

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) via MS Teams
at 09H00 on Wednesday, 13 August 2025**



1. Opening and Welcome

The Chair, Mr David Gibbs, officially opened the meeting at 09:00 and welcomed everyone present.

2. Attendance

Members

Mr David Gibbs (DG) (Chair)
Dr Antonia Malan (AM)
Mr Cahlan Williams (CW)
Ms Sarah Winter (SW)
Ms Katie Smuts (KS)
Mr John Wilson-Harris (JWH)
Mr Chefferino Fortuin (CF)
Mr Frik Vermeulen (FV)

Staff

Ms Waseefa Dhansay (WD)
Ms Aneeqah Brown (AB)
Mr Olwethu Dlova (OD)
Ms Stephanie Barnardt (SB)
Ms Chane Herman (CH)
Emily-Jane Vowles (EJV)
Ms Sofia Vy Menell Briel (SVMB)
Ms Chiara Singh (CS)
Ms Yusrah Hoosain (YH)
Ms Xola Mlwandle (XM)

Observers

None

Visitors

Mr Graham Jacobs
Prof Walter Peters
Mr Luyanda Mpahlwa
Ms Berendine Irrgang
Ms Carien Alberts
Mr Grenville White
Mr Garry Sheard
Mr Marc Frampton
Ms Talitha Kisse
Ms Analeen Joubert
Ms Ntombekhaya Nkoana
Ms Jenna Lavin
Mr Brentt Mossick

Ms Maliza Andendorff
Mr Martin Palmann
Mr Andrew Flint
Ms Lize Malan
Ms Rochelle Nelson
Ms Adene Makin-Taylor
Ms Khanya Sidzumo
Ms Loretta Hyman
Mr Robert Galvin
Ms Bridget O'Donoghue
Mr Graeme Williams
Ms Sabrina Thorndike
Mr Omar Davids

3. Apologies

Mr Dave Saunders (DS)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 13 August 2025

The Committee resolved to approve the agenda dated 13 August 2025 without changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 9 July 2025

The Committee reviewed the minutes dated 9 July 2025 and resolved to approve them as circulated without amendments.

6. Disclosure of Interest and acceptance of the code of conduct

- SW: item 16.2
- KS: item 9.2
- DG: items 13.1 and 16.3

Ms Waseefa Dhansay presided over the nomination and appointment of an Acting Chair for the items from which the standing Chair was recused. AM proposed and FV seconded the nomination of JWH to chair the items for which DG was recused.

7. Confidential Matters

7.1 None.

8. Appointments None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

- No Appeals meeting was held in August.

The following Tribunal rulings were noted:

- 20 Stanley Road, Claremont
- Farm 40, Kasteelberg, PHS declaration

9.2 Kleinbosch Farm close out reports

KS recused herself from this item.

Ms Stephanie Barnardt introduced the case.

The Committee endorsed the close out reports prepared by Anne- Marie Fick and dated July 2025.

SB

9.3 Riebeek-Kasteel

Refer to item 16.4.

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

None

10.2 Report back from Council and other Committees

Nothing to report. IACom quarterly report to Council due 15 August 2025

10.3 Discussion of the Agenda

For discussion.

10.4 Potential/proposed Site Inspections

None

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 development on Erven 16502, 16503, 16508 & 16510-RE, Welgevallen Agri Facility, Suidwal Street, Stellenbosch: NM HM / CAPE WINELANDS / STELLENBOSCH/ ERF 16502, 16503, 16508-RE, 16510-RE

Case No: HWC24112203CH0710

Ms Chane Herman introduced the case.

Mr Graham Jacobs (heritage consultant) and Ms Maliza Andendorff were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- I&APs concerns and comments noted
- Two heritage management alternative scenarios were discussed, namely the iterative submission of plans to HWC or the implementation of a monitoring brief
- Architect and landscape architect (both) with heritage expertise to be involved in monitoring
- Rural character to be retained

RECORD OF DECISION:

The Committee endorsed the HIA prepared by Mr Graham Jacobs, dated 9 July 2025 as satisfying the requirements of S.38(3) of the NHRA. The Committee endorsed the findings of the HIA and supported the recommendations of the HIA as follows:

1. The approval of drawings numbered 4023_01 to 4023_04 all dated 07 2025 by TV3 Architects & Planners, together with Photomontages: 4023_05 to 4023_08 all dated 07 2025 by TV3 Architects &

Planners, together with landscape plan: 7764/WASP-PLP-XX-XX-DR-LA-001 Rev B dated July 2025 by Planning Partners Town Planners, Landscape Architecture, Environmental Planning & Urban Design.

