

Duncan Bates

Professional Land Surveyor

107 Arcade Offices, 110 Main Road, Fish Hoek, 7975
P.O. Box 22320, Fish Hoek, 7974

Telephone (021) 782 6225, (021) 782 6261
Facsimile 086 6836830
Cellphone 082 456 2256
E-mail admin@duncanbates.co.za
Website www.duncanbates.co.za

Ref: 31/06/88

21st January 2007

Heritage Western Cape
Private Bag X9067
Cape Town
8000

Dear Sir

HERITAGE IMPACT ASSESSMENT: PROPOSED SUBDIVISION OF CAPE FARM 953/35, SUNNYDALE

An application was sent to your offices on 17th February 2005. Upon requesting a progress report, we were informed that the application had been lost. Accordingly, we forwarded a copy of the request for your comments in December 2006. We have now received a pro-forma letter, unsigned, dated 3rd January 2007, asking for more information.

It is proposed to subdivide the above property into 8 portions, as per the attached plan of subdivision. The size of the land is 6308 square metres. The report prepared clearly states that "No heritage or archaeological material of any sort was located on the site".

Further, an NID is enclosed for your information. It is suggested, however, that if you had responded to the initial application (prior to the introduction of the NID), at the appropriate time, this would not have been necessary. It is thus felt that, through the inefficiency of your organisation, my client is being unduly prejudiced, and it is thus requested that you process this application without any further delay.

Yours faithfully



D.H. BATES
PROFESSIONAL LAND SURVEYOR

SERVICE WITH EXCELLENCE AND EXPERIENCE

Duncan H. Bates B.Sc (Survey) Pr. L (SA)

PROFESSIONAL CADASTRAL AND TOPOGRAPHICAL SURVEYOR, SECTIONAL TITLE CONSULTANT
AND TOWNSHIP PLANNER
MEMBER OF THE SOUTH AFRICAN COUNCIL FOR PROFESSIONAL LAND SURVEYORS (Reg No PLS0035)
MEMBER OF THE SOUTH AFRICAN GEOMATICS INSTITUTE (Cert No 453)

Heritage Western Cape

Notification of Intent to Develop

Section 38 of the National Heritage Resources Act (Act No. 25, 1999)

Section 38 of the National Heritage Resources Act requires that any person who intends to undertake certain categories of development in the Western Cape (see Part 1) must notify Heritage Western Cape at the very earliest stage of initiating such a development and must furnish details of the location, nature and extent of the proposed development.

This form is designed to assist the developer to provide the necessary information to enable Heritage Western Cape to decide whether a Heritage Impact Assessment (HIA) will be required, and to establish the appropriate scope of and range of skills required for the HIA.

Note: This form must be completed when the proposed development does not fulfil the criteria for Environmental Impact Assessment as set out in the EIA regulations.

Its completion is recommended as part of the EIA process to assist in establishing the requirements of Heritage Western Cape with respect to the heritage component of the EIA.

1. It is recommended that the form be completed by a professional familiar with heritage conservation issues.
2. The completion of Section 7 by heritage specialists is not mandatory, but is recommended in order to expedite decision-making at notification stage. If Section 7 is completed:
 - Section 7.1 must be completed by a professional heritage practitioner with skills and experience appropriate to the nature of the property and the development proposals.
 - Section 7.2 must be completed by a professional archaeologist or palaeontologist.
 - Each page of the form must be signed by the heritage practitioner and archaeologist/palaeontologist.
3. Additional information may be provided on separate sheets.
4. This form is available in electronic format so that it can be completed on computer.

OFFICIAL USE	
Date received:	Response date:

PART 1: BASE INFORMATION

1.1 PROPERTY	
Name of property	
Street address or location (e.g. off R44)	Zandwijk Street, Wingate Heights
Erf or farm number/s	Portion 35, Farm 953
Town or District	Sunnydale
Responsible Local Authority	South Peninsula Municipality
Magisterial District	Simon's Town
Current use	Residential
Current zoning	Single residential
Predominant land use of surrounding properties	Residential
Extent of the property	6308 sq. m.

1.2 CATEGORY OF DEVELOPMENT (S. 38 (1))	X	Brief description of the nature and extent of the proposed development or activity (See also Part 3.1)
1. Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length		The applicant wishes to subdivide the property into seven portions.
2. Construction of a bridge or similar structure exceeding 50 m in length		
3. Any development or activity that will change the character of a site—		
a) exceeding 5 000 m ² in extent	X	
b) involving three or more existing erven or subdivisions thereof		
c) involving three or more erven or divisions thereof which have been consolidated within the past five years		
4. Rezoning of a site exceeding 10 000 m ²		
5. Other (state)		

1.3 INITIATION STAGE OF PROPOSED DEVELOPMENT	
Exploratory (e.g. viability study)	Notes:
Conceptual	
Outline proposals	
Draft / Sketch plans	
Other (state)	

PART 2: HERITAGE ISSUES

2.1 CONTEXT		
X	<i>(check box of all relevant categories)</i>	<i>Brief description/explanation</i>
<input checked="" type="checkbox"/>	Urban environmental context	The property is within an urban area which has seen extensive subdivision in recent years.
<input type="checkbox"/>	Rural environmental context	
<input type="checkbox"/>	Natural environmental context	
Formal protection (NHRA)		
<input type="checkbox"/>	Is the property part of a protected area (S. 28)?	
<input type="checkbox"/>	Is the property part of a heritage area (S. 31)?	
Other		
<input checked="" type="checkbox"/>	Is the property near to or visible from any protected heritage sites?	Visible from Peers Cave but the proposed development will have no visual impact on that site.
<input type="checkbox"/>	Is the property part of a conservation area or special area in terms of the Zoning Scheme?	
<input type="checkbox"/>	Does the site form part of an historical settlement or townscape?	
<input type="checkbox"/>	Does the site form part of a rural cultural landscape?	
<input type="checkbox"/>	Does the site form part of a natural landscape of cultural significance?	
<input type="checkbox"/>	Is the site within or adjacent to a scenic route?	
<input type="checkbox"/>	Is the property within or adjacent to any other area which has special environmental or heritage protection?	
<input type="checkbox"/>	Do the general context or any adjoining properties have cultural significance ¹ ?	

2.2 PROPERTY FEATURES AND CHARACTERISTICS		
X	<i>(check box if YES)</i>	<i>Brief description</i>
<input checked="" type="checkbox"/>	Has the site been previously cultivated or developed?	(see attached impact assessment report)
<input type="checkbox"/>	Are there any significant landscape features on the property?	
<input type="checkbox"/>	Are there any sites or features of geological significance on the property?	
<input type="checkbox"/>	Does the property have any rocky outcrops on it?	
<input type="checkbox"/>	Does the property have any fresh water sources (springs, streams, rivers) on or alongside it?	
<input type="checkbox"/>	Does the property have any sea frontage?	
<input type="checkbox"/>	Does the property form part of a coastal dune system?	
<input type="checkbox"/>	Are there any marine shell heaps or scatters on the property?	
<input type="checkbox"/>	Is the property or part thereof on land reclaimed from the sea?	

2.3 HERITAGE RESOURCES² ON THE PROPERTY		
X	<i>(check box if present on the property)</i>	<i>Name / List / Brief description</i>
Formal protections (NHRA)		
	National heritage site (S. 27)	
	Provincial heritage site (S. 27)	
	Provisional protection (s.29)	
	Place listed in heritage register (S. 30)	
General protections (NHRA)		
	structures older than 60 years (S. 34)	
	archaeological ³ site or material (S. 35)	
	palaeontological ⁴ site or material (S. 35)	
	graves or burial grounds (S. 36)	
	public monuments or memorials ⁵ (S. 37)	
Other		
	Any heritage resource identified in a heritage survey (state author and date of survey and survey grading/s)	
	Any other heritage resources (describe)	

2.4 PROPERTY HISTORY AND ASSOCIATIONS		
X	<i>(check box if YES)</i>	<i>Brief description/explanation</i>
	Provide a brief history of the property (e.g. when granted, previous owners and uses).	The property was originally part of Farm 953 which was subdivided for residential purposes. The majority of the original farm is now under the suburb of Capri.
	Is the property associated with any important persons or groups?	
	Is the property associated with any important events, activities or public memory?	
	Does the property have any direct association with the history of slavery?	
	Is the property associated with or used for living heritage ⁶ ?	
	Are there any oral traditions attached to the property?	

2.6 SUMMARY OF CULTURAL SIGNIFICANCE OF THE PROPERTY (OR ANY PART OF THE PROPERTY) (S. 3(3))		
X	(check box of all relevant categories)	Brief description/explanation
	Important in the community or pattern of South Africa's (or Western Cape's, or local) history.	
	Associated with the life or work of a person, group or organisation of importance in history.	
	Associated with the history of slavery.	
	Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons	
	Exhibits particular aesthetic characteristics valued by a community or cultural group	
	Demonstrates a high degree of creative or technical achievement at a particular period	
	Has potential to yield information that will contribute to an understanding of natural or cultural heritage	
	Typical: Demonstrates the principal characteristics of a particular class of natural or cultural places	
	Rare: Possesses uncommon, rare or endangered aspects of natural or cultural heritage	
Please provide a brief statement of significance		
This property has no cultural or heritage significance whatsoever.		

PART 3: POTENTIAL IMPACT OF DEVELOPMENT

3.1 PROPOSED DEVELOPMENT	
Brief description of proposed development	Subdivision into 7 erven
Monetary value	Unknown
Anticipated starting date	Unknown
Anticipated duration of work	n/a
Does it involve change in land use?	No
Extent of land coverage of the proposed development	n/a
Does it require the provision of additional services? (e.g. roads, sewerage, water, electricity)	Yes
Does it involve excavation or earth moving?	No
Does it involve landscaping?	No
Does it involve construction work?	No

What is the total floor area?	n/a
How many storeys including parking?	n/a
What is the maximum height above natural ground level?	n/a
3.2 POTENTIAL IMPACT	
What impact will the proposed development have on the heritage values of the context of the property? (e.g. visibility, change in character)	Plot sizes in the surrounding area are relatively small and the subdivision will be in keeping with local standards.
Are any heritage resources listed in Part 2 affected by the proposed development? If so, how?	No
Please summarise any public/social benefits of the proposed development.	
n/a	

PART 4: POLICY, PLANNING AND LEGAL CONTEXT

X	(check box if YES)	Details/explanation
	Does the proposed development conform with approved regional and local planning policies? (e.g. SDF, Sectoral Plans)	Yes
	Does the development require any departures or consent use in terms of the Zoning Scheme?	No
	Has an application been submitted to the planning authority?	No
	Has their comment or approval been obtained? (attach copy)	N/A
	Is planning permission required for any subdivision or consolidation?	Yes
	Has an application been submitted to the planning authority?	Yes
	Has their comment or approval been obtained? (attach copy)	No, they await your ROD
	Are there title deed restrictions linked to the property?	No
	Does the property have any special conservation status?	No
	Are there any other restrictions on the property?	No
	Is the proposed development subject to the EIA regulations of the Environment Conservation Act (Act 73 of 1989)?	No
	Has an application (or environmental checklist) been submitted to DEA&DP What are the requirements of DEA&DP?	N/A
	At what stage in the IEM process is the application (scoping phase, EIA etc.)	N/A
X	Has any assessment of the heritage impact of the proposed development been undertaken in terms of the EIA or planning process?	Visual inspection of the property was carried out by an archaeologist (J. Orton) in 2004 to assess the potential impacts on heritage.

	Are any such studies currently being undertaken?	No
	Is approval from any other authority required?	No
	Has permission for similar development on this site been refused by any authority in the past?	No
	Have interested and affected bodies have been consulted? Please list them and attach any responses.	N/A

PART 5: APPLICANT DETAILS

REGISTERED PROPERTY OWNER	
Name	Heather Francis Minnie Joubert
Address	P.O. Box 22184, Fish Hoek
Telephone	
Fax	
E-mail	
Signature	Date

DEVELOPER Person responsible for completing this form	
Name	Duncan Bates
Address	P.O. Box 22320, Fish Hoek
Telephone	021-7826225
Fax	086-683 6830
E-mail	admin@duncanbates.co.za
Signature	Date 22 Jan 2007

PERSON RESPONSIBLE FOR COMPLETING THE FORM	
Name	Jayson Orton
Address	Archaeology Contracts Office, Department of Archaeology, University of Cape Town, Private Bag, Rondebosch, 7701
Telephone	(021) 650 2357
Fax	(021) 650 2352
E-mail	jayson@age.uct.ac.za
Field of expertise & qualifications	Archaeologist, MA (Archaeology)
Signature	Date 23-01-2007

PART 6: ATTACHMENTS

	Plan, aerial photo and/or orthophoto clearly showing location and context of property.
	Site plan or aerial photograph clearly indicating the position of all heritage resources and features.
	Photographs of the site, showing its characteristics and heritage resources.
	Relevant sketch proposals, development plans, architectural and engineering drawings and landscaping plans.
	Responses from other authorities.
	Responses from any interested and affected parties.
	Any archaeological reports or other reports that may have been carried out on the property or properties within the immediate area.
	Any other pertinent information to assist with decision-making.

PART 7. RECOMMENDATIONS BY HERITAGE SPECIALISTS

7.1 RECOMMENDATIONS OF GENERALIST HERITAGE PRACTITIONER		
<i>Further investigation required</i>	<i>Yes/No</i>	<i>Describe issues and concerns</i>
Existing Conservation and Planning Documentation	No	
Planning	No	
Urban Design	No	
Built Environment	No	
Architecture/building fabric	No	
Cultural Landscape	No	
Visual Impact	No	
History		
Published Information	No	
Title Deeds Survey	No	
Archival	No	
Oral History	No	
Social History	No	
Other specialist study (specify)	No	
Public Consultation		
Specialist Groups	No	
Neighbours	No	
Open House	No	
Public Meeting	No	
Public Advertisement	No	
Other (specify)	No	
No further specialist conservation studies required	No	
Alternative development options and mitigation measures	No	

No development option	No	
Heritage Impact Assessment required, co-ordinated by a generalist heritage practitioner	No	
Development inappropriate and should not be permitted. Further HIA not required.	No	
Other recommendations (use additional pages if necessary)		
<p>I have reviewed the property and the proposed development and this completed form and make the recommendations above.</p> <p>Name of Heritage Practitioner Jayson Orton</p> <p>Qualifications, field of expertise MA (Archaeology), CRM Archaeologist</p> <p>Signature.....Date 17-01-2007</p>		

7.2 RECOMMENDATIONS OF ARCHAEOLOGIST/PALAEONTOLOGIST		
<i>Further investigation required</i>	<i>Yes/No</i>	<i>Describe issues and concerns</i>
Palaeontology	No	
Pre-colonial archaeology	No	
Historical archaeology	No	
Industrial archaeology	No	
No further archaeological or palaeontological investigation	No	
Other recommendations (use additional pages if necessary)		
<p>I have reviewed the property and the proposed development and this completed form and make the recommendations above.</p> <p>Name of Archaeologist/Palaeontologist Jayson Orton</p> <p>Qualifications, field of expertise MA (Archaeology), CRM Archaeologist</p> <p>Signature.....Date 17-01-2007</p>		

Notes:

- ¹ Cultural significance means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance.
- ² Heritage resource means any place or object of cultural significance.
"Place" includes –
 - (a) a site, area or region;
 - (b) a building or other structure which may include equipment, furniture, fittings and other articles associated with or connected with such building or other structure;
 - (c) a group of buildings or other structures [and associated equipment, fittings, etc];
 - (d) an open space, including a public square, street or park; and
 - (e) in relation to the management of a place, includes the immediate surroundings.
- ³ Archaeological means –
 - (a) material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
 - (b) rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10m of such representation;
 - (c) wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa or in the maritime zone of the Republic, any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which Heritage Western Cape considers to be worthy of conservation; and
 - (d) features, structures and artefacts associated with military history which are older than 75 years and the site on which they are found.
- ⁴ Palaeontological means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trace.
- ⁵ Public monuments and memorials means all monuments and memorials –
 - (a) erected on land belonging to any branch of ... government or on land belonging to any organisation funded by or established in terms of the legislation of such a branch of government; or
 - (b) which were paid for by public subscription, government funds, or a public-spirited or military organisation, and are on land belonging to any private individual.
- ⁶ Living heritage means the intangible aspects of inherited culture, and may include cultural tradition, oral history, performance, ritual, popular memory, skills and techniques, indigenous knowledge systems and the holistic approach to nature, society and social relationships.



Google

Eye alt 253 m

© 2007 Europa Technologies
Image © 2007 DigitalGlobe

Streaming 100%

Pointer 34° 07'51.07" S 18° 23'40.52" E

Duncan Bates
Professional Land Surveyor

*Respond to Bates.
Ask what law we are being
asked to comment.
LUP/NADA (S.38 or
S.34). etc.
87.3/1/2007.*

107 ARCADE OFFICES, 110 MAIN ROAD, FISH HOEK, 7975
P O BOX 22320, FISH HOEK, 7974

TEL: (021) 782-6225, 782-6261
FAX: (021) 782-5492
E-MAIL: dhbates@cis.co.za
CELL: 082 456 2256
www.eagleye.co.za

OUR REF 31/06/88

YOUR REF:

17 February 2005

Heritage Western Cape
Private Bag X9067
Cape Town
8000

Dear Sir

HERITAGE IMPACT ASSESSMENT: PROPOSED SUBDIVISION OF CAPE FARM 953/35, SUNNYDALE

I enclose herewith a copy of the Heritage Impact Assessment prepared by Jayson Orton of the Archeology Contracts Office of UCT, dated October 2004, together with a plan of the proposed subdivision.

It would be appreciated if you could issue your comment on the proposal as a matter of urgency, to enable the South Peninsula Administration to approve the subdivision.

Yours faithfully

D H BATES
PROFESSIONAL LAND SURVEYOR
Ref31HWC



Duncan H. Bates B.Sc (Survey) Pr. L (SA)

PROFESSIONAL CADASTRAL AND TOPOGRAPHICAL SURVEYOR, SECTIONAL TITLE CONSULTANT
AND TOWNSHIP PLANNER
MEMBER OF THE SOUTH AFRICAN COUNCIL FOR PROFESSIONAL LAND SURVEYORS (Reg No PLS0035)
MEMBER OF THE INSTITUTE OF PROFESSIONAL LAND SURVEYORS OF THE WESTERN CAPE

**INITIAL HERITAGE IMPACT ASSESSMENT FOR THE
PROPOSED SUBDIVISION OF PORTION 35 OF FARM 953,
SUNNYDALE.**

Prepared for

Mr N. Taggart

October 2004



Prepared by

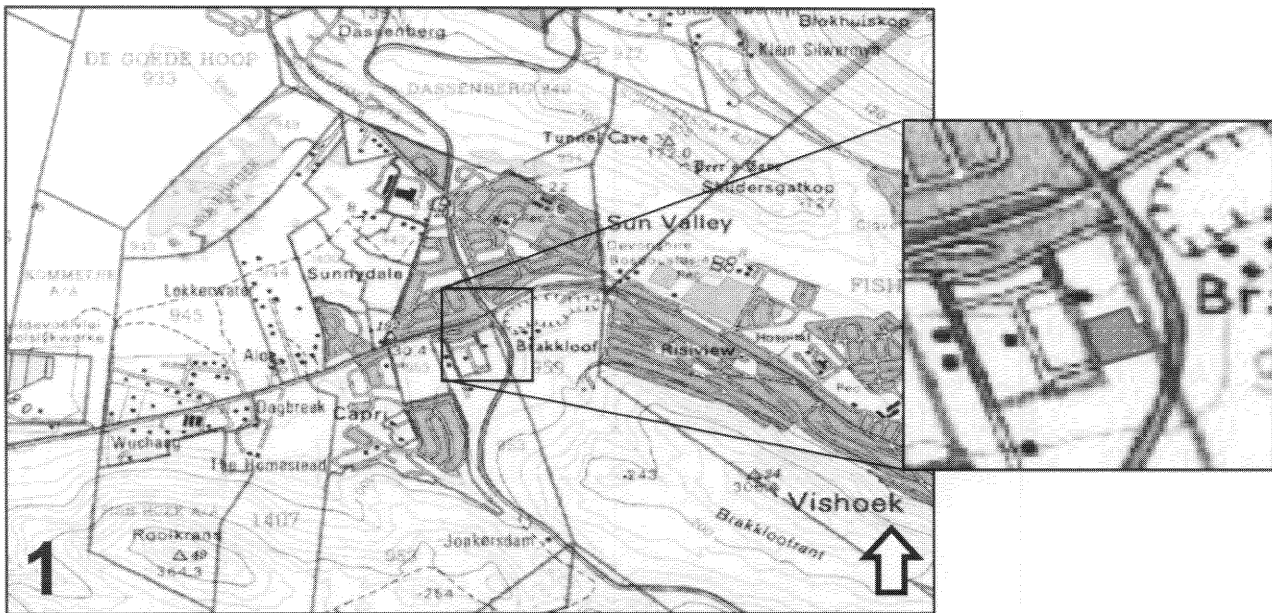
Jayson Orton

Archaeology Contracts Office
Department of Archaeology
University of Cape Town
Private Bag
Rondebosch
7701

Phone (021) 650 2357
Fax (021) 650 2352
Email jayson@age.uct.ac.za

1. INTRODUCTION

The Archaeology Contracts Office was appointed by Mr N. Taggart to undertake an initial heritage impact assessment of Portion 35 of Farm 953, Sunnydale (Figure 1). The property is 6308 m² in extent and it is proposed that it be subdivided into seven portions.



3418AB&AD Cape Peninsula (Mapping information supplied by: Chief Directorate: Surveys and Mapping. Website: w3sli.wcape.gov.za)

The site is on the edge of a semi-developed residential suburb and has a single modern dwelling on it (Plate 1). Ground visibility is poor as the garden is predominantly covered with grass and trees (Plate 2). A grove of blue gum trees is present in the north-east corner of the property. Given the location of the site, no heritage resources were expected.

2. METHOD

The property was covered on foot and examined visually for any heritage or archaeological material that may have been present on the site.

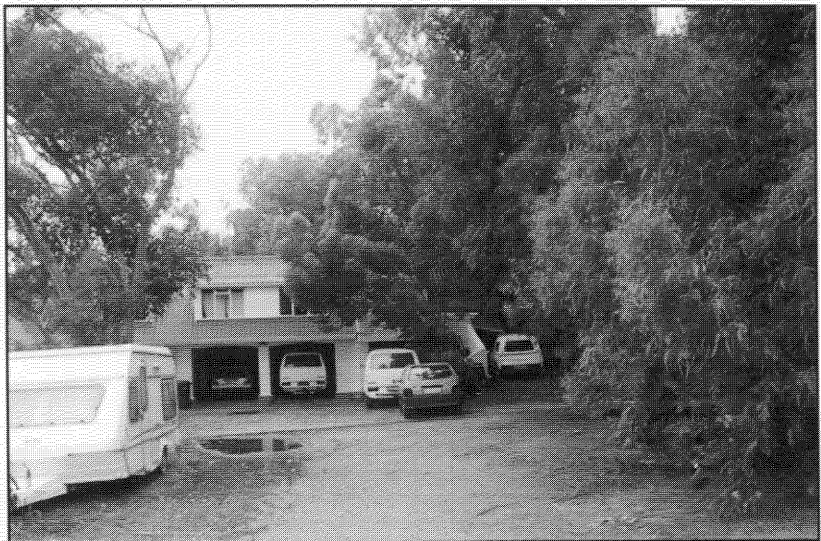


Plate 1: Modern house and gum trees.

3. FINDINGS

No heritage or archaeological material of any sort was located on the site. Furthermore, there was no indication that any such material was ever present.

4. RECOMMENDATIONS

No impacts will occur on the site, and subject to the approval of the authorities, it is recommended that the proposed subdivision of Portion 35 of Farm 953, Sunnydale may continue with no further heritage or archaeological action required.



Plate 2: Grass and tree cover on the site.

- NOTES:**
1. THE FIGURE ABOVE REPRESENTS FARM 953/25 CAFE.
 2. THE FIGURE ABOVE REPRESENTS PORTION 1.
 3. THE FIGURE ABOVE REPRESENTS PORTION 2.
 4. THE FIGURE ABOVE REPRESENTS PORTION 3.
 5. THE FIGURE ABOVE REPRESENTS PORTION 4.
 6. THE FIGURE ABOVE REPRESENTS PORTION 5.
 7. THE FIGURE ABOVE REPRESENTS PORTION 6.
 8. THE FIGURE ABOVE REPRESENTS PORTION 7.
 9. THE FIGURE ABOVE REPRESENTS PORTION 8.
 10. PORTIONS 5, 6, 7 & 8 ARE SUBJECT TO SERVICES & ADJUT-OF-WAY REGULATIONS AS SHOWN.
 11. THE FIGURE ABOVE REPRESENTS REMAINDER ROAD.

DATE: APRIL 2004 SCALE: 1/500
 DRAWN: J.M. VAN DER MERF

PROPOSED SUBDIVISION OF PORTION 35 OF THE FARM NO. 953 CAFE, SITUATE IN THE CITY OF CAPE TOWN, ADMINISTRATIVE DISTRICT OF THE CAPE PROVINCE OF SOUTHERN AFRICA, MEASURING 6308.50 SQUARE METRES.

OWNER: HEATHER FRANCES WANNIE JOUBERT
 BY DEED OF TRANSFER T. 62973/1997

SUBMITTED BY: DUNCAN BATES
 PROFESSIONAL LAND SURVEYORS
 127 ARCADE OFFICES
 110 MAIN ROAD
 FISH HARBOR
 7875
 PH (021) 7826225
 FAX (021) 7826452

REMARKS: ALL DATA APPROXIMATE

DGM. No. 7164/1982 S. 6. SHEET
 D/T No. Y31023/1985 KING-2434 (M2521)

REF: 31/06/88 (NTZR1.DRW)

