

**Adopted Resolutions and Decisions of the Meeting of the Impact Assessment
Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 7 December 2022**



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 Micro-Process Winery, Tasting Facility, Farm Shop, Visitors' Facilities And Functions
Venue Portion 1 of Farm 1558, Paarl: MA
HM/ CAPE WINELANDS/ DRAKENSTIEN/ PAARL/ PTN 1 OF FARM 1558**

Case No: 22040411NK0405E

FURTHER REQUIREMENTS:

The Committee supports the proposals in general principle but requires further design resolution and resubmission of the following:

1. Revised Site Development Plans indicating the boundary treatment clearly (type and extents), to respond appropriately to the scenic drive and cultural landscape context (visually permeable fence preferable to suburban/residential typologies - including solid wall and pier palisade).
2. The amendment of the scale and form and architectural treatment of the entrance gate and security structures to respond more positively to the rural cultural landscape context (down-scaling and simplifying).
3. The parking area needs to be fragmented into smaller courts and integrated with new planting to reduce the visual impact of the parking area upon the rural cultural landscape.

Revised proposals with drawings clearly illustrating existing and proposed elements, completed, numbered and dated to be submitted to the Committee for consideration.

NK

**13.2 Proposed Construction of a Temple, Administrative Unit and Utility Building on Erf 160695, 80 Liesbeeck Avenue, Observatory: NM
HM/ CAPE TOWN METROPOLITAN/ OBSERVATORY/ ERF 160695**

Case No: 21053105AM0608E

FURTHER REQUIREMENTS:

The Committee notes that the provisions of 38(3) of the NHRA have not been met for the following reasons:

1. The definition of the study of the area is too limited to address adequately the macro heritage context (adjacent properties, riverine setting and open space character, et al) in terms of providing meaningful contextual site informants and indicators for an appropriate design response.
2. The identification and mapping of heritage resources and assessment of significance thereof does not address the role of the site in the broader TRUP context and its relationship to adjacent heritage resources. For instance, the experiential quality of the existing approach road to the Valkenburg Manor House has not been adequately assessed. Furthermore, the landmark qualities of the Valkenburg Manor House and the Valkenburg Hospital Main Admin Building have not been adequately assessed.
3. The assessment of the impact of the development in heritage significances is not supported as the impact of the current development will have a detrimental impact on surrounding heritage resources of high value based on a combination of the scale, massing and articulation of architecture.
4. The HIA has not adequately addressed the provision of S38(3)(f) and S38(3)(g) in that no consideration of alternatives and plans for mitigation of negative impacts have been included.

The revised HIA must be circulated to I&APs and comments be integrated into the revised submission. Commenting period to be minimum of 15 days.

AM

**13.3 Proposed New Building on Erf 19308, Paardevlei, Somerset West: MA
HM/CAPE METROPOLITAN/ SOMERSET WEST/ PAARDEVLEI/ERF 19308**

Case No: 21081206SB0714E

RECORD OF DECISION:

The Committee is satisfied that further requirements previously listed have been met and endorses the HIA recommendation for the two-storey building with accessible roof deck, provided that no additional structures (including temporary and all permanent shape structures) are affixed to this roof deck.

SB

**13.4 The Proposed Business Park on Portion 1 Farm 1279, Paarl: NM
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ PORTION 1 FARM 1279**

Case No: 20101209KB1120E

COMMENT:

Whereas the proposed changes in the layout are not insignificant in terms of number of erven and resulting in grain of development, the anticipated are not significant enough to effect heritage resources.

The Committee therefore supports the revised options.

KB

**13.5 Proposed redevelopment on Erven 186 and 187, Corner DF Malan Street and Hertzog Boulevard, Cape Town CBD: MA
HM/ CAPE TOWN METROPOLITAN/ CAPE TOWN CND/ ERVEN 186 AND 187**

Case No: 18100908AS1011E

FURTHER REQUIREMENTS:

The S38(4) processes needs to be formally be completed and the final HIA is to be submitted.

TZ

**13.6 Proposed Integrated Rapid Transport System, Erven 52424, 52423, 58104, 58105 and 110205, M24, M5 Road, Lansdowne: MA
HM/ CAPE TOWN METROPOLITAN/ CLAREMONT/ ERVEN 524524, 52423, 58104, 58105 AND 110205**

Case No: 16062006WD0928M

INTERIM COMMENT:

The Committee resolved to endorse the revised alternative bus turnaround facility and endorse the recommendations of the HIA that:

1. The HIA addendum report is accepted by HWC as it meets the requirements of NHRA Section 38(3);
2. The application to develop the IRT W1 infrastructure Bus turn around facility on a section of Erf 54756- RE Claremont Cape Town as presented in Section 3 and Annexure 5 is approved by HWC.
3. The CCT ensure the implementation of the following prior to the construction phase:
 - a. Inform the potentially affected businesses located along Garfield Road (Total Energies Petrol Station, Suzuki dealership and Kenilworth Centre) of the timing and activities associated with the construction phase;
 - b. Construction related activities should comply with all relevant CCT building regulations and bylaws;
 - c. Abnormal construction phase related loads should be timed to avoid peak traffic hours.

- d. Dust suppression measures should be implemented where applicable and necessary, including wetting of exposed surfaces and construction areas.
4. In the event of human bone being encountered the find-site must be cordoned off immediately and Heritage Western Cape and SA Police Services informed. If it is determined that foul play is involved, the remains will be moved by SAPS forensic services. If the remains are deemed to be archaeological, an archaeologist must apply for an emergency permit and complete the removal. If other finds of archaeological material such as everything from pre-colonial Stone Age scatters to historic dumps and middens and structural remains (bottle glass, animal bone, ash deposits and ceramics), Heritage Western Cape and/or an archaeologist must be informed in order to inspect and mitigate the find.

SB

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

14.1 None

15 SECTION 38(8) NEMA INTERIM COMMENTS

15.1 Proposed Powerline on Weltevrede 170/10, Steenrotsfontein 168/1 &168/3, Quaggasfontein 1166, and Aude Volks Kraal 164/REM, Beaufort West: NM HM/ CENTRAL KAROO/ BEAUFORT WEST/ PORTION 10 OF WELTEVREDEN 170, PORTIONS 1 AND 3 OF STEENROTSFOUNTAIN 168, QUAGGASFOUNTAIN 166, AND REMAINDER OF OUDE VOLKS KRAAL 164

Case No: HWC22102702NK1027

INTERIM COMMENT:

Pending the final results of the consultation process as well as the final PIA report, the Committee endorsed the Heritage Impact Assessment prepared by Dr Orton dated 7 November 2022 as well as the recommendations of the HIA for authorisation on conditions as follows:

1. The Fossil Chance Finds Procedure must be incorporated into the project EMP;
2. An archaeological pre-construction survey must be carried out focusing on those areas not yet surveyed;
3. The powerline must be shifted towards the southwest off the ridge near Blythe Street; and
4. If any 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.

NK

**15.2 Proposed Solar Farm on Steenrotsfontain 168/1 &168/3, Quaggasfontein 1166, and Aude Volks Kraal 164/REM, Beaufort West: NM
HM/ CENTRAL KAROO/ BEAUFORT WEST/ PORTION 3 OF STEENROTSFOUNTAIN 168,
QUAGGASFONTEIN 166, AND REMAINDER OF OUDE VOLKS KRAAL 164**

Case No: HWC22102703NK1027

INTERIM COMMENT:

Pending the final results of the consultation process as well as the final PIA report, the Committee endorsed the Heritage Impact Assessment prepared by Dr Orton dated 7 November 2022 as well as the recommendations of the HIA for authorisation on conditions as follows:

1. The Fossil Chance Finds Procedure must be incorporated into the project EMPr;
2. An archaeological pre-construction survey must be carried out focusing on those areas not yet surveyed and especially PV areas 3 and 5;
3. If any 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.

NK

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

**16.1 Proposed Commercial Development on Erf 31366, Paarl: NM
HM/ CAPE WINELANDS/ DRAKENSTIEN/ PAARL/ERF 31366**

Case No: 21071303SB0726E

FINAL COMMENT:

The Committee endorses the heritage impact assessment prepared by ARCON dated October 2022 and supports the recommendation of the HIA as follows:

1. The Architect's Statement dated July 2022 and titled: Cecilia Square – Development of the Proposed Subdivision and Rezoning of Erf 31366 Paarl dated July 2022 (refer Annexure E) including the site development plans on unnumbered pp 5&6 of the Architect's Statement is endorsed;
2. The Landscape Plan: Drawing numbered 2910-03-LP-REV 05 by CNDV Landscape Architects, and dated 1 August 2022 is endorsed;
3. The mitigation measures recommended on pp 51 to 54 of the Visual impact Assessment report dated October 2022 prepared by ARLA Consulting landscape Architects, and which will need to be adhered to, are endorsed;
4. Detailed aspects of the proposals are to be submitted to the Drakenstein Municipality (Land Use Planning: Heritage Resources Sub-Section) for negotiation and approval as part of the project planning application, given that the property falls within a municipal Cultural Heritage Overlay Zone, as well as being mentioned in the Paarl Farms Policy (2005). The local authority does have the necessary heritage-related resources and expertise in this regard:

- a. Signage guidelines and signage applications for all on-site signage for project, as well as lighting design particulars addressing the recommendations contained in the visual impact assessment and informed by Heritage Indicator 8 in this report; and
- b. Detailed landscape and landscape maintenance plans for the project. This must include particulars regarding the mature heights of the various proposed tree species and the time spans for these heights to be reached, in the knowledge that the creation of established green canopies reaching a height of approximately 3m in 7 years and at least 6m in 14 years must be the mitigation objective and goal, respectively; and
- c. A general statement regarding the policy to be adopted for the installation of satellite dishes, TV aerials, cellphone masts and other installations with potential to affect the development skyline, especially in relation to the Paarl Mountain backdrop.
- d. Ensuring that HWC's Chance Finds of Palaeontological Material Protocol (June 2016) is included in the Environmental Management plan (EMP) for the Construction Phase of the project (AIA report Conclusion, p16).

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. ADVICE

- 24.1 Proposed Amendment on Erf 149294-Re, Quay 7, East Pier Precinct, V&A Waterfront, Cape Town:
NM
HM / CAPE TOWN METROPOLITAN / WATERFRONT / ERF 149294-RE**

Case No: None

COMMENT / ADVICE:

The applicant to submit a new application complying with the previous IACom requirements.

SJ

25 SECTION 42 HERITAGE AGREEMENTS

25.1 None

26. OTHER

26.1 None

27 Adoption of decisions and resolutions

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