



# PLANSCAPE

**CONSULTING TOWN AND REGIONAL PLANNERS  
RAADGEWENDE STADS- EN STREEKBEPLANNERS**

CC Reg No. 2007/087087/23

• PO Box 557 • Moorreesburg • 7310 • Tel: 022 4334408 • Fax: 0866972069 • e-mail: planscape@telkomsa.net •

22 July 2019

Reference number: 228~8-440-DRK

Heritage Western Cape  
Private Bag X9067  
Cape Town  
8000

Dear Sir

**NOTIFICATION OF INTENT TO DEVELOP: PORTION 8 OF THE VREYEGUNST  
NO 440, DIVISION PAARL**

Hereby to submit a Notification of Intent to Develop in order to establish a sand mine on a portion (5ha) of above-mentioned property.

**Case number: 19072210**

Included find for your attention the following:

- Proof of payment of application fees
- Checklist
- Four copies of completed NID form and associated annexures, namely:
  - Annexure A: Location map.
  - Annexure B: Local context
  - Annexure C: Photographs
  - Annexure D: Mine area
  - Annexure E: Mine plan
  - Annexure F: Land use on site
  - Annexure G: Power of Attorney
- 1 digital copy (CD).

Regards

M Langenhoven  
(0722026587)

Accounts Transfer Payments +



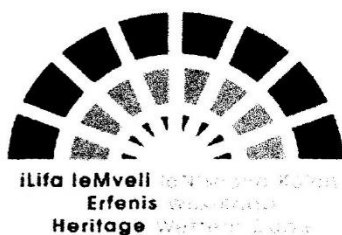
## Thank You!

Your transaction was successful

Payments From Business Cheque Account 62137367026  
22 Jul 2019

Not Categorized - Recipients paid in the last 3 months

Recipient	Ref	Amount	Reason
Heritage Western Cap	228-8-440-drk Hwc	R 330.00	Your payment was successful VODSTPMFSLXF
1452048924 - Nedbank Limited	19072210		
Total		R330.00	



HWC 001/01/E

# **CHECKLIST FOR MATERIALS SUBMITTED IN TERMS OF SECTION 38 OF THE NATIONAL HERITAGE RESOURCES ACT**

Completion of this form is required by Heritage Western Cape for submission of all materials associated with applications in terms of Section 38 of the National Heritage Resources Act other than initiation of the process via submission of the Notice of Intent to Develop (NID) form, form HWC 002.

A minimum of four hardcopies and a digital version is required of all material submitted together with checklist. This form should be attached on the outside of the front cover of such documentation.

Has this case previously been before Heritage Western Cape? ☐ Yes ☒ No

If 'Yes' provide the following information:

Case number stemming from Notification of Intent to Develop (NID) process:  
(Please continue to use this number in all correspondence with regard to this case.)

Date of most recent response: n.a.

If 'No' provide an explanation as to why no NID form has been submitted and/or what the purpose of submission of the accompanying material is:

To authorise an activity that exceed 5000m2 that will change the character of a site namely a dry-pit sandmine (5ha in extent)

The material accompanying this form is submitted for the purpose of obtaining:

- ☒ Comment or advice on how to proceed in terms of heritage resource management.
- ☐ Section 38(3): Details required for a report as requested in terms of Section 38(2).
- ☐ Section 38(4): Record of Decision (A decision on a report submitted to HWC where HWC is the decision making Authority.)

- ☐ Section 38(6): Comment on Scoping Report in terms of NEMA.
- ☐ Section 38(8): Comment on Environmental Impact Report in terms of NEMA.
- ☐ Section 38(8): Comment on Environmental Management Plan in terms of MPA.
- ☐ Section 38(8): Comment in terms of other legislation. Provide details:

- ☐ The material is submitted for information purposes only with no action required on the part of Heritage Western Cape.
- ☐ None of the above. Specify

By the submission of this material, clients and all consultants 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. It is further understood that should such restrictions apply or should it not be possible to copy or lift material from any part of the digital version of this 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.

Name of person submitting: Martin Langenhoven

SIGNATURE



DATE: 22 / 07 /20 19

### Requirements for a Section 38 NID application

COMPULSORY WITH ALL APPLICATIONS

- ☒ 1 Completed Application Form with all the required signatures
- ☒ 2 Locality plans (google map or city site maps)
- 3 Graphic material
  - ☒ Maps / satellite photographs
  - ☒ Photographs of site - 2 photos per A4 page done on word document (No unbound individual photographs to be printed out)
  - ☒ Photographs of heritage resources on the site and in its environs
- ☒ 5 Digital copies of information provided / applications and photos on CD  
If submitted on USB flashdrives, it will not be returned to you.
- ☒ 6 Proof of payment with the correct reference number

#### Extra Information

- ☐ 7 Any additional info that can assist the evaluation of application e.g. Historical background

**PLEASE NOTE ALL DOCUMENTATION WILL BE KEPT WITH THE EXCEPTION OF THE DRAWINGS AND COPIES OF ANY BOUND DOCUMENTS**  
**HWC RESERVES THE RIGHT TO ASK FOR MORE INFORMATION OTHER THAN THE ABOVE REQUESTED ITEMS.**

### Requirements for HIA Submissions in terms of Section 38(8)

- ☐ 1 Executive Summary
- ☐ 2 Integrated Recommendations
- ☐ 3 Results of Consultation with Interested and Affected Parties
- ☐ 4 Specialist Studies when requested by HWC
- ☐ 5 Proof of payment with correct reference number

**PLEASE NOTE ALL DOCUMENTATION WILL BE KEPT WITH THE EXCEPTION OF THE DRAWINGS AND COPIES OF ANY BOUND DOCUMENTS**  
**HWC RESERVES THE RIGHT TO ASK FOR MORE INFORMATION OTHER THAN THE ABOVE REQUESTED ITEMS.**

P.T.O FOR SECTION 27, 31 & 34 APPLICATION REQUIREMENTS (Annexure A)  
[www.westerncape.gov.za/cas](http://www.westerncape.gov.za/cas)

**Street Address:** Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** Private Bag X9067, Cape Town, 8001  
• **Tel:** +27 (0)21 483 5959 • **E-mail:** hwc.hwc@westerncape.gov.za

**Straatadres:** Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Privaatsak X9067, Kaapstad, 8001  
• **Tel:** +27 (0)21 483 5959 • **E-pos:** hwc.hwc@westerncape.gov.za

**NOTIFICATION  
 OF  
 INTENT  
 TO  
 DEVELOP**

HWC 002/02/ED (4 Jul 14)

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: 19072210	DEADP Reference Number:
<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 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: Portion 8 of the Vryegunst farm no 440, RD Paarl	
Street address or location (eg: off R44): The property is located approximately 15km west of wellington, within the municipal jurisdiction of Drakenstein Municipality. The property can be accessed from Slent road (DR01123).	
Erf or farm number/s: Portion 8 of Vryegunst no 440.	Coordinates: 33°38'41.34"S 18°49'25.10"E (A logical centre point. Format based on WGS84.)
Town or District: Paarl	Responsible Municipality: Drakenstein
Extent of property: 9.8207Ha	Current use: Agriculture
Predominant land use/s of surrounding properties: Agriculture	

**REGISTERED OWNER OF PROPERTY:**

Name Marcal Homes CC
Address Room 704 Commerce House, 55 Shortmarket street, Cape Town, 8001

Telephone	Cell 0828435057 / 0826170462	E-mail morne@malogistics.co.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>		



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

Date 22 / 07 / 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.	
<p><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.</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>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 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><input type="checkbox"/> Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details:</p>	<p>If you have checked any of the three boxes above, describe how the proposed development will change the character of the site: A sand mine will be developed on 5ha of agricultural land planted with vegetables. After sand has been removed topsoil will be replaced, the site will be rehabilitated and used for agricultural purposes (Citrus) .</p>

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: Department Mineral Resources

Present phase at which the process with that authority stands: Application is submitted

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.):

The mining operator will first remove the topsoil layer (500mm) from block 1 and stockpile it on the to be mined block 2. The mineable sand will then be removed from block 1, up to the underlying clay layer, by a front-end loader and loaded onto tip-trucks.

When all mineable sand is removed from block 1, the stockpiled topsoil on block 2 is removed and immediately placed on block 1, leaving 500mm topsoil above the clay layer.

Removal of topsoil from block 2 commences and is stockpiled on block 3, where after mining on block 3 commence.

Concurrent mining and rehabilitation continues until the sand resource on the 4 mining blocks is removed.

The mining process reduced the depth of the sand but, following the recommended rehabilitation measures, will leave a minimum of 500 mm of topsoil sand above the clay layer after rehabilitation. This reduced depth will have little effect on the agricultural potential because there is sufficient drainage and soil depth in the rehabilitated mined area.

Rehabilitation should include ripping with the slope through the rehabilitated area and immediately below it, to ensure that the soil is loose and that any compaction by mining machinery has been alleviated. Ripping should be done after the spreading of the topsoil and should be no deeper than approximately 20 cm. A cover crop must be established immediately after spreading of topsoil and ripping, to stabilize the soil and protect it from erosion.

### 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):

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="checked" type="checkbox"/>	<b>Places, buildings, structures and equipment of cultural significance</b>
	Description of resource: There is no buildings on the application site.(see annexure F).
	Description of impact on heritage resource:



	Mining activities will have no impact on any buildings.
<input type="checkbox"/>	<b>Places to which oral traditions are attached or which are associated with living heritage</b> Description of resource: None Description of impact on heritage resource:
<input type="checkbox"/>	<b>Historical settlements and townscapes</b> Description of resource: None Description of impact on heritage resource:
<input type="checkbox"/>	<b>Landscapes and natural features of cultural significance</b> Description of resource: None Description of impact on heritage resource:
<input type="checkbox"/>	<b>Geological resources of scientific or cultural importance</b> Description of resource: None 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: The site is not known to be of archaeological value. The site is disturbed as it is used for agricultural activities. Although the site was not inspected by an archaeologist, it is not anticipated that archaeological resources / artifacts are present Description of impact on heritage resource: Minor if any at all.
<input checked="" type="checkbox"/>	<b>Palaeontological resources</b> (ie: fossils): Description of resource: The site is not known to be of palaeontological value Description of impact on heritage resource:
<input type="checkbox"/>	<b>Graves and burial grounds</b> (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries): Description of Resource: None Description of Impact on Heritage Resource:
<input type="checkbox"/>	<b>Other human remains:</b> Description of resource: None 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: None Description of impact on heritage resource:
<input type="checkbox"/>	<b>Other heritage resources:</b> Description of resource: None Description of impact on heritage resource:

Describe elements in the environs of the site that could be deemed to be heritage resources: None  
Description of impacts on heritage resources in the environs of the site:

Summary of anticipated impacts on heritage resources:  
The proposal will not impact on any heritage resources

**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 Martin Langenhoven

Capacity Professional Town Planner (Pr.Pln.A/048/2007)

**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:
	Qualifications:		
1.	Experience:		
	Standing in heritage resource management:		
	E-mail Address:	Telephone:	Cell:

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

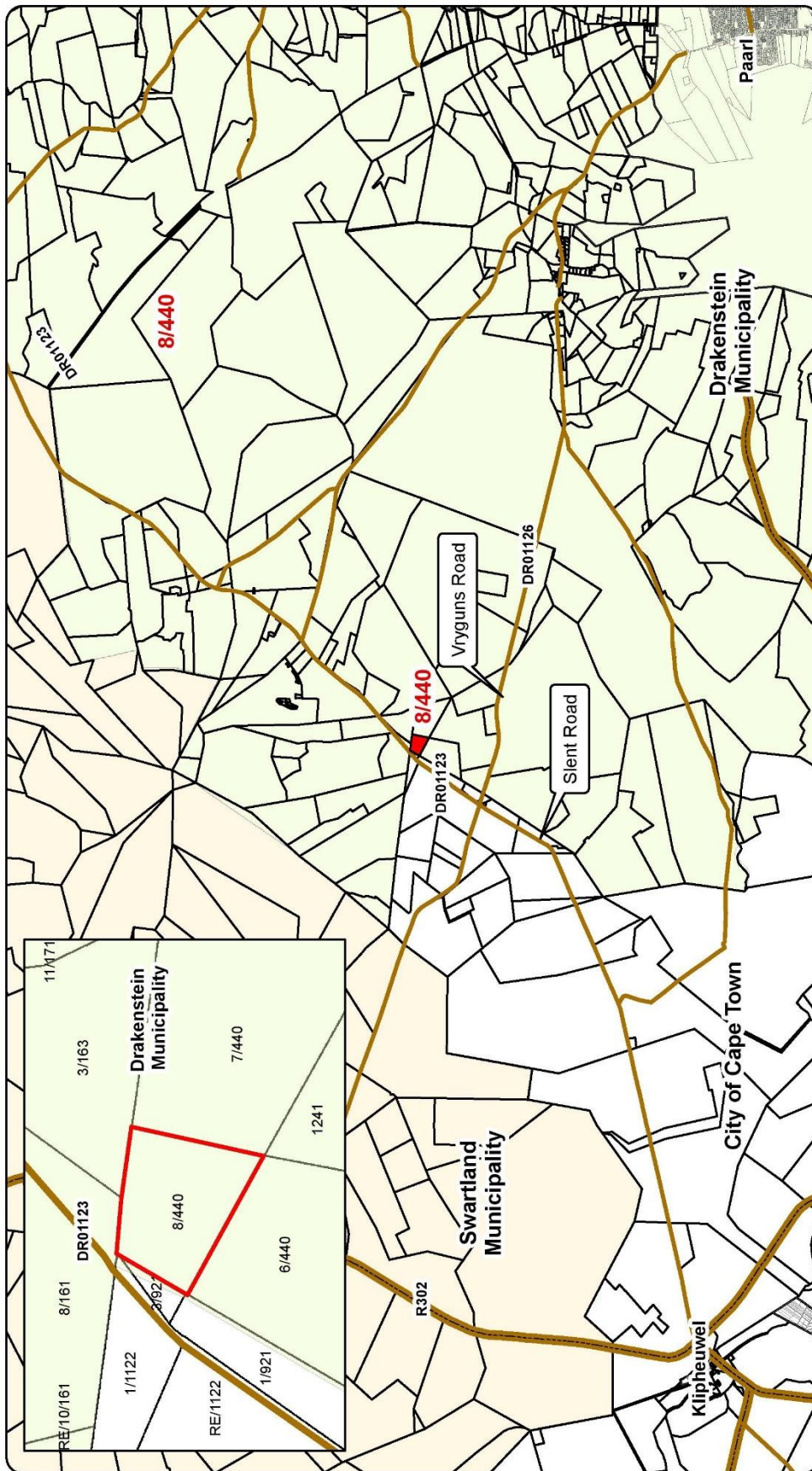
In addition to the requirements set out in Section 38(3) of the NHRA, indicate envisaged studies:

<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.	

## **Annexure A:**

**Location map.**



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URBAN PLANNERS

## LOCATION MAP

Portion 8 Vreyegunst no 440, Division Paarl



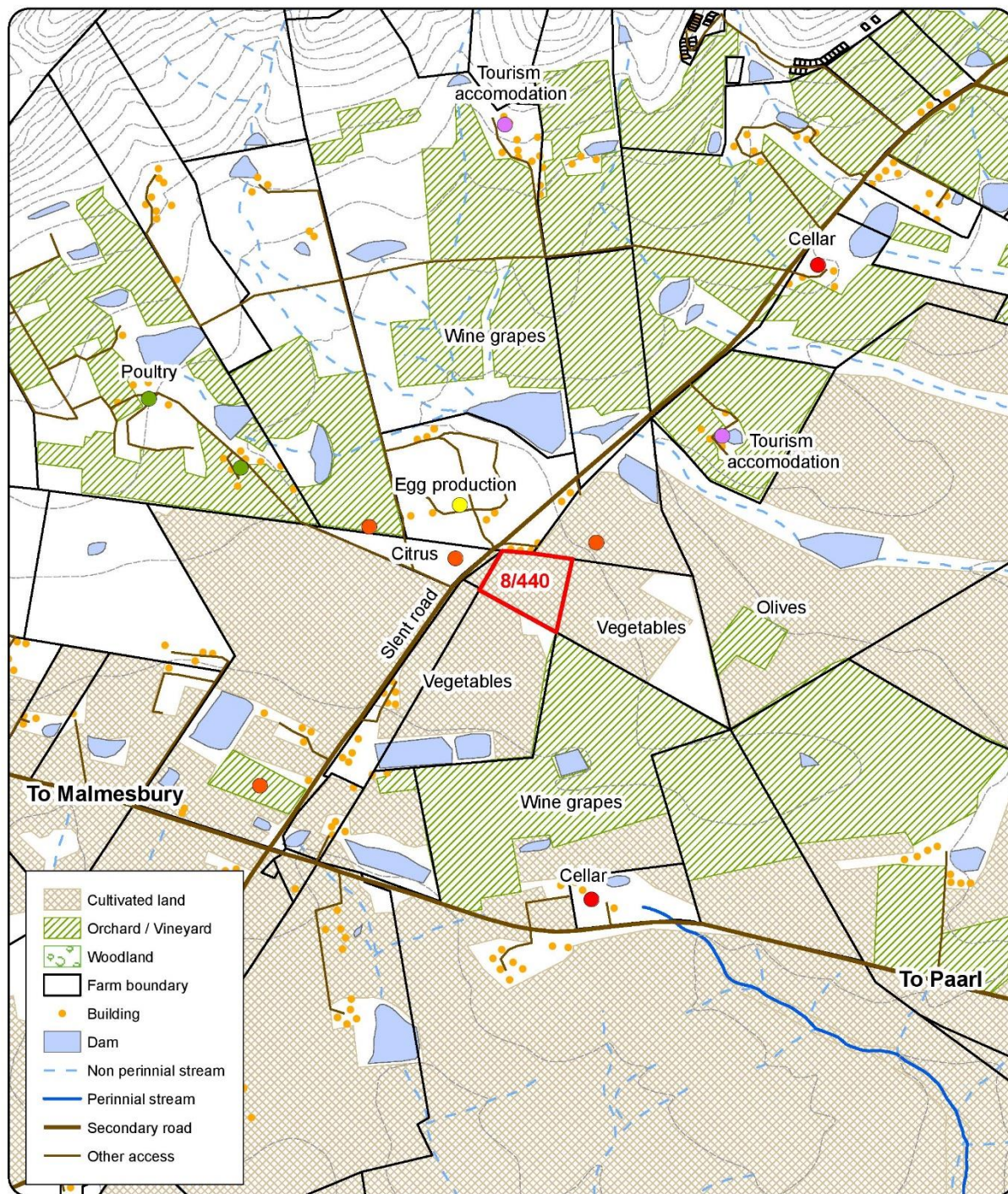
Date: 02/07/19

PO Box 557, Moorreesburg, 7310, Cell 0722026587, Fax 086 697 2069, [planscape@telkomsa.net](mailto:planscape@telkomsa.net)

## **Annexure B:**

### **Local context**





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## SURROUNDING LAND USE

Portion 8 Vreyegunst no 440, Division Paarl



Date: 02/07/19

PO Box 557, Moorreesburg, 7310, Cell 0722026587, Fax 086 697 2069, [planscape@telkomsa.net](mailto:planscape@telkomsa.net)



## **Annexure C:**

### **Photographs**



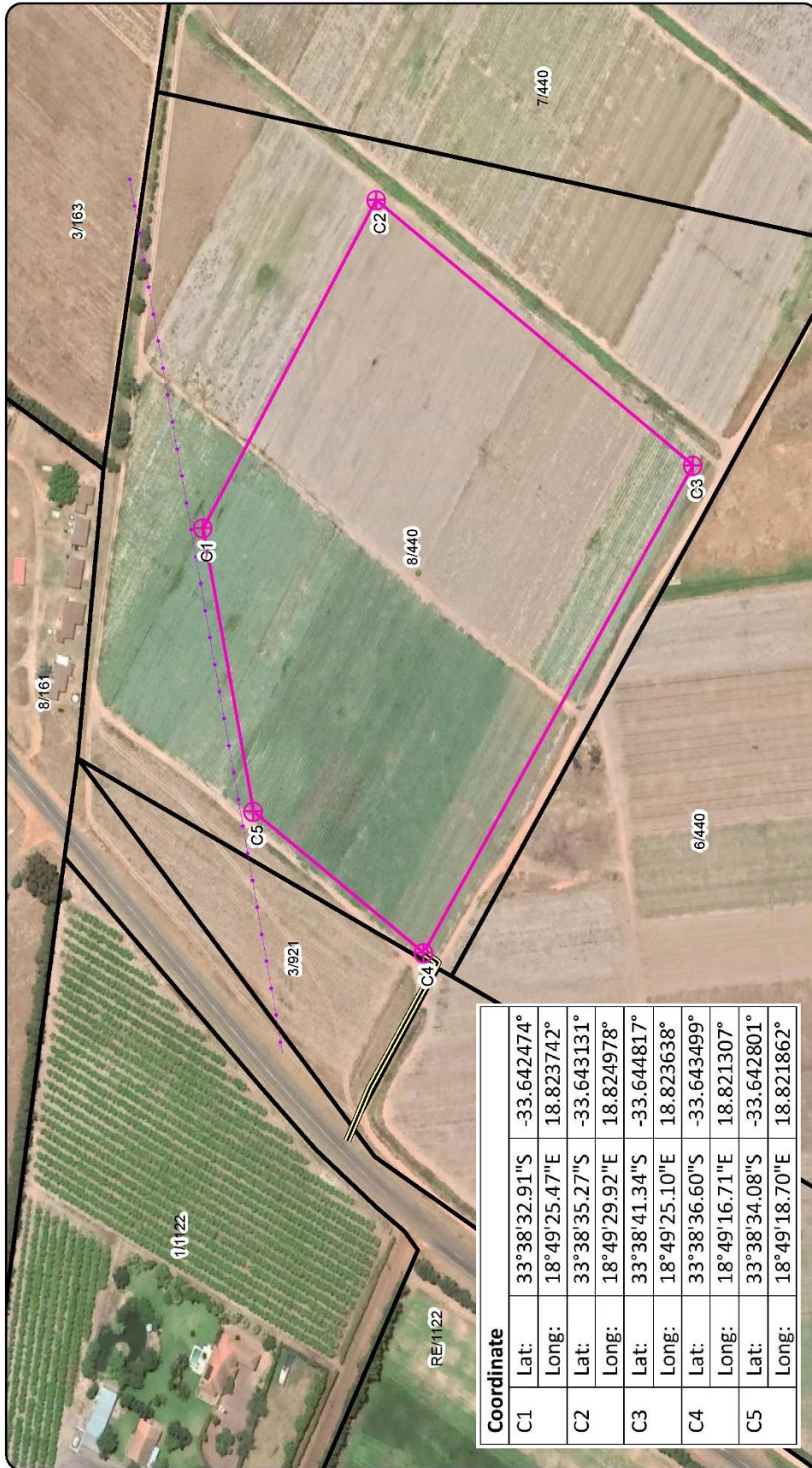
View of mine area in northern direction with Paardeberg in the background.



View of mine area in easter direction.

## **Annexure D:**

**Mine area.**



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## MINE AREA (Regulation 2.(2) plan)

Portion 8 Vreyegunst no 440, Division Paarl



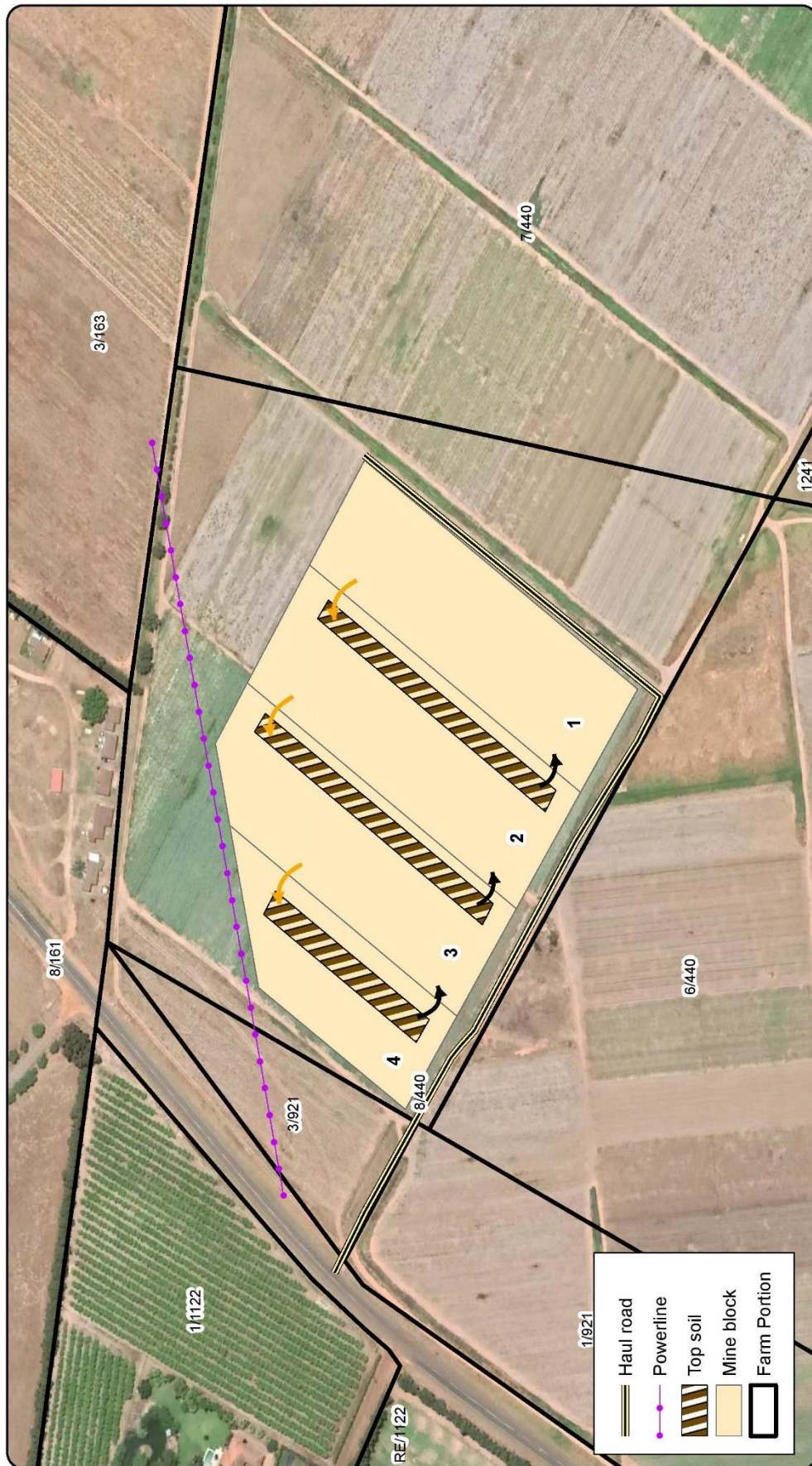
Date: 02/07/19

PO Box 557, Moorreesburg, 7310, Cell 0722026587, Fax 086 697 2069, [planscape@telkomsa.net](mailto:planscape@telkomsa.net)

## **Annexure E:**

### **Mine plan**





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## Preliminary mine plan

### Portion 8 of Vryegunst no 440, Division Paarl



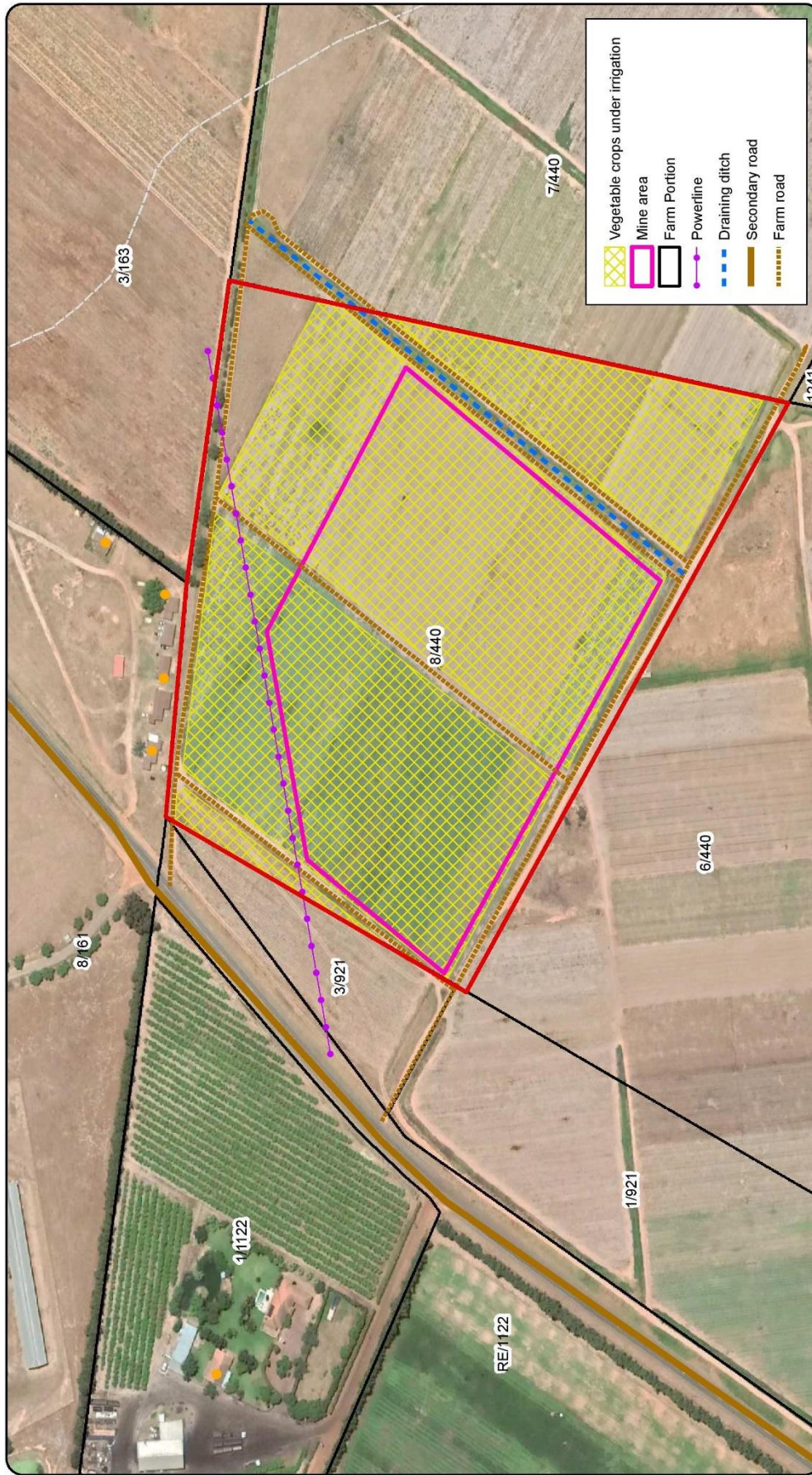
Date: 02/07/19

PO Box 557, Moorreesburg, 7310, Cell 07220206587, Fax 086 697 2069, [planscape@telkomsa.net](mailto:planscape@telkomsa.net)

## **Annexure F:**

### **Land use on site**





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Date: 02/07/19

## Land Use on site

### Portion 8 Vreyegunst no 440, Division Paarl

PO Box 557, Moorreesburg, 7310, Cell 0722026587, Fax 086 697 2069, [planscape@telkomsa.net](mailto:planscape@telkomsa.net)



## **Annexure G:**

### **Power of Attorney**

## RESOLUTION

MARCAL HOMES C C (199703391723)

Address: Room 704 Commerce House  
55 Shortmarket Street  
Cape Town  
8001

RE: PORTION 8 OF THE FARM VREYEGUNST NO 440, PAARL RD

We refer to the above property and, hereby, being the owner thereof, resolve to authorize Mr. Marne Fourie (ID 7803095117084) to sign all relevant documents pertaining to, and give permission that the following applications can be submitted on our behalf:

1. A departure application in terms of the Drakenstein By-law on Municipal Land Use, 2018
2. An application for a mining permit in terms of section 27(2) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)
3. A Notification of Intent to Develop in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)

Yours sincerely



Signature (Member)



Full name

Signature (Member)

Full name

Date: 17/04/2019

Document to be signed by all CC members.

# POWER OF ATTORNEY

I / we Marné Fourné, the undersigned,

duly representative of MARCAL HOMES C C (199703391723), the registered owner(s) of:

Portion 8 of the Farm VREYEGUNST no 440, Division Paarl, Western Cape  
hereby nominate:

Planscape CC  
13 Church Street  
Moorreesburg  
7310  
Reg: 2007/087087/23

to be my / our legal agent to submit:

1. A departure application in terms of the Drakenstein By-law on Municipal Land Use, 2018
2. An application for a mining permit in terms of section 27(2) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)
3. A Notification of Intent to Develop in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)

to the authorities and in general to these applications, to obtain all information and carry out all actions for the realisation of such applications.

SIGNED at Paarl, Paarl on this 17 day of April 2019

in the presence of

[Signature]  
Signature

Marné Fourné  
Full name

WITNESSES

[Signature]  
Signature

[Signature]  
Signature