2. That the current landscape plan be supplemented with details regarding new surfaces, interfaces between hard and soft edges, landscaped interfaces between historic and new realms, planted areas, fencing and other perimeter security installations: all to a separate follow up approval by HWC, and that these detail design developments be permitted to run in parallel with the municipal plans submissions for the proposed new buildings, or, alternatively, That a monitoring brief be exercised by a suitably qualified and experienced architect/landscape architect with heritage experience to provide input into the detail landscape design and monitor this work during the construction phase of the project with discretion to revert back to HWC should he/she not be satisfied with the landscaping as it develops on site;
3. That the detail lighting installations design be subject to a separate follow up approval by HWC, and that this be permitted to run in parallel with the municipal plans submissions for the proposed new buildings, or, alternatively, That a monitoring brief be exercised by a suitably qualified and experienced architect with heritage experience to provide input into the detail development of the lighting installation designs, and monitor that related work during the construction phase of the project with discretion to revert back to HWC should he/she not be satisfied with that installation design development;
4. That the recommendations contained in the archaeological report (Annexure E) dated April 2025 prepared by Dr Lita Webley be adopted, viz. that no mitigation be required but subject to the standard NHRA S.35 clause relating to unexpected archaeological finds; and
5. That the recommendations contained in the paleontological assessment dated May 2025 prepared by Dr Graham Avery regarding the monitoring of construction excavations and applications for the appropriate permit from HWC: all as set out on pp12-13 of this report, be adopted.

The Committee supported the proposal for a monitoring brief on condition that the heritage practitioner and landscape architect continued in their roles. Should the situation change, new consultants must be approved by HWC. An integrated monthly progress update will be sufficient with more detailed reports supplied at project milestones.

The approval contained in this comment is valid for 5 years from the date of this decision. This period may be extended on good reason being shown and at the discretion of HWC, provided that application for extension must be made prior to the effluxion of the 5-year period.

CH

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

13.1 Erven 4507-RE, 4508, & 4509, Nedbank and FNBs, Cnr St Georges Street & Shortmarket Street, Cape Town City Centre: MA HM / CAPE TOWN METROPOLITAN / CAPE TOWN CITY CENTRE / ERVEN 4507-RE, 4508 & 4509

Case No: HWC24010803SJ0108

DG recused himself and joined the applicants. The Committee elected JWH to chair this item.

Ms Sofia Vy Menell Briel introduced the case.

Prof. Walter Peters (heritage consultant), Mr Martin Palmann (GAPP Urban Designers & Architects), Mr Luyanda Mpahlwa (Design Network Urban Designers & Architects), Mr Andrew Flint (GAPP Urban Designers architects) and Ms Berendine Irrgang (CoCT) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The materiality and rhythm of the new addition
- Revision of the pergola
- Revisions to the street level openings

RECORD OF DECISION:

The Committee considered that the further requirements have been met. The Committee endorsed the HIA dated 15 April 2025, and the supplementary HIA dated 05 August 2025, as prepared by Prof. Walter Peters, as satisfying the requirements of S.38(3) of the NHRA. The Committee supports the recommendations on page 20 of the HIA, as follows:

1. The architects' proposals, substantially as set out in Annexure D be approved by Heritage Western Cape;
2. that details for the replacement of the cornice to Nedbank building, Lot 4507, be submitted for approval;
3. and ditto, for the interventions to the bases of each of the buildings to the triad, together with associated method statements and the proviso that any components to be removed be considered for appropriate integration within the redevelopment or safely stored for future re-use.

