

Vivienne Thomson

From: Khanyisile Bonile <Khanyisile.Bonile@westerncape.gov.za>
Sent: Friday, 10 May 2019 9:14 AM
To: piet.smit@stellenbosch.gov.za
Subject: Erf R502, Stellenbosch
Attachments: Erf R505, Stellenbosch.pdf

Dear Applicant

Please note that your application has been approved and that your permit has been issued in terms of Section 38(1) of the National Heritage Resources Act, 1999 (Act 25 of 1999) and Regulation 3(3)(a) of PN 298 (29 August 2003).

Please find attached the record of decision, the original will be posted shortly.

Regards

Khanyisile Bonile
Heritage Western Cape
3rd Floor, Protea Assurance Building
Green Market Square
Cape Town
8001
Email: khanyisile.bonile@westerncape.gov.za
Telephone: 021 483 9692
Website: <http://www.hwc.org.za>



Our Ref: HM/CAPE WINELANDS/STELLENBOSCH/ ERF R502

Case No.: 19012115KB0417E
Enquiries: Khanyisile Bonile
E-mail: khanyisile.bonile@westerncape.gov.za
Tel: 021 483 9598
Date: 02 May 2019



Municipality of Stellenbosch
P.O.Box 17
Stellenbosch
7599

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(2) 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: THE PROPOSED CLEARANCE OF VEGETATION FOR THE DEVELOPMENT OF ON R502, ANNANDALE ROAD STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999).

CASE NUMBER: 19012115KB0417E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 17 April 2019. This matter was discussed at the Heritage Officers meeting held on 24 April 2019.

You are hereby notified that, since there is no reason to believe that the clearance of vegetation for the development of a graveyard on R502, Annandale Road Stellenbosch will not 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.

Yours faithfully


.....
Dr Nxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address

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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.

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. BASIC DETAILS

PROPERTY DETAILS:

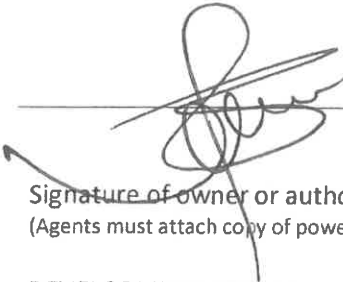
Name of property: Louw's Bos	
Street address or location (eg: off R44): Annandale Road (to the south), Stellenbosch	
Erf or farm number/s: R502, Stellenbosch	Coordinates: 33°59'41.60"S 18°48'36.19"E (A logical centre point. Format based on WGS84.)
Town or District: Stellenbosch	Responsible Municipality: Stellenbosch
Extent of property: 487 hectares	Current use: Agriculture & Vineyards
Predominant land use/s of surrounding properties: Vineyards and agriculture	

REGISTERED OWNER OF PROPERTY:

Name Municipality of Stellenbosch: c/o Piet Smit, Property Management for Municipal Manager		
Address PO Box 17, Stellenbosch 7599		
Telephone 021-808-8750	Cell 084-506-5065	E-mail piet.smit@stellenbosch.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 28 / January / 2019

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 checked="" 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;
Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details: NEMA Listing Regs 23 cemeteries 2,500 sqm and over; 27 clearance of less than 20 hectares indigenous vegetation, etc (see PPP notice attached)	<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: Conversion of farmlands and old vineyards to landscape cemetery and memorial park.

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:

Present phase at which the process with that authority stands:

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.): Construction of a municipal cemetery for the area to cover 74 hectares of the 487 hectare site. Cemetery will include burial plots, road network, landscaping, chapel, etc (see SDP).

B. 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 was Crown Land and formed part of the extensive Stellenbosch Commonage in the nineteenth century, being leased out to farmers since the twentieth century including vegetable and fruit farming, vineyards and

grazing.	
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>Places, buildings, structures and equipment of cultural significance</p> <p>Description of resource: The Stellenbosch Heritage Inventory (2018) ranked the Landscape Unit as Grade IIIb lying on a portion of Grade IIIa Scenic Route on Annandale Road. It is surrounded by significant heritage sites, notably, Mon Villa (Eureka) IIIb, Soverby IIIc, Groot Zalze II. Spier lies to the NW and numerous vineyards to the west.</p> <p>Description of impact on heritage resource: The proposed 30 hectare cemetery will be sited next to Annandale Road in a visible location but will only take up 15.2% of the overall 487 hectare farm. 2 alternative sites have been considered on either side of Annandale Road.</p>
<input checked="" type="checkbox"/>	<p>Places to which oral traditions are attached or which are associated with living heritage</p> <p>Description of resource: The old Commonage has a long history as open space, grazing and farming in the area with the local community and is probably enjoyed as open space by the wider community of Stellenbosch.</p> <p>Description of impact on heritage resource: The development of a cemetery here will be consistent with open space concepts and still allow public access albeit with the loss of some farming land and association.</p>
<input type="checkbox"/>	<p>Historical settlements and townscapes</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input checked="" type="checkbox"/>	<p>Landscapes and natural features of cultural significance</p> <p>Description of resource: The old Commonage is a significant open space on the SW of Stellenbosch and surrounded on its periphery by some significant wine farms and historic properties. The area forms part of the Stellenbosch Winelands albeit a farmed/fallow open space. It was ranked as IIIb in the Stellenbosch Heritage Inventory (2018) lying in the Annandale Road and Central Commonage Landscape Units.</p> <p>Description of impact on heritage resource: Potentially positive as landscape has been integrated into the proposal by OvP in their Concept Plan (2018). The land is currently rather degraded being old farmland.</p>
<input type="checkbox"/>	<p>Geological resources of scientific or cultural importance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input checked="" type="checkbox"/>	<p>Archaeological resources (Including archaeological sites and material, rock art, battlefields & wrecks):</p> <p>Description of resource: Grade IIIc ESA remains were found by Jonathan Kaplan.</p> <p>Description of impact on heritage resource: Considered to be Low.</p>
<input type="checkbox"/>	<p>Palaeontological resources (ie: fossils):</p> <p>Description of resource: None found by Palaeontologist J Almond.</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:</p> <p>Description of Impact on Heritage Resource:</p>
<input type="checkbox"/>	<p>Other human remains:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>

<input type="checkbox"/>	Sites of significance relating to the history of slavery in South Africa: Description of resource: Description of impact on heritage resource:
<input checked="" type="checkbox"/>	Other heritage resources: Description of resource: An old Outspan trail runs on the boundary of the property at various points. Description of impact on heritage resource: Low but could be positive if celebrated.

Describe elements in the environs of the site that could be deemed to be heritage resources: There are numerous vineyards, farms and historic properties along Annandale Road and around the site, not to mention scenic Annandale Road itself which is well associated with the local Wine Route and Strawberry Farms. The old Outspan road/trail network is a possible forgotten heritage resource that could be revived by a heritage trail celebrating the old Outspans and Trails of the SW Cape.

Description of impacts on heritage resources in the environs of the site: There are no major cemeteries in the immediate area so this would be a new type of development that could be considered intrusive on the Winelands environment although no significant properties are directly affected. Outspan Trails pass through public property on R502, Stellenbosch but may connect through on private property elsewhere. Overall this could be positive as part of Stellenbosch and Cape Town heritage tourism.

Summary of anticipated impacts on heritage resources: The AIA uncovered some ESA remains ranked as IIIc but no Palaeontological remains were uncovered.

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.

C. RECOMMENDATION	
In your opinion do you believe that a heritage impact assessment is required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Recommendation made by: Name Bruce Eitzen; also recommended in CTS Scanner (2018). Capacity Heritage Consultant	
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.	

D. 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.	<p>Name of individual: Bruce Eitzen Name of Practice: New World Associates, Landscape Architects (NWA) Area of specialisation: General and Landscape Heritage and VIA</p> <p>Qualifications: ML (Landscape Architecture & Environmental Planning), BSc (Botany)</p> <p>Experience: 30 years</p> <p>Standing in heritage resource management: Member APHP, SACLAP, ILASA</p> <p>E-mail Address: newworld@telkomsa.net Telephone: 021-782-8890 Cell: 082-222-2113</p>
2.	<p>Name of individual: Jonathan Kaplan Name of Practice: Agency for Cultural Resource Management (ACRM) Area of specialisation: Archaeology</p> <p>Qualifications: MA (Archaeology), BA (Archaeology)</p> <p>Experience: 26 years</p> <p>Standing in heritage resource management: ASAPA</p> <p>E-mail Address: acrm@waccess.co.za Telephone: 021-685-7589 Cell: 082-321-0172</p>
3.	<p>Name of individual: John Almond Name of Practice: Natura Viva cc Area of specialisation: Palaeontology</p> <p>Qualifications: PhD (Palaeontology), BSc (Hons) (Zoology)</p> <p>Experience: 16 years</p> <p>Standing in heritage resource management: APM Committee, Member PSSA and APHP</p> <p>E-mail Address: naturaviva@universe.co.za Telephone: 021-462-3622 Cell:</p>
4.	<p>Name of individual: Ute Seemann Name of Practice: Consultant Archaeologist Area of specialisation: Archaeology and Property History</p> <p>Qualifications: PhD (Archaeology), MA (Archaeology), BSc (Hons) Archaeology, BSc (Archaeology & Chemistry), Chemical Engineering Diploma</p> <p>Experience: 40 years</p> <p>Standing in heritage resource management: ASAPA, HWC Registration</p> <p>E-mail Address: useemann@telkomsa.net Telephone: 021-786-3656 Cell: 073-163-2754</p>
5.	<p>Name of individual: Name of Practice: Area of specialisation:</p> <p>Qualifications:</p> <p>Experience:</p> <p>Standing in heritage resource management:</p> <p>E-mail Address: Telephone: Cell:</p>

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