

**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, 15 March 2023**



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**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 Proposed Tourist Accommodation and Facilities on Rem Ptn 3 of Farm 587, Ertjiesvlei, Caledon:  
NM  
HM / OVERBERG / THEEWATERSKLOOF / CALEDON / PTN 3 OF FARM 587**

**Case No:** 22042803AM0429E

**FURTHER REQUIREMENTS:**

The committee concluded that the HIA does not satisfy S.38 of the NHRA. A more detailed site development plan with 3D images of the proposal to clarify the scope of intervention and a state of impact.

**RG**

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

**13.1 Proposed Housing Development on Erf 3029, Strawberry Lane, Constantia: MA  
HM/ CAPE TOWN METROPOLITAN/ CONSTANTIA/ ERF 3029**

**Case No:** 21070812RG0411E

**FURTHER REQUIREMENTS:**

With reference to S38(3) of NHRA the committee requires the applicant to submit a supplementary specialist report addressing the latest I&AP's comments and concerns with particular focus on the social history of the site and the heritage management implications thereof. This supplementary report must be circulated to I&AP's who will have 14 days to comment. Consolidated report inclusive of comment and responses to comment to be submitted to HWC. The applicant to ensure a suitable qualified person with socio history expertise compiles the report.

**RG**

- 13.2 Proposed Development on Erven 2902, 2802, 2791, 2798, 2799-RE, Corner Dorp & Buitengracht Street, Bo-Kaap: NM**  
**HM / CAPE TOWN METROPOLITAN / BO-KAAP / ERVEN 2902, 2802, 2791, 2798, 2799-RE**

**Case No:** 21102502SJ1109E

**FURTHER REQUIREMENTS:**

The Committee resolved to undertake a site inspection.

SJ

- 13.3 Proposed New (Re) Development on Erven 284, 287, 288 & 289, Cnr Clarens & Regent Road, Sea Point: NM**  
**HM / CAPE TOWN METROPOLITAN / SEA POINT / ERVEN 284, 287, 288 & 289**

**Case No:** 22030411NK0322E

**FURTHER REQUIREMENTS:**

The Committee resolved to undertake a site inspection.

SJ

- 13.4 Proposed Alterations and Redevelopment of Re Farm 1592, Paarl (Adara Palmiet Valley Estate), Paarl: NM**  
**HM/CAPE WINELANDS/DRAKENSTEIN / PAARL/ RE FARM 1592**

**Case No:** 22042902CM0509E

**FURTHER REQUIREMENTS:**

The Committee resolved to undertake a site inspection.

CM

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

**Case No:** 22040411NK0405E

**RECORD OF DECISION:**

The Committee resolved to support the application as meeting the requirement of S.38(3) of the NHRA and further support the recommendation of the HIA as follows:

**Rural Setting**

The sense of place of the surrounding farms / the Klein Drakenstein area should not be compromised and the visual impact upon them should be managed with screen planting. This specifically relates to the rural nature of Denneboom Road, the adjacent farmsteads as well as views from N1 National Road and beyond.

The parking lot itself (the surface) and well as the vehicles that will be parked there (and the associated reflection from vehicle windows) need to be softened with tree planting. Trees should be planted at a rate of one every two or three parking bays. Tree planting as well as lighting required for the parking area should be coordinated in such a way that trees and light poles do not clash, and that electrical cabling is not affected by tree roots. Note: trees should be planted inside i.e. in natural ground. This is due to the fact that trees planted in large pots (with for instance a 1m<sup>3</sup> capacity) do not have enough space for tree roots and become stunted i.e. do not achieve maturity and therefore, provide limited softening and screening.

### **Built Form**

Ensure that the development, within its agricultural context, will be in sympathy with the topography, drainage patterns and microclimate of the area. As mentioned previously, it is the intention to retain the rural character of the complex i.e. the three existing structures. Articulated, simple rectangular forms are characteristic of rural buildings, and this typology should inform the development proposal. Within the Klein Drakenstein area - generally single, single + loft or double storey accommodation is found; building heights should therefore be limited to maximum 2 storeys. Treat interfaces and form of development appropriately i.e. refer to rural landscape and conform to local vernacular in terms of scale, form and design. Muted tones are more subtle and are more easily absorbed than bright or highly reflective surfaces. For suitable colours refer to on-site geology/rock/soil and vegetation. Similarly, rough or textured surfaces are preferable to shiny or highly reflective surfaces in terms of visual absorption (minimize reflection/ glare/shine). Roadways should have a rural character (e.g. exposed aggregate pavers) rather than an urban character (e.g. asphalt or concrete).

### **Edge Treatment**

Use screen/shade planting to soften the interface between building platform and landscape context. Berm and dam features could be incorporated in a manner which is sensitive to natural landform. Views towards the mountains should be maintained i.e. when travelling north on the N1 National Road. Informal clusters of trees and large shrubs can also be considered. The interface with the Denneboom Road is of some importance to maintain a sense of rural quality within the local context. Even in the face of increasing development, this would help to retain some of the area's rural quality. Avoid wall and land-locked effect by maintaining visual permeability to surrounding rural landscapes. The boundary treatments must be visually permeable, using agricultural fencing for the most part and walls at entrances only. No precast concrete walls should be allowed on the site. No built boundary wall allowed along Denneboom Road but rather visually transparent fencing; e.g. welded mesh (e.g. 'ClearVu' or similar), but not steel palisade.

### **Lighting**

Effective light management needs to be incorporated and integrated into the design of the lighting to ensure that the visual impact is limited without jeopardising user safety and security.

Aim lights down. Full cut-off shielded fixtures that keep light from going uselessly up or sideways. Full cut-off fixtures produce minimum glare. They create a pleasant looking environment. They increase safety because one sees illuminated people, cars, and terrain, not glaring bulbs. Install fixtures carefully to maximize their effectiveness on the targeted area and minimize their impact elsewhere. Proper aiming of fixtures is crucial. They can illuminate a target with a low wattage bulb just as well as a wasteful light does with a high-wattage bulb. If colour discrimination is not important, choose energy- efficient fixtures utilising yellowish high-pressure sodium (HPS) bulbs. If

“white” light is needed, fixtures using compact fluorescent or metal halide (MH) bulbs are more energy-efficient than those using incandescent, halogen, or mercury vapour bulbs. Neon or unshielded bright security lights may not be used. Along the site boundary, lighting may be permitted at the entrance gateways only – but not along the length of Denneboom Road. To preserve the rural quality, no freestanding lamp standards for roadways are to be installed along the entrance road to the farmstead. Rather lighting should be provided via luminaries affixed to the buildings or boundary walls.

### **Planting**

Establish traditional patterns of planting where appropriate with suitable species. The underlying purpose must be to weave into the existing landscape pattern, rather than to displace it with a new pattern. Traditional patterns of plantings are to be protected by ensuring that existing tree alignments and copses are not destroyed but are reinforced enhancing traditional patterns with suitable species. Tree and shrub planting should be incorporated at the following locations:

- a. To offer a screen to users of the N1 National Road,
- b. To offer screening for receptors along Langenhoven Avenue,
- c. To provide shade, softening and screening in the parking areas.

Landscaping of the development should happen in such a way that rural scenic features and landscape patterns (such as tree lined streams / drainage lines, tree belts, clumps or orchards, whether exotic or indigenous), are created to tie the proposed development into its rural mountain backdrop. Indigenous vegetation, consistent with (but not exclusively of) the original vegetation unit, ought to be integrated into the landscape development plan. Tree planting should be used to mitigate visibility from the N1 National Road & Langenhoven Avenue however; it should not interfere with views to the mountain. Formal avenues of trees are not recommended except if arranged in an orchard pattern. To this end a landscape plan should be developed by a Landscape Architect, Technologist or Technician registered with SACLAP to address / reduce the visual impact anticipated.

Development of this nature could appear insensitive to the sensitive receptors towards the north, and measures to add screen planting in certain areas and to retain the open view in others are considered potentially effective in retaining spatial links while protecting the character of the farms. Some screening is also proposed to reduce the visual impact for residential users. The visual impact significance rating is assessed as moderate reducing to low with mitigation.

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 None

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

**16.1 Basic Assessment (Heritage) of the Remainder of Erf 460, St Helena Bay (Portion A and B): MA HM/WEST COAST/SALDANABAY/ ST HELENA BAY**

**Case No:** 16101404AS1017E

**FINAL COMMENT:**

The Committee resolved to support the application as meeting the requirement of S.38(3) of the NHRA and further support the recommendation of the HIA as follows:

**1. Palaeontology:**

In terms of palaeontological heritage, the development site is deemed to be of low to medium significance. This is not a fatal flaw but does call for vigilance and monitoring when the site is prepared. Mitigation measures by Pether 2021 are indicated below.

- a. With respect to palaeontological heritage there are no fatal flaws or predetermined NO-GO areas.
- b. During the Construction Phase a practical monitoring and mitigation programme must be implemented and be included in the EMP for the development.
- c. Due to the abundance of fossil shell in the Veldrif Formation deposits the proposed palaeontological mitigation is uncomplicated. The main recommendation is that representative shell bed sections exposed in earthworks be inspected, documented, and sampled by a specialist. At stages of the Construction Phases, the shell beds at a few sites should be recorded. If any particularly deep excavations are to be made, such as for a sewerage pump station, it must be inspected, sampled, and recorded.
- d. The rescue of fossil bones during earth works critically depends on spotting this material as it is uncovered during digging i.e. by monitoring excavation activity. As it is not feasible for a specialist monitor to be continuously present the earth works personnel must be involved in mitigation by watching for fossil bones. It is recommended that a requirement to be alert for fossil bones and archaeological material be included in the EMP for the Construction Phase/s of the developments, with the Fossil Finds Procedure in place.
- e. The Environmental Control Officer and construction supervisor must inform staff of the need to watch for potential fossil bone occurrences. Workers seeing potential bones are to cease work at that spot and to report to the field supervisor who, in turn, will report to the Environmental Control Officer. The Fossil Finds Procedure included as Appendix 2 of the PIA provides guidelines to be followed in the event of fossil bone finds in the excavations. The ECO will contact the monitoring palaeontologist appointed to be on standby in the case of finds. The latter will liaise with Heritage Western Cape on the nature of the find and suitable consequent actions such as immediate site inspection, application for a palaeontological collection permit and drafting of a work plan for the collection of the find.
- f. If a significant occurrence of fossil bones is discovered a professional palaeontologist must be appointed to collect them, to record their stratigraphic context and to compile the report to Heritage Western Cape and the IZIKO S.A. Museum.
- g. The Operational Environmental Management Plan must include an ongoing mitigation component as fossil bones may be exposed in excavations for minor works, swimming pools and in horticultural diggings. The Fossil Finds Procedure must be included, and residents must be made aware that buried bone finds, which could include prehistoric

human burials, must not be further disturbed and that the development management must be informed of discoveries.

2. Archaeology:

The proposed development area is not considered to be archaeologically sensitive apart from some very ephemeral scatters that are not worthy of mitigation. The significant midden site on Portion G is not part of the development and will remain as is.

Should any significant archaeological material be uncovered during development, however, work in the immediate area must be halted. The find will need to be reported to Heritage Western Cape and may require inspection and mitigation by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

Should any human remains be disturbed, exposed, or uncovered during excavations and earthworks for the development, work in the vicinity must cease immediately, the remains made secure, preferably in situ and the project archaeologist and HWC notified immediately. Buried remains should not be removed until inspected by an archaeologist.

3. Intangible Heritage:

This assessment has not identified any intangible heritage indicators on the site. Although an I&AP has stated that they view the site as sacred, despite a number of engagements to clarify this claim, a clear reason or supporting evidence for it has not been forthcoming. In the absence of a clear reason or evidence for the claim that the site is sacred, it is difficult to attach intangible heritage significance to the proposed development site.

4. Cultural Landscape and Visual:

The cultural landscape within the which the development area is situated is already substantially altered and rapidly changing, and the development site is bounded in the west, north and east by similar urban developments. Only the rural landscape to the south of the site on the far side of Concorde Drive retains some of its historical landscape character.

In terms of visual impacts to significant heritage, no red flags have been identified, however on a broader spatial planning level, the accumulative impact of development activities will in time affect the natural qualities of the area and transform it to a place with an urban feel. There will be visual impacts experienced by residents in adjacent areas, however this is not a heritage issue. Careful consideration will need to be paid to the urban form to both avoid monotony but at the same time create a development that is fitting.

SB/AM

**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 Palaeontological Walkdown Assessment for the Proposed Khangela Emoyeni and Umsinde Wind Energy Facility and Associated Grid Infrastructure, Near Murraysburg, Western Cape: MA HM/CENTRAL KAROO/MURRAYSBURG/UMSINDE EMOYENI WEF**

**Case No:** 14120410GT0119E

**COMMENT:**

The Committee resolved endorse the walkdown reports and to support the application and final layouts.

**SB**

**23. SECTION 27 PROVINCIAL HERITAGE SITES**

**23.1 Conservation Management Plan for Boschendal Historic Core Precinct: MA HM/CAPE WINELANDS/STELLENBOSCH/ BOSCHENDAL**

**Case No:** None

**HELD OVER:**

The matter to be tabled at the next BELCom meeting to be held on 16 March 2023.

**SB**

**23.2 Phase 2: Commonwealth War Graves Commission: Delville Woods Memorial Garden, Cape Town Company's Garden: MA HM / CAPE TOWN METROPOLITAN / GARDENS / ERF 95135**

**Case No:** 22021006SJ0221E

**RECORD OF DECISION:**

The Committee approves the application for a permit in terms of Section 27 of the NHRA to permit the construction of a new CWGC Cape Town Memorial on portion of Erf 95135 (the Delville Woods Memorial Garden in the Cape Town Company's Garden), in accordance with the plans numbered M\_000\_GA, M\_100\_GA, M\_105\_GA, M\_110\_GA, M\_200\_GA, M\_201\_GA, M\_220\_DT, dated November 2022, prepared by Dean Jay Architects appended as Annexures B1 to B7 to the Report, and subject to the following conditions to be fulfilled to the satisfaction of the City of Cape Town:

“The following conditions must be applied to ensure the sustainability of the significant existing trees and to ensure that what is proposed with regard to the construction of the posts, paving/surfacing, walkways, etc., is practical from a horticultural and arboricultural perspective.

1. Tree Survey and Landscape Plan: Please provide an accurate Tree Survey (including dripline of tree canopies, diameter of tree trunks, existing ground levels beneath tree canopies, tree species, condition / health of the trees) and a Landscape Plan by a registered Landscape Architect, with an arborist's input. These documents are to be submitted to the City's Landscape Unit in the Urban Design Branch, for inputs to the design principles. These plans must also be sent to the Area Head: Recreation & Parks, and the Principal Facility Officer of the Company's Gardens, and the City's arborist, for inputs. The principle of a flexible design to accommodate the trees must be applied with regard to choose of materials, construction methods, setbacks from trees for new structures.
2. Existing trees: Retain the following significant trees which are significant in the overall Company Gardens Landscape some of which are over 100years old. Their removal will have to be substantially motivated, with approval from the relevant City authorities – with the exception of the *Dovyalis caffra* – which should not be removed (as noted below): a. *Dovyalis caffra* (Kei apple tree): Multi-stemmed mature tree with large canopy visible from many directions on the central axis of the Gardens. b. *Clausena* sp. (near wall on south-west next to *Callistemon viminalis* (cream bottlebrush) tree. c. *Afrcocarpus latifolius*: Existing Yellowwood trees require protection of the feeder root zones, i.e. no paving up to the trees' bases.
3. Excavation principles: No major excavation within the driplines of the retained tree canopies, with these areas fenced-off to prevent impacts during the construction phase. Even 200mm depth for soil removal from the feeder root zone of the trees is too much to remove for the health of the tree.
4. Retain existing ground levels: Retain at least 70% of the area within the dripline of the tree canopies on the existing ground level. Excavations should preferably outside the dripline of tree canopies.
5. Surface materials beneath the tree canopies must be permeable to allow oxygen to the feeder root zone and rainwater infiltration and recharge of the groundwater feeding the root zones. Leave a minimum 2m x 2m wide area around existing mature trees for rainwater percolation and for oxygen.
6. Discuss arboricultural mitigation practices and obtain wayleaves with the City's Recreation & Parks Arborist prior to finalising the plans.
7. Clearly dimension all the plans, sections and elevations, to determine that adequate setbacks from trees are provided for retaining existing trees' feeder root zones, and for wall foundations and depth of excavations. Accurately show the existing tree canopies driplines overlaid on all the plans (rather than symbolic representations). 25 S27 Project Stage 2 Final Heritage Statement Company's Garden CWGC War Memorial February 2023
8. The proposed work should occur in the cooler winter months and the existing trees' feeder root zones must be mulched to minimise root desiccation.
9. Ensure the construction of the posts will not negatively impact retained existing tree root zones and their overhead canopies.
10. Maintenance: Please confirm the maintenance programme and the contractor responsible for the memorial garden with the Principal Facility Manager: Company's Gardens (Recreation & Parks)
11. PSHB: If new trees are being proposed, choose tree species that are not known hosts to the Polyphagous Shothole Borer Beetle. For example, no London plane trees, oaks, liquid amber should be planted. Data on affected tree species can be requested from the City's Invasive Species Unit."

SJ



**24. ADVICE**

**24.1**

**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.

Adopted Resolutions and Decisions