And on page 7 of the supplementary HIA, titled 'Appendix: Response to resolution of HWCs IACom meeting of 11 June 2025', as follows:

1. the interventions to the windows of the bases in principle, and that technical details with the inputs of experienced stonemasons be presented for approval by HWC prior to putting any work in hand;
2. the character of the additional floors as appropriate for surmounting the historic building triad; and
3. the pergola as befitting for articulating the edges of the new roof plane.

The approval contained in this comment is valid for 5 years from the date of this decision. This period may be extended on good reason being shown and at the discretion of HWC, provided that application for extension must be made prior to the effluxion of the 5-year period.

SVMB

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 Erf 870, Redelinghuys: NM

HM/ WEST COAST / BERG RIVIER / REDELINGHUYS/ ERF 870

Case No: 21081902AM0820E

Emily-Jane Vowles introduced the case.

Ms Lize Malan (heritage consultant), Ms Carien Alberts (I&AP), Ms Rochelle Nelson (I&AP), Mr Grenville White (I&AP), Ms Adene Makin-Taylor (I&AP), Mr Garry Sheard (I&AP), Ms Khanya Sidzumo (University Law Centre), Mr Marc Frampton (I&AP), Ms Loretta Hyman (I&AP), Ms Talitha Kisse (I&AP) and Mr Robert Galvin (I&AP) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- I&AP's concerns noted (though not all of these concerns pertain to heritage matters)
- Small town character noted
- Unifrutti employees will obtain title to their homes
- Principles of ensuring a sense of fit with the existing settlement qualities have been followed
- Any appeals would pertain to the DEADP environmental process i.t.o. NEMA

FINAL COMMENT:

The Committee resolved to endorse the HIA prepared by Ms Lize Malan dated June 2025 as having met the requirements of Section 38(3) of the NHRA, and resolved to support the development proposal as illustrated in Figure 33 of the HIA, on condition that:

1. The clearing of any portion of site is monitored by an archaeologist and the cleared areas are resurveyed for archaeological artefacts and should any significant finds be made, appropriate recommendations should be made in the walkdown report to HWC's HOMs, who will issue directives on the way forward, should any action be required.
2. The constitution of the Property Owners' Association of the Unifrutti employee housing estate includes a requirement that all on site construction be substantially in accordance with the layout plan and housing typologies set out in Section 10 of this report and that at least 70% of fencing (per boundary length) should be visually permeable. In this regard simple wire fencing is preferred. This requirement to be stipulated on the SDP to be submitted with the planning application.
3. Similarly, the Municipality may not approve building plans for development in the employee estate that are not substantially in accordance with the typologies set out in this Section 10 of this report and the SDP. In particular, the use of semi-detached typology wherever practical, and the planting of one tree per residential erf, should be set as a condition of the NEMA and land use approval.
4. A landscaping plan is submitted for approval to the Berg River Municipality that details the following:
 - a. Appropriate landscaping around the cemetery that will ensure privacy and dignity

- b. A list of suitable tree species for property owners to plant on their erven
 - c. Fencing between the housing estate and the nature reserve to its south and screen planting in the road reserve between the land units.
5. A management plan for the *Cullumia floccosa* “reserve” on the property to be included in the EMPr prepared by the EAP and submitted to DEADP for approval – these plans must make provision for community engagement.

The approval contained in this comment is valid for 5 years from the date of this decision. This period may be extended on good reason being shown and at the discretion of HWC, provided that application for extension must be made prior to the effluxion of the 5-year period.

EJV

**16.2 Farm 116-RE; Farm 245; Farm 113 Portions 11 and 15; Farm 114; Farm 107-RE, Dwarskerbos 2 Solar PV Energy Facility, Velddrif: NM
HM/ WEST COAST / VELDDRIF / FARM 116-RE; FARM 245; FARM 113 PORTIONS 11 AND 15; FARM 114; FARM 107-RE**

Case No: HWC24051403SB0515

Emily-Jane Vowles introduced the case.

Ms Jenna Lavin (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The REDZ (renewable energy development zones) proposals did not consider cultural landscape adequately
- Visuals of the proposals (from ground level) would be useful in assisting decision-making going forward

FINAL COMMENT:

The Committee resolved to endorse the HIA prepared by Jenna Lavin of CTS Heritage, dated April 2025 as having met the requirements of Section 38(3) of the NHRA on condition that:

1. The recommendations in the VIA are implemented
2. The recommendations made in Table 1, and Figure 6.1 are implemented. This must be adhered to in the final layout.
3. A no development buffer of 500m is implemented around the local route network. This is adhered to in the final layout.
4. The attached Chance Fossil Finds Procedure must be implemented for the duration of construction activities.
5. Should any buried archaeological resources or human remain or burials be uncovered during the course of development activities, work must cease in the vicinity of these finds. Heritage Western Cape (HWC) must be contacted immediately in order to determine an appropriate way forward.

The approval contained in this comment is valid for 5 years from the date of this decision. This period may be extended on good reason being shown and at the discretion of HWC, provided that application for extension must be made prior to the effluxion of the 5-year period.

EJV

**16.3 Proposed IPTN Phase 2A W8 Route on various Erven & Road Reserves, Ottery, South & Waterbury Roads, Wynberg & Plumstead: MA
HM / CAPE TOWN METROPOLITAN / WYNBERG / WYNBERG IRT W8 ROUTE**

Case No: HWC22100303CN1004

DG recused himself and joined the applicants. The Committee elected JWH to chair this item.

Ms Chane Herman introduced the case.

Ms Bridget O'Donoghue (heritage consultant), Ms Sabrina Thorndike (project manager), Mr Brentt Mossick (engineer) and Mr David Gibbs (VIA Consultant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Mapping of existing buildings to be demolished had been submitted
- The additional information had been included in the HIA, VIA and Urban Design Study
- It was noted that the bridge proposal remained unchanged
- The EIA has already been submitted to DEADP and that the additional information had been included in that submission

FINAL COMMENT:

1. Further requirements have been met.
2. The Committee resolved to endorse the HIA prepared O'Donoghue, dated 30 July 2025 as having met the requirements of Section 38(3) of the NHRA, and supports the following recommendations extracted from the HIA including the following:
 - a. The following specialist studies are endorsed:
 - i. Archaeological review;
 - ii. Urban Design Study;
 - iii. Visual Impact Assessment; and
 - iv. Social Impact Assessment
 - b. The full and partial demolitions on all structures listed on the following erven and street addresses are approved and no further NHRA process is applicable as there is insufficient heritage significance to warrant retention:

Full Demolitions	
Erf No.	Street Address
70086	8 Waterbury Road, Plumstead
70088	12 Waterbury Road, Plumstead
70092	18 Waterbury Road, Plumstead
70093	20 Waterbury Road, Plumstead
70094	32 Exeter Road, Plumstead
69403-RE	142 Ottery Road, Wynberg
70705	4 Honiton Road, Plumstead
71783	4 Lympshire Road, Plumstead
71816	3 Lympshire Road, Plumstead
74219	51 South Road, Plumstead

74219	53 & 55 South Road, Plumstead
74219	57 South Road, Plumstead
71817	4 Pluto Rd Plumstead
71829	4 Woodley Road, Plumstead
90494	4 Napier Road/148 Ottery Road, Wynberg
90492	79 Prince George Drive Service Road, Wynberg
90527	152 Ottery Road Service Road, Wynberg
90501	83 Prince George Drive, Wynberg
70087	10 Waterbury Road, Plumstead
70692	2 Ashbury Road, Plumstead
70697	3 Brampton Road, Plumstead
70698	1 Ashbury Road /93 South Road, Plumstead
70715	3 Ashbury Road, Plumstead
71749	4 Chudleigh Road, Plumstead
71760	3 Honiton Road, Plumstead
71835	3 Pluto Road, Plumstead
90504	1 Napier Road, Wynberg
70082-RE	2A Waterbury Road / 55 Main Road, Plumstead
70700	87 South Road, Plumstead
70701	85 South Road, Plumstead
70702	83 South Road, Plumstead
70089	14 Waterbury Road, Plumstead
71779	3 Chudleigh Road, Plumstead
71850	5 South Road, Plumstead
71851	3 South Road, Plumstead
74177	6 Pluto Road, Plumstead
74178	8 Pluto Road, Plumstead
90491	81 Prince George Drive Service Road, Wynberg

Partial Demolitions	
Erf No.	Street Address
67610-RE	51 Main Road, Plumstead, Cape Town (adjacent to public land on IB Waterbury Road)
69402	140B Ottery Road, Wynberg, Cape Town
69404-RE	6 South Road, Wynberg, Cape Town
70693	4 Ashbury Road, Plumstead, Cape Town
71798	3 Stella Weg, Plumstead, Cape Town
71815	5 Lympleigh Road, Plumstead, Cape Town
74065	1 Woodley Road, Plumstead, Cape Town
74132	4 Milford Road, Plumstead, Cape Town
69409-RE	6B South Road Plumstead
70699-RE	89 South Road, Plumstead Cape Town
74248	Main Road Plumstead
90528	154 Ottery Road Wynberg

HWC does not support the application, due to the assessed high negative impacts on the townscape, visual and social environments, particularly the bridge overpass proposal, unless the application is revised and resubmitted to HWC for assessment.

CA

**16.4 Erf 878, Fontein Street, Riebeek-Kasteel, Swartland: MA
HM / WEST COAST / SWARTLAND / RIEBEEK KASTEEL / ERF 878**

Case No: 20030413SB0603E

Stephanie Barnardt introduced the case. The Committee prepared the following Final Comment:

Heritage Western Cape was in receipt of the application for the above. This matter was first discussed at the Impact Assessment Committee (IACom) meeting held on 14 May 2025, and detailed comment was provided at the meeting. It was then tabled again at the IACom meeting of 9 July 2025, where the applicant advised that no alterations would be made to the proposal and that no updated HIA would be submitted. The applicant requested that a Final Comment be issued by HWC.

The Committee resolved to comment as follows:

Heritage Western Cape is in receipt of a Heritage Impact Assessment (HIA), submitted in March 2025, under the provisions of s38(8) of the National Heritage Resources Act (NHRA) and contained within a Basic Assessment process conducted under the National Environmental Management Act (NEMA).

Prior to discussion of the HIA, the following is set out in order to provide a background summary of the application tabled before the Committee, as well as to highlight various issues that HWC has already placed on record.

1. Background summary of the application and the process

The proposed development is located on Erf 878, Riebeek Kasteel, Western Cape. The Notification of Intent to develop (NID) application submitted in terms of Section 38(8) was considered by HWC's Impact Assessment Committee (IACom) on 19 May 2021. IACom determined that a Heritage Impact Assessment (HIA), in accordance with Section 38(3) of the National Heritage Resources Act (NHRA), must be undertaken, with specific reference to:

- Townscape Analysis
- Visual Impact Assessment
- Heritage Design Indicators
- Archaeological Impact Assessment

The HIA was assessed at the Heritage Officer Committee (HOMs) meeting on 4 March 2025, where the HOMs committee referred the matter to IACom as the committee was the original decision maker on the NID application in 2021. The HIA included the following considerations:

The site, zoned Agriculture 1, will require subdivision and rezoning for the proposed mixed-use development. There are no structures on the property except for a historic well ("the Fountain"). The land was previously used for agriculture and is currently used for grazing Springbok.

The property is assessed as having Grade IIIC significance due to its aesthetic and contextual value. It lies on the edge of the historic town, abutting Church Street (R311), with medium heritage value in the surrounding context, including the Dutch Reformed Church, Riebeek Kasteel Hotel, and other historic buildings.

Heritage Design Indicators were provided, covering location, spatial connections to the town, land uses, layout, architectural design parameters, building positions, architectural language, scale, roofscapes, streetscape interface, lighting, routes, and landscaping.

The proposed development includes:

- Secure retirement residential extension (NE section)
- Apartments (up to two storeys)
- Open market townhouses in central, lower-lying areas
- Lower-density freestanding residences on steeper slopes
- A small to medium-scale supermarket with retail along Church Street
- A public park and a secondary park/green belt to reinforce the gateway and view corridor toward the historic church steeple

2. Summary of the Committee's comments on the HIA report and Proposal

The role of Erf 878 in contributing to the heritage value of Riebeek Kasteel and its broader townscape cultural landscape context are overarching considerations in the Committee's comments set out below.

Riebeek Kasteel has high historical, aesthetic and architectural value being highly representative of a 19th century 'kerk dorp' situated in the Swartland region. It is worthy of formal protection as a Grade IIIA heritage resource in terms of its distinctive intact townscape qualities, landscape setting and conservation-worthy built form. The historic core of the town including Erf 878 is located within a proposed Heritage Area.

The town is located on the foot slopes of the Kasteelberg overlooking the broad expanse of the Berg River Valley with a strong sense of place in relation to topography, the Krom River and historical patterns of movement between outer lying settlements. Contributing to the town's heritage significance are its unique historical spatial linkages with Riebeek West with both settlements contributing to the Kasteelberg Cultural Landscape which has heritage value that is worthy of formal protection as a Grade IIIA heritage resource.

Cradled between two spurs, the town's distinctive rectangular grid and varied orthogonal street block pattern is laid out in response to topographical conditions, being positioned at right angles and below the R311 with its Main Road providing the only access point off the R311 and serving as the primary structuring route or high street. Mid-way along this route is the church with an elevated position contributing to its visual prominence and landmark qualities.

An overarching townscape quality of Riebeek Kasteel is its remnant agrarian qualities with agriculture and green spaces interspersed with urban fabric creating a green frame, and the surrounding hill slopes creating a sense of topographical containment. Furthermore, the town has a strong 'dorp' identity due to the very clear distinction between its historical core and the surrounding well cultivated agricultural landscape.

The R311 has historical scenic route qualities linking the towns of Riebeek West and Riebeek Kasteel, Traversing the footslopes of the Kasteelberg the R311 offers varied visual conditions including broad expansive views across the valley and framed townscape views. Also contributing to the varied experiential qualities of the R311 is the juxtaposition of agriculture, green open space and built fabric along its edges. Erf 878 contributes to these scenic route qualities.

Given the high heritage value of the townscape and cultural landscape context, any expansion of Riebeek Kasteel requires a cautious heritage management approach. The role of Erf 878 in contributing to this heritage value and its ability to accommodate new development requires a rigorous and convincing heritage assessment across scales.

The HIA report has failed to address key considerations in the assessment of heritage value of the site and the heritage management implications thereof. While the HIA report includes a townscape study, the heritage management implications of this study are inadequate.

Key heritage management considerations include the following:

- The strategic location of Erf 878 within a Grade IIIA heritage context, adjacent to a scenic route and close to the historic entry point to the town.
- The topographical conditions of the site contributing to townscape and landscape qualities, a sense of topographical containment, shown in a clearly defined cross-section.
- The nature of the green interface with the R311 contributing to its scenic qualities with views across the site towards the town and its landmark church.
- The character of the historic core of the town with its open grid system, street block pattern, street character and a clearly defined public structure centred along a high street and around a fine-grained commercial core and village square.
- The significance of the green 'koppe' positioned inside the town
- The nature of the composition of the historical town in relation to high order civic functions, the church, public amenities, and commercial activities.

The HIA report identifies Erf 878 as having Grade IIIC heritage value. While the report acknowledges its location within a proposed Heritage Area, the nature of this IIIC grading is not adequately unpacked with the clear spatialisation of heritage indicators. For instance:

- The presence of a prominent hill contributing to a topographical green frame to the town.
- The HIA report does not address the need for the identification of a 'no-go' development area on visually exposed slopes, ridgelines and the crest of the hill.
- The role of the site in creating a green interface with the R311 scenic route and offering a prominent view across a green space towards the town and the landmark qualities of the church.
- The HIA does not address the need for the identification of a shaft of green open space to protect this view and a clearly defined setback from the R311 to protect its green edges.
- The HIA makes no attempt to enhance the 'kerk dorp' qualities of the town, and in doing so makes flawed comments and recommendations when supporting the proposed development.
- The HIA lacks a credible urban design study to inform how the land should be utilized. There are clear indications that the submitted urban design exercise was undertaken to motivate the development rather than inform it.

