Main and Dido Road, Glencairn, Cape Town.	
Erf or farm number/s: Erven 425, 433, Remainder of 420, 510 Glencairn.	Coordinates: 34 degrees 10.388'S 18 degrees 25.790'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 in extent	Current use: Vacant site, unsurfaced roadway (former Main road route) [providing vehicular access to adjacent house].
Predominant land use/s of surrounding properties: Commercial use buildings, railway line tracks, cemetery, historic battery, road	

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
<p>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.</p>		
<p>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.</p>		

  
**PETER FLOWER Pr Eng**  
 DIRECTOR : Water & Sanitation  
 Signature of owner or authorised agent  
 (Agents must attach copy of power of attorney to this form.)

Date 01/11/2017

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.	
<p><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.</p> <p><input type="checkbox"/> S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length.</p> <p><input type="checkbox"/> S38(1)(d) Rezoning of a site exceeding 10 000m<sup>2</sup> in extent.</p> <p>Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details: Activity Numbers which are triggered by the proposal are listed below (refer Annexure 2: DEA&amp;DP letter dated 30 May 2017 for full details of each triggered activity).</p> <p><input checked="" type="checkbox"/></p> <p>DEA&amp;DP have issued a Section 30A letter to the CCT as a result of the CCT request for the competent authority (DEA&amp;DP) to issue</p>	<p>S38(1)(c) Any development or activity that will change the character of a site -</p> <p><input checked="" type="checkbox"/> (i) exceeding 5 000m<sup>2</sup> in extent;</p> <p><input checked="" type="checkbox"/> (ii) involving three or more existing erven or subdivisions thereof;</p> <p><input type="checkbox"/> (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years.</p> <p>If you have checked any of the three boxes above, describe how the proposed development will change the character of the site: The site will be altered by the construction of a desalination plant, a proposed temporary facility to be operational for approximately two years.</p> <p>The site abuts the Main Road between Fish Hoek and Simonstown, in addition to two low scale</p>



the Directive in terms of NEMA Section 30A(2) to address the current emergency situation related to the water supply crisis being experienced in the CCT.

Section 30A (1) allows for verbal and written directives to be issued by a competent authority to the person responsible to undertake Listed or specified 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 of the CCT 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 2015, 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 emergency situation in the CCT.

The Section 30A Directive shall remain in effect from date of issue (30 May 2017) for the duration that the CCT is declared a disaster area as defined under 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) relevant to the potential measures or interventions that may be implemented are listed below:

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,  
Activity Number: 17, Activity Number: 19,

(small footprint) structures and a medium scale house.

The proposed desalination plant will result in the establishment of a temporary structure and associated pipeline structures between the Main Road and the railway line (and coastline).

The pipeline is to be positioned adjacent to the historic Lower North Battery, also situated between the Main Road and the railway line (and coastline).

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:

An Environmental impact assessment is not required by Western Cape Provincial Government (WCPG) Department of Environmental Affairs and Development Planning (DEA&DP) letter dated 30.05.2017 (refer Annexure 2).

DEA&DP require the monthly submission from CCT on the status of the water supply emergency situation within the CCT and the progress underway on the implementation of emergency measures or interventions to address the water supply emergency situation to the following State entities: DEA&DP, Department of Water and Sanitation, HWC, Department of Environmental Affairs: Oceans and Coasts.

DEA&DP pre-implementation requirements are (to also be submitted to Department of Water and Sanitation, HWC, Department of Environmental Affairs: Oceans and Coasts) include the following:

- Final supply Emergency Intervention Plan;
- Generic Environmental Management Programme;
- Method Statements for each of the measures or interventions to be implemented, as part of the Water Supply Emergency Plan.



DEA&DP requirements from the CCT during the implementation (to also be submitted to Department of Water and Sanitation, HWC, Department of Environmental Affairs: Oceans and Coasts) include the following:

- Audit reports

Post- implementation requirement:

- Final audit report

(Refer Annexure 2 for the detail on all 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 informed the application.

No potential negative impacts to the site and the site context are assessed, as the desalination plant is proposed:

- On a vacant site (previously ecologically disturbed through urbanisation) and unsurfaced roadways;
- Adjacent to sites partially developed with two small structures and a medium size house;
- Opposite to an existing building and a shopping centre under construction;
- Not in close proximity to a residential suburb;
- Situated at a lower level than Main Road.

As the site context between the Main Road and the coast is altered with three buildings and situated at a lower level than Main Road, no potential visual impacts are envisaged (refer Annexure 4).

The potential positive impacts to the site and context are:

- Desalinated potable water for the City.

## 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):

The site of the proposed desalination plant is situated adjacent to Mackerel Bay in the north west precinct of Simon's Bay of False Bay. Positioned between the road and railway line between Fish Hoek and Simonstown, the site has been vacant of buildings since 1968. The 1945 and 1958 aerial photographs depicts buildings on the site. After 1958 and before 1968, the Main Road position was relocated north west (further away from the coastline) and the buildings on the site were demolished. The railway line to Simonstown was opened in 1890 (refer Annexure 5A).

The Lower North Battery, situated south of the proposed plant and adjacent to the proposed brine discharge pipeline. The predecessor of the Lower North Battery, Zoutman Battery, was built on the orders of the Commissioner-General A. J. Sluysken in 1793 by Captain Louis Michel Thibault. Although the battery has been rebuilt and disarmed from time to time, it has the distinction of being the oldest fortification in South Africa which is still armed (refer Annexure 5B).

Simon's Town (Dido Valley) Cemetery contains 77 burials of the First World War and 106 from the Second World War, with one unidentified grave. Most of the burials are of naval personnel.

SS Clan Stuart ship was built in 1900. This triple expansion steam engine ship, weighing 3,594 tons, dimension of 35 x 4 x 2.5m, was built by W. Doxford and Son, Sunderland, England. The ship was not designed to withstand harsh Cape weather conditions, even though it was freight-only ship; instead the ship was designed to overcome the restrictions of the Suez Canal, since ships were charged tax fees depending on the breadth of the beam. On her arrival to Simonstown, she was "near-light" hence almost empty. The Clan Stuart was anchored in the Bay. At 2am on the 21<sup>st</sup> of November 1914 a South-Easter gale force wind caught her off guard resulting in her been dragged and eventually she ran hard aground, dragging her anchor as she was pulled on the rocks near Glencairn beach. Her cargo was saved and the crew were rescued by lifeline. The tug, Ludwig Wiener pulled her off the rocks and towed her back to Simon's Town dry docks for repairs. However she was refused permission to enter until further repairs because of danger of her foundering in the approach-channel. Therefore she was run ashore on Mackerel Beach just 100 meters from the sandy beach (refer Annexure 5C). All that remains now is the wreck beneath the waves on Mackerel Beach. The engine block can be seen from above the water.

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

**Places, buildings, structures and equipment of cultural significance**

Description of resource:

- Lower North Battery (recommended Grade IIIA)(refer Annexure 5B)
- Shipwreck of SS Clan Stuart (recommended Grade IIIA) (refer Annexure 5C)
- Dido Valley Cemetery (recommended Grade IIIA)

Description of impact on heritage resource:

No impact to the identified heritage resources, providing that:

SS Clan Stuart Shipwreck:

Surveys in the proposed affected area to occur before laying pipes on the seabed to prevent damage to potential shipwreck material. If any shipwreck material is uncovered, immediate stop works to the affected area and notification to SAHRA: MUCH will occur by the



Environmental Practitioner.

Lower North Battery:

The pipeline situated adjacent to the Lower North Battery is proposed to be on land (ie no excavations required).

Site archaeological material:

- Due to the fact that the site contains buildings pre-1958, it is recommended that an Archaeologist conduct site visits at all stages of earth excavations. If any archaeological material is uncovered, immediate stopworks to the affected area and notification to HWC should occur.

- EMP is implemented and audited.

<input type="checkbox"/>	<b>Places to which oral traditions are attached or which are associated with living heritage</b> Description of resource: Description of impact on heritage resource:
<input type="checkbox"/>	<b>Historical settlements and townscapes</b> Description of resource: Description of impact on heritage resource:
<input type="checkbox"/>	<b>Landscapes and natural features of cultural significance</b> Description of resource: Description of impact on heritage resource:
<input type="checkbox"/>	<b>Geological resources of scientific or cultural importance</b> Description of resource: Description of impact on heritage resource:
<input checked="" type="checkbox"/>	<b>Archaeological resources</b> (Including archaeological sites and material, rock art, battlefields & wrecks): Description of resource: - Shipwreck SS Clan Stuart, and - Potential archaeological material on site due to previous buildings Description of impact on heritage resource: Surveys in the proposed affected area to occur before laying of pipes on the seabed to prevent damage to potential shipwreck material.  Archaeologist to be on site during site earthworks.
<input type="checkbox"/>	<b>Palaeontological resources</b> (ie: fossils): Description of resource: Description of impact on heritage resource:
<input checked="" type="checkbox"/>	<b>Graves and burial grounds</b> (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries): Description of Resource: Dido Valley Cemetery Description of Impact on Heritage Resource: No anticipated negative impact on the cemetery, which is situated above the Main Road on higher terrain.
<input type="checkbox"/>	<b>Other human remains:</b> Description of resource: Description of impact on heritage resource:
<input type="checkbox"/>	<b>Sites of significance relating to the history of slavery in South Africa:</b> Description of resource: Description of impact on heritage resource:
<input type="checkbox"/>	<b>Other heritage resources:</b> Description of resource: Description of impact on heritage resource:

Describe elements in the environs of the site that could be deemed to be heritage resources:

Dido Valley Cemetery (above Main Road).  
 Lower North Battery (Recommended Grade IIIA).  
 Shipwreck of SS Clan Stuart (recommended Grade III).



Description of impacts on heritage resources in the environs of the site:

No anticipated potential negative impacts on the receiving culturally significant resources if the following actions occur:

Shipwreck:

There is a possibility, however small, that shipwreck material may remain. Surveys in the proposed affected area to occur before laying pipes on the seabed to prevent damage to potential shipwreck material. If any shipwreck material is uncovered, immediate stop works to the affected section of the site and notification to SAHRA: MUCH will occur by the Environmental Practitioner.

Lower North Battery:

The pipeline situated adjacent to the Lower North Battery is proposed to be on land (ie no excavations required).

Site archaeological material:

Due to the fact that the site contains buildings pre-1958, it is recommended that an Archaeologist complete site visits during all stages of earth excavations. If any archaeological material is uncovered, immediate stopworks to the affected portion of the site, demarcation as a no-go area and notification to HWC should occur.

- EMP is implemented and audited.

Summary of anticipated impacts on heritage resources:

No anticipated negative impacts to the land site and its context, providing that:

- Archaeologist is on site at during land excavations;
- Surveys in the proposed affected seabed to occur before laying of pipes on the seabed to prevent damage to potential shipwreck material;
- EMP is implemented and audited.

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:

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

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.	