

**Adopted Resolutions and Decisions of the Meeting of the Impact Assessment
Committee (IACOM)
of Heritage Western Cape (HWC) held via MS Teams
at 09H00 on Wednesday, 22 May 2024**



MATTERS DISCUSSED

11. SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP (NID)

11.1 None

12. SECTION 38(1): INTERIM COMMENT

12.1 None

13. SECTION 38(4) RECORD OF DECISION (ROD)

**13.1 Proposed Phase 5 Restitution Redevelopment on Erven 10010-RE, 117891-117898, 117965 and 177362, Constitution Street, District Six: NM
HM / CAPE TOWN METROPOLITAN / DISTRICT SIX / ERVEN 10010-RE, 117891-117898, 117965 AND 177362**

Case No: HWC23051602CH0518

RECORD OF DECISION:

The Committee endorse the Heritage Impact Assessment prepared by Rennie Scurr Adendorff, dated 27 February 2024 as meeting the requirements of the NHRA and further endorses the recommendations of HIA as follows:

1. This integrated HIA be endorsed as fulfilling the requirements of Section 38(3) of the NHRA (Act 25 of 1999).
2. The following mitigatory measures be implemented to limit impacts to archaeological heritage resources:
 - 2.1. The archaeologist is to brief workers on site of the locations of sensitive areas and instruct the machine operators to exercise due care in clearing the rubble overburden in those identified areas.
 - 2.2. The archaeologist should ensure that the cobbled yard at Erf 7490 is cleared and exposed prior to redevelopment of that feature - Where significant, in situ material is identified during site clearance, related to this surface, work in that area should cease, and the archaeologist should notify HWC through the Case Officer;- Should excavation be required, a workplan should be submitted to the HWC case officer that proposes the archaeological methodology for mitigating the feature(/s).
 - 2.3. The archaeologist must undertake intensive monitoring of all works at the eastern limit of site in the area proposed for the Upper Horstley Street Memorial Park: intact fabric here, including street fabric, kerbstones, and house footings, should be retained in situ as far as possible.
 - 2.4. The removal of the copper boiler from the subterranean room below the Hotel Tafelberg footings should be overseen by an archaeologist the boiler should not be removed until a plan has been devised for its storage and curation.
 - 2.5. Granite kerbstones should be retained for reuse as far as is feasible.

- 2.6. If human remains are uncovered, work must cease until the project archaeologist and HWC have been notified, the significance of the material has been assessed and a decision has been taken as to how to deal with the findings.
- 2.7. A close out report should be submitted to Heritage Western Cape once all earthmoving and archaeological work on site is completed; a copy of this report is to be uploaded to SAHRIS.
3. The following provisions be implemented to limit impacts to socio-historic significance:
 - 3.1. The old street grid and street names of Phase 5 to be retained as far as possible – and integrated with stories.
 - 3.2. Cobbled street textures should be retained where possible.
 - 3.3. The provision of a Memorial Park must be ensured, with direct input, consultation and opinion of ex-residents and future residents of this space.
 - 3.4. Redevelopment of Justice Walk must ensure the street supports safe and stimulating learner commutes.
 - 3.5. Open spaces to be designed to support social gathering and interaction.
 - 3.6. Residential spaces must be designed to ensure flexibility and adaptability that provides a framework for business opportunities.
 - 3.7. Streets must be reconnected to remaining religious institutions and their memories.
 - 3.8. Spaces must be created to remember local legends.
 - 3.9. Remaining trees must be retained, protected, and celebrated through the provision of public access and memorialisation.
 - 3.10. Connections and memories of the sea and city linkage must be enhanced.
4. The following provisions be implemented with regard to visual impacts: Planning Phase Mitigation Measures
 - 4.1. Introduce visual screening through strategic screening vegetation and low, landscaped berms.
 - 4.2. Given the sensitive nature of the receiving environment, screening must take place using trees and hedges, where appropriate.
 - 4.3. Large retaining structures must be stepped and designed to be integrated with natural vegetation and planting.
 - 4.4. Building forms and volumetric/elevational components must be articulated to avoid a monolithic form and flat facades.
 - 4.5. Retain existing vegetation as far as possible and do not damage or destroy vegetation on adjacent properties. Existing trees to be protected in accordance with a tree survey and tree management plan.
 - 4.6. Ensure that a landscape master plan is prepared by a SACLAP registered professional landscape architect and implemented during construction. The landscape master plan must include visual screening that offsets the visual impact of the proposed built forms and establishes a green network of indigenous vegetation at the site.

Construction Phase Mitigation Measures

- 4.7. Store and keep excavation machinery and trucks out of sight of surrounding areas as far as possible.
- 4.8. Ensure that excavation machinery and trucks entering and leaving the construction area do not leave any rubble, sand, rock, branches or other unwanted material on roads linking to the area.

- 4.9. Where required, use appropriate hoarding and materials that blends into the surrounding vegetation. Ensure that construction hoarding is dark in colour and free of excessive branding.
 - 4.10. Ensure that the construction area is kept neat and clean. Collect and dispose of litter appropriately to prevent any potential wind-blown litter on or off the site (ecological protection zones to be protected).
 - 4.11. Ensure that site clearing is delayed as long as possible prior to construction in any particular area. Limit site clearing to within the minimum footprint required for construction.
 - 4.12. Control erosion immediately to prevent visual scarring of the landscape.
 - 4.13. Control dust using the appropriate dust suppression techniques.
 - 4.14. Rehabilitate eroded/denuded areas as soon as possible following construction in any particular area.
 - 4.15. Protect existing vegetation in all areas that do not fall directly into the construction footprint.
 - 4.16. Prohibit excessive signage outside the construction camp.
 - 4.17. Operational Phase Mitigation Measures
 - 4.18. Use exterior colours that have low reflectivity value and blend with the surroundings and the contextual character of the site/surrounding area.
 - 4.19. Make use of natural, contextually appropriate materials.
 - 4.20. Keep reflective surfaces to a minimum or ensure that these areas are shaded by roof overhangs, where possible.
 - 4.21. Ensure that non-reflective; colour appropriate paving surfaces are used as far as possible.
 - 4.22. Lighting must be low energy and must be shielded down lighting to minimize light impacts and night and light spillage into the surrounding ecological protection areas. No flood lights, and neon lights should also be prohibited.
 - 4.23. Outdoor security lighting fixtures and luminaires should be carefully selected to minimize light spillage and positioned/angled to avoid undesirable 'sky-glow'. Light sources should be automated, shielded and directed directly into the site but never directed upwards into the sky/open air.
 - 4.24. Large retaining structures should be stepped and designed to be integrated with natural vegetation and planting. Given the sensitive nature of the receiving environment, screening using large trees, where appropriate.
 - 4.25. Ensure that the proposed boundary fencing is permeable and softened with planting to provide visual screening. Use appropriate colours that are visually recessive.
 - 4.26. Make allowance for ongoing landscape maintenance to allow site vegetation to mature sufficiently to allow the environment to achieve maximum VAC.
 - 4.27. Site clearing must be carefully controlled to minimize potential damage and/or erosion and all areas that are disturbed must be repaired and rehabilitated.
 - 4.28. All areas disturbed on and off-site during construction activities must be rehabilitated using appropriate vegetation.
5. The following provisions be implemented with to limit townscape impacts: Urban Block Layout and Street Grid
 - 5.1. The one historic street that is not re-established in some form through the plan is Ellesmere Street. This is unfortunate from the perspective of associational heritage significance, as the Galielol Raghmaan Jamaa Mosque, which remains intact, is colloquially known as the Ellesmere Street Mosque. The only section of Ellesmere Street ran through the subject site.

It is thus suggested that the street name has sufficient associational significance to motivate for its retention. Two mitigation measures could be considered:

- 5.2. Firstly, that the proposed public open space “POS A” opposite the Mosque be named Ellesmere Place, to retain the name in place, or
- 5.3. Secondly, due to the westernmost street of the development being positioned between the two historic streets (Albert and Ellesmere), that Ellesmere be preferred over Albert Street in the naming of this roadway. While this street does not join Constitution Street due to the positioning of an electrical substation, the street and Mosque would still have a direct relationship.

Public Spaces and Streets

- 5.4. The design of the Constitution Street edge could go further to creating the intended pedestrian-focused environment. Between Upper Richmond Street and POS B the division between the service road and Constitution Street is so thin (1.426m from kerb face to kerb face) that no tree planting is possible. More concerning, this is a very narrow and uncomfortable width for a pedestrian to navigate, particularly school children, who will have cars passing on both sides. It is therefore suggested that these roads be reduced in width to 5m only, allowing for a 1.926m wide sidewalk area. Tree planting should be incorporated at the intersections, where possible, to ensure that the barrier between the service road and Constitution Street provides pedestrian amenity. This may require that more of the service road is designated for the flow of “one way” traffic.
- 5.5. The Public Realm Strategy envisions Justice Walk as an “ecological corridor”. The new Terraforce retaining embankment planned for the southern edge of the street should incorporate street trees within its design.

Historic Sites and Land Use

- 5.6. The townscape indicators encourage mixed-use along Constitution Street. Certain properties are well-placed to have a corner shop attached to the house. This is especially the case for Erf 181124, between Public Open Space A and B, as well as at the corner of Upper Horstley Street North and the service road – Erf 181193. It is suggested that, in these two cases, the open stoep at the back of the house be shaped to follow the chamfer of the erf, to facilitate the creation of a corner shop in the future.

Street Interface

- 5.7. The design of the street interface of the units recalls the character of historic District Six except in one instance: the provision for parking has been accommodated through the creation of garages at the front of properties. While a stoep is provided, this accounts for only 2.2m of the width of the 5.5m wide façade. The dominance of the car on the street level will undoubtedly create a more suburban, less active street façade than the historic buildings on the site did. Suggested mitigation involves the allows for opportunities for adaptation properties through expansion at first floor over the garage, or through repurposing and remodeling of the garage for other activities. Therefore, for now the proposed development will not meet all the street interface indicators.
6. The following design and architecture provisions be implemented:
 - 6.1. While architectural design and forms are deliberately set up to be reminiscent of historic District Six, the urban rather than suburban nature of the architecture is to be foregrounded, particularly with respect to the street edges and urban interfaces.

- 6.2. The materiality of formerly cobbled roads should be remembered through the use of interlocking pavers instead of tar as part of the design of roads where appropriate and where City regulations permit.
- 6.3. Granite kerbstones should be retained during site works and reused for pavements throughout the development.
- 6.4. A detailed Landscape Plan must be submitted to HWC for review, and accompany the Local Authority submissions to provide detail on the following:
- 6.4.1. the design of the detention pond as a multi-purpose public space.
 - 6.4.2. retention of existing trees along Constitution Street and Justice Walk.
 - 6.4.3. Indication of new street tree planting in addition to the proposed planter boxes on residential erven.
 - 6.4.4. The design of the proposed POS A, indicating mitigation of retaining walls/ visual connections into the space.
 - 6.4.5. The treatment of 'Stable Square' and the use of pavements, signage, memory markers, public art interventions, landscaping etc. to relate to its socio-historic significance.

CN

**13.2 Portion 12-Re of Farm 653, Vergenoegd Low Estate, 1 Vergenoegd Road, Faure, Somerset West: MA
HM / CAPE TOWN METROPOLITAN / SOMERSET WEST / PORTION 12-RE OF FARM 653**

Case No: HWC23061208MS0615

RECORD OF DECISION:

The Committee resolved to support the Master Plans revision 8 as substantially accordance with previously approved plans.

SJ

**13.3 Proposed Redevelopment of C'est La Vie Farm 1796, Olyenbosch Road, Wellington: NM
HM / CAPE WINELANDS / DRAKENSTEIN/ WELLINGTON / FARM 1796**

Case No: HWC23022302SB0223

HELD OVER:

The matter is held over to enable the Committee to undertake a site inspection Friday, 14 June 2024.

SB

**13.4 City of Cape Town IRT infrastructure Phase 2A: W6, Main Road, Wynberg: NM
HM / CAPE TOWN METROPOLITAN / WYNBERG / MAIN ROAD**

Case No: 20081805SB0831E

RECORD OF DECISION:

The Committee resolved to endorse the HIA as having satisfied the requirements of S.38(3) of the NHRA. The Committee endorses the heritage indicators and the conclusions and recommendations of the HIA. The Committee recognises that the successful implementation of the project from heritage perspective is in the implementation of the detail design aspects including landscape interventions and opportunities for urban design and enhancement of the public realm.

The Committee resolved that the development may proceed in terms of S.38(4) subject to the following conditions of approval:

1. Built Environment
 - a. Drawings of the relocated and reused Main Road historic kerbs are submitted to HWC IACOM for approval;
 - b. A construction phase management plan (CMP) be developed to protect all historic materials and features within the project area, such as kerb stones, verandah columns/posts. This CMP should be part of the tender documentation, and be submitted to HGWC IACOM for approval;
 - c. The proposed demolitions of the following buildings on the identified erven be approved to realise the development of the Wynberg couplet road:
 - i. Erf 66911 (10 Egglestone Road);
 - ii. Erf 66912 (12 Egglestone Road);
 - iii. Erf 66931 (4 Benjamin Road);
 - iv. Erf 66943 (18 Wellington Road);
 - v. Erf 91386 (15 Wilson Road);
 - vi. Erf 67125 (17 Wilson Road);
 - vii. Erf 67477-RE (304 Main Road);
 - d. The proposed demolitions of the following buildings on the identified erven are supported to realise the road development on Main Road:
 - i. Erf 67477 (304 Main Road);
 - ii. Erf 67657-RE (1 Main Road);
 - iii. Erf 67656 Wynberg (3 Main Road);
 - iv. Erven 67476, 67466, 67465 (360, 374, 380 Main Road –Continental Buildings);
2. NMT HHO road infrastructure drawings and the Landscape Plans are revised to include all resurfaced NMT routes in paving or brick along Main Road and the linking roads between Main Road and the Couplet Road;
3. Landscape Plans: The landscaping plans are revised for resubmission to HWC IACOM for approval, and for the design to include:
 - a. Proposal of certain trees grouped together within interlinked vegetated beds that are also planted with low plants;
 - b. Information on how the tree and plant species will be varied within the planting programme;
 - c. Details on hard landscaping, such as benches;
 - d. All NMT on Main Road and interlinking roads between Main and couplet roads to be upgraded with paving;

- e. Specific paving around the Milestone VIII on 221 Main Road occurs in the detail planning phase;
 - f. Specific detailed hard and soft landscaping on the Malton Road gateway space;
 - g. The existing small openings around the existing trees on the Main Road NMT are enlarged as part of the project's work;
4. Urban Design
 - a. The Urban Design Strategy and Phased 1 and 2a and 2b drawings are approved to inform the implementation of the W6 route and the future projects in the project area;
 - b. The CoCT commits to inform the relevant CoCT Directorates of the Phase 2a implementation projects;
 - c. The CoCT Arts and Culture and/or Environment and Heritage Management Branch work on the implementation of public art and interpretive signage within the project area as envisaged in the Urban Design Strategy.
 5. Social Impact Assessment: The SIA mitigation measures are included in the HWC ROD as outlined in Section 15.1.2.
 6. Archaeology:
 - a. An archaeologist should monitor the earthworks, with visits becoming less frequent if sensitivity is determined to be low. The monitoring should be carried out under a workplan issued to the archaeologist for the collection of isolated artefacts where these are considered locally significant (other items can be recorded photographically);
 - b. If any significant archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

SB

13.5 Erven 734-RE, 735, 737, 738-RE, 739, 9564, 9565, 33 Chiappini Street, Cape Town: NM HM / CAPE TOWN METROPOLITAN / CAPE TOWN CITY CENTRE / ERVEN 734-RE, 735, 737, 738-RE, 739, 9564, 9565

Case No: HWC23061502CN0619

HELD OVER:

The Committee resolved to undertake a site inspection Friday, 14 June 2024.

CN

14 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

14.1 None

15 SECTION 38(8) NEMA INTERIM COMMENTS

15.1 None

16 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

**16.1 Proposed Mixed-Use Development on De Watergang and Grootvlei Farms, Remainder of Portion 1 of Farm 182; Remainder Farm 183, Portion 23 of Farm 183, Portion 36 of Farm 183, Portion 37 of Farm 183, Remainder of Portion 1 of Farm 183, and Remainder of Portion 5 of Farm 183, Stellenbosch: NM
HM/CAPE WINELANDS/STELLENBOSCH/ REMAINDER OF PORTION 1 OF FARM 182; REMAINDER FARM 183, PORTION 23 OF FARM 183, PORTION 36 OF FARM 183, PORTION 37 OF FARM 183, REMAINDER OF PORTION 1 OF FARM 183, AND REMAINDER OF PORTION 5 OF FARM 183**

Case No: 22082307SB0831E

FINAL COMMENT:

The Committee resolved to endorse the HIA for the Northern Extension of Stellenbosch Municipality prepared by Lize Malan, Janine Herholdt & David Gibbs and dated April 2024 as complying with S38(3) of the NHRA and the recommendations to be included in any Environmental approval granted to be as follows:

1. Guidelines to be developed which enforce the height restrictions as per the indicators (to a maximum of 5 storeys on the lower eastern portion) and addressing the massing of buildings to avoid over-scaled monolithic structures and submitted to the Stellenbosch Municipality, Heritage Section for approval.
2. A landscape framework plan that addresses at least tree planting and fencing, particularly at the interface of the site with rural landscapes is prepared by a suitably qualified landscape architect and submitted to the Stellenbosch Municipality, Heritage Section for approval.
3. Development of any structures within the eastern portion of the site that may protrude above the ridgeline, and/or development of any structures on the western portion of the site (to the west of the ridgeline) must be subject to the submission of site development plans to the local authority for approval by the Stellenbosch Municipality, Heritage Section. These SPDs must indicate building placement, massing and landscaping and should include 3D modelling, where appropriate. The yellow-highlighted area in figure 58 on page 53 indicates the portions of the site where new structures will require submission of SDPs/sketch plans to the Stellenbosch Municipality, Heritage Section for approval. Proposals for new public/community facilities will require detailed SDPs to be submitted, and all new houses proposed within the yellow area will require the submission of sketch plans which must also indicate landscaping. The Stellenbosch Municipality, Heritage Section must restrict the height of structures to one storey; direct the placement of buildings on these sites; and prescribe landscaping requirements.

SB

17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

17.1 None

18 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT

18.1 None

19 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

19.1 None

20 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

20.1 None

21 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

21.1 None

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

22.1 None

23. SECTION 27 PROVINCIAL HERITAGE SITES

23.1 None

24. SECTION 47 CONSERVATION MANAGEMENT PLANS

24.1 None

25. ADVICE

25.1 None

26. SECTION 42 HERITAGE AGREEMENTS

26.1 None

27. OTHER

27.1 None

28. Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions as recorded above.