There is major disjuncture between the HIA heritage indicators and the proposed development for the following reasons:

- The heritage indicators require that the development of Erf 878 should read as an extension to the town including its visual and spatial integration with the historic street pattern and the avoidance of gated neighbourhoods.
- However, the proposed development is at variance with the historic street pattern with the creation of a series of introverted gated residential neighbourhoods which are detached from the historic core with limited points of connectivity. Furthermore, the proposed business/retail centre is at variance with the fine-grained nature of the town and detracts from the existing high street and commercial centre with its role as the centre of gravity of the town. It is clearly not the correct position to introduce large scaled commercial activity to the Town. Furthermore, it is noted that the is better positioned zoned land outside the historical core to accommodate a use of this order.
- The heritage indicators require that the development of Erf 878 responds positively to the topographical conditions of the site, including the hill'.
- However, the proposed development intrudes across the prominent hill including the crest of the hill interrupting its contribution to a sense of topographical containment and green frame to the town. There is an over reliance on tree planting to mitigate this negative visual impact.
- The heritage indicators require that the proposed development responds positively to the scenic route qualities of the R311.
- However, the proposed development will have a negative impact on the scenic qualities of the R311 in terms of the following:

The proposed development intrudes into the shaft of green space associated with the view cone from the R311 towards the town and its landmark church.

- The scale and nature of retail development immediately adjacent to the R311 will impact the experiential qualities of this portion of the route which is characterised by the juxtaposition of agriculture, green open space and fine-grained built fabric along its edges.
- The proposed development turns its back on the R311 with the rear boundaries of the residential properties backing onto the R311.
- The provision of new access routes off the R311 will impact its rural road geometry and the historic route structure of the town and the primary role of the high street.
- The proposed development makes very little, if any, to attempt link or 'stitch' itself to the historical town. On the contrary, it presents itself as three distinct separate residential enclaves taking access off the R311. This will result in the physical erosion of the containment of the town.

Summary Statement:

For the reasons outlined above:

- The HIA does not meet the requirements of Section 38 (3) in that the heritage significance of Erf 878 and heritage impacts of the proposed development have not been adequately addressed.
- The Committee does not support the proposed development in its current form as it will have a major negative impact on the townscape and landscape qualities of Riebeek Kasteel and proposed heritage area.

3. Compliance of HIA with the provisions of section 38(3) of the NHRA

HWC is obliged, in terms of the provisions of s38(8) of the National Heritage Resources Act, (NHRA), to give consideration as to whether the evaluation of the impact of the development on heritage resources fulfils the requirements of the relevant heritage resources authority in terms of s38(3) of the NHRA.

It is the view of the IACom, being the delegated Committee to issue comment on behalf of HWC in terms of s38(8), that the HIA as tabled does not comply with the provisions of s38(3) of the NHRA.

For ease of reference, the comment which follows is structured under the subsections of s38(3) of the NHRA.

(a) Identification and mapping of all heritage resources in the area affected

The Committee endorses the identification of heritage resources.

(b) Assessment of the significance of such resources

In the HIA, the townscape as identified in the proposed heritage area (including the subject site) is recommended as a Grade IIIA heritage resource. The site is however assessed with Grade IIIC significance. This discrepancy is not explained in the HIA.

Even if the site only had Grade IIIC significance, which is disputed, the proposal does not respond to the contextual significance and townscape considerations. The enduring townscape / urban morphology of the town as a whole is the foremost heritage resource, which gives it its character.

The significance of the heritage resources is underplayed in the HIA and are not endorsed by this Committee.

(c) Assessment of the Impact of the development on such heritage resources.

The assessment of the impacts of the development is inadequate and the irreversible impacts on the greater townscape are downplayed. Numerous heritage indicators are not complied with, e.g.

- *“The development should be an extension of the town that is connected through roads, pattern of buildings development, scale and architectural language”;*
- *“Spatial connection between the existing town and the proposed neighbourhood.”*
- *“The proposed neighbourhood should physically and visually connect to the town i.e. the town’s streets should continue into the proposed neighbourhood;”*
- *“The proposed neighbourhood should not be an exclusive use / gated development, but instead an extension of the town.”*
- *“The town’s historic grid pattern provides a clear ordering device for the layout of the new neighbourhood.”*

Instead, the proposal is entirely foreign to the townscape of the historical town and the applicant’s argument that this is merely a response to the topography, is not convincing.

The VIA finds that *“the development will have a moderate-high visual impact, causing a noticeable change to the visual environment”*. However, it then continues to focus on mitigation by a continuation of the

densely planted landscape / tree canopies, and states that the proposed development will only have a high visual impact to the local environment". Due to the visual prominence of the site, this statement is disputed.

The Urban Design Study concludes that the development should be *"an extension of the town, that fits within its context and contributes positively to the character of Riebeek Kasteel."* Also, that *"the town's grid pattern, which runs east-west with intersecting streets, is a primary ordering device. This grid informs the layout of new developments, despite topographic challenges."* The proposed layout does not do that. It is not an extension of the town, but an introverted system of suburban "neighbourhoods".

The proposal does not comply with many of the most important heritage indicators and the assessment of the impact of the development does not satisfy the requirements of this subsection.

(d) Evaluation of the Impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development.

Whilst it is acknowledged that there may be a potential economic benefit to developing the site, the social and economic benefits are outweighed by the detrimental heritage impacts to the town.

The proposal is not aligned for the greater public good - it is inward looking. This is particularly the case with the "Hill Village", which is a security complex that wraps over the hill. The negative visual impact is exacerbated by closely spaced houses along the crescent and the sameness layout and design that a security complex brings.

Instead of being a seamless extension of the town ('onderdorp' and 'bo-dorp'), the proposal is a group of introverted "villages", detached from the existing historic town, with very few entrances, all unrelated to the historic layout of the town itself.

(e) Results of consultation with communities affected by the proposed development and other Interested parties regarding the Impact of the development on heritage resources.

This requirement has not been complied with.

In fact, it is possibly the greatest flaw in the HIA process. Not only has there been no meaningful further engagement with the I&APs or the comments put forward. There has also not been any formal response to the detailed comments made by HWC at the IACom meeting of 14 May 2025.

There have been no revisions to the proposals, in response to comments. Neither has there been an update of the HIA report of February 2025. The HIA report is therefore not an up-to-date or integrated report and the HIA process is incomplete.

(f) If heritage resources will be adversely affected by the proposed development, the consideration of alternatives.

This requirement has not been complied with, as there has been no meaningful consideration of alternatives, in response to heritage impacts.

A number of alternatives were initially considered prior to the HIA process, and four of these are included

in the HIA report, but they were essentially the same in nature - a group of introverted “villages”, detached from the existing historic town. Minor changes in land use distribution were explored, but no changes to the overall development typology or urban design.

(g) Plans for mitigation of any adverse effects during and after the completion of the proposed development.

There is an emphasis on mitigation in the HIA, e.g. landscaping, as opposed to fixing the underlying flaws. One of the most obvious flaws is that in a historic town, development should be *against* the hill, not *on top* of the hill. There should be a cut-offline for development. The 170m contour line would be reasonable to avoid breaking the ridgeline of 180m MSL.

The contextually alien layout and visually intrusive development on top of the hill are however not aspects that can be mitigated or landscaped away. It wholly ignores the broader issues pertaining to the cultural landscape of the historic town, specifically its townscape. This requirement has therefore not been complied with.

Conclusion

Section 38(8) provides for the approval of a development by DEADP as the consenting authority, as part of a NEMA process, “provided that the consenting authority must ensure that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of subsection (3), and any comments and recommendations of the relevant heritage resources authority with regard to such development have been taken into account prior to the granting of the consent.”

The HIA only complies with 1 of the 7 provisions of Section 38(3) of the NHRA, and it is noted that until the issues as identified above are addressed, the HIA is incomplete and fatally flawed, and the Committee is not in a position to endorse it.

The Committee request that DEADP, as the consenting authority, engage with HWC, as the commenting heritage resources authority, on this matter before taking a decision on the Final BAR, as required i.t.o. the Standard Operating Procedure (SOP) between DEADP and HWC.

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.

29. CLOSURE:

The meeting adjourned at 13:20

30. DATE OF NEXT MEETING:

10 September 2025

MINUTES APPROVED AND SIGNED BY:

CHAIR:

DATE:

SECRETARY:

DATE: