

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via MS Teams
at 09H00 on Wednesday, 13 November 2024**



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)
Ms Sarah Winter (SW)
Ms Katie Smuts (KS)
Mr John Wilson-Harris (JWH)
Mr Chefferino Fortuin (CF)
Mr Dave Saunders (DS)
Ms Jenna Lavin (JL) (IGIC)
Ms Laura Malandri (LM) (IGIC)
Ms Emmylou Bailey (EM) (IGIC)
Ms Robyn Humphreys (RH) (IGIC)
Mr Ron Martin (RM) (IGIC)

Staff

Mr Jonathan Windvogel (JW)
Mr Olwethu Dlova (OD)
Ms Stephanie Barnardt (SB)
Ms Corne Nortje (CN)
Ms Penelope Meyer (PM)
Ms Chane Herman (CH)
Ms Aneeqah Brown (AB)
Emily-Jane Vowles (EJV)
Ms Chiara Singh (CS)
Ms Nosiphiwo Tafeni (NT)
Mr Ruan Brand (RB)
Mr Shichavo Austine Vhukeya (SAV)
Mr Yusrah Hoosain (YH)
Ms Sneha Jhupse (SJ)
Ms Cecilene Muller (CM)
Ms Sofia Briel

Observers

None

Visitors

Ms Hettie Sutherland
Mr Daryl Sher
Mr Anton Pelser
Mr Philip Smith
Mr Bruce Wilson
Ms Lize Malan
Adv Peter Kantor
Ms Patricia Botha
Mr Piet de Beer
Ms Josephine MacRobert
Ms Antonieta Jerardino
Mr Theron Van Wyk
Ms Quahnita Samie
Ms Grenville White
Ms Protheroe Myles
Ms Siginde Manglele

Mr Henry Aikman
Mr Kobus van Wyk
Mr Johan Cornelius
Mr Joné Krös
Mr Chris Snelling
Ms Azile Kutwana
Ms Berta Hayes
Mr Wickus Neethling
Mr Andrew Sharp
Mr Robert Gubb
Ms Berendine Irrgang
Ms Marisa Hesselning
Ms Tamar Shem-Tov
Ms Jennie de Jager (JdJ)
Chief Kevin Maart
Bobby Gould-Pratt

3. Apologies

Ms Samantha Lee (SL)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 13 November 2024

The Committee resolved to approve the agenda dated 13 November 2024 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 16 October 2024

The Committee reviewed the minutes dated 16 October 2024 and resolved to approve them as circulated without amendments.

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

- DG: items 15.2 and 15.3

7. Confidential Matters

None.

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

PM reported back on the following Appeals matters:

- Erf 56345, 17 Feldhausen Avenue, Claremont (Appeal against BELCom decision)
- Erf 16443, 55 Fenton Road, Salt River (Appeal against BELCom decision)
- Farm 950-Re, Vrede en Lust Farm, Simondium

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

- Proposed Development of a Linear Commercial Complex and Service Station on Farm 1006 Portion 4 of Portion 1, Meerlust, Huguenot Road, Stellenbosch

10.2 Report back from Council and other Committees.

Nothing to report.

10.3 Discussion of the Agenda

For discussion.

10.4 Potential/proposed Site Inspections

- Proposed Redevelopment on Erven 367-Re & 617, Strand Street Quarry, Bo-Kaap, Cape Town

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 Redevelopment on Remainder Erf 31990, Corner of Rhodes Avenue and Main Road, Mowbray: MA HM/ CAPE TOWN METROPOLITAN/ MOWBRAY/ ERF 31990-RE

Case No: HWC24071109CN0717

Ms Chane Herman introduced the case.

Mr Johan Cornelius (heritage consultant) and Mr Kobus van Wyk (architect) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- No comment from RAMPAC, received indications that the incorrect email address was used to communicate.
- Comment from CoCT received.
- Questions about procedures.
- Original HIA in 2012.
- The applicant disagreed with the requirement for a new NID but had submitted the new NID (subsequent to the submission of an updated HIA).
- Response to NID requires special study (still outstanding).

FURTHER REQUIREMENTS:

HWC requires the submission of an HIA including the outcome of public participation together with the specialist studies previously required, within the response to the new NID. The HIA is to include a comparative analysis illustrating the differences and similarities between the previously approved scheme and the currently proposed scheme.

CH

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 Development of a Linear Commercial Complex and Service Station on Farm 1006 Portion 4 of Portion 1, Meerlust, Huguenot Road, Stellenbosch: MA HM / CAPE WINELANDS / STELLENBOSCH / FARM 1006 PORTION 4 OF PORTION 1

Case No: 21070811AM0723E

Emily-Jane Vowles introduced the case.

The Committee members provided a report back on the site inspection undertaken on Friday, 25 October 2024.

Mr Henry Aikman (heritage consultant), Ms Berta Hayes (Stellenbosch Interest Group) and Ms Patricia Botha (Stellenbosch Interest Group) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site inspection report was tabled.
- Opportunity for better integration into context.
- Mitigation of impact of service station architecture as an example of response to context, e.g. Paradise Motors.
- Architectural response to context could reference the more industrial adjacencies.

INTERIM COMMENT:

HWC does not support the proposal in its current form and recommends better integration into the context, paying attention to placemaking. HWC recommends heritage-related urban design input to address contextual integration.

EJV

15.2 Proposed Redevelopment on Erven 367-Re & 617, Strand Street Quarry, Bo-Kaap, Cape Town: NM HM / CAPE TOWN METROPOLITAN / BO-KAAP / ERVEN 367-RE & 617

Case No: HWC24030710SJ0515

HELD OVER:

The Committee resolved to undertake a site inspection.

SJ

15.3 Proposed Development on Portion 37 of Farm 74, Farm Kanu, along the R304, Stellenbosch: MA HM / CAPE WINELANDS / STELLENBOSCH / FARM 74

Case No: 22042615NK0429E

DG recused himself and joined the applicant. The Committee nominated DS to chair this item.

Ms Chiara Singh introduced the case.

Ms Lize Malan (heritage consultant), Ms Berta Hayes (Stellenbosch Interest Group) and Ms Patricia Botha (Stellenbosch Interest Group) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- General support for the principle of introducing uses that are compatible.
- Visual considerations.
- Tree planting.
- Compliance with the SDF.
- Mitigating measures for light pollution and screening of massing.
- Quality of 3D images contain in the HIA.
- Previous IACom comments requested more detailed information related to concerns of scale. The drawings in the first submission were more detailed than the current submission.
- General support for design and landscaping and intent.
- The siting of the various components will not undermine the agricultural viability and the working farm components of the property.

INTERIM COMMENT:

The Committee requires additional information pertaining to the scale and massing of the hotel component. This is to include 3D imaging with views from ground level taken at 2 points from the dam wall and any other key vantage points. The purpose of this information is to more clearly demonstrate a sense of fit of the proposed development in the landscape.

CSin

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

**16.1 Proposed Residential Units, Erf 66-Re, Elands Bay: MA
HM / WEST COAST / CEDERBERG / ELANDS BAY**

Case No: 21110815SB1108E

Ms Stephanie Barnardt introduced the case.

Mr Anton Pelser (heritage consultant), Ms Quahnita Samie (heritage consultant) and Adv Peter Kantor (legal representative) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Case officer site inspection report.
- Lack of integration within HIA.
- The public participation comments received have not been assessed and integrated to the recommendations of the HIA.
- Good questions have been asked but not responded to.
- Question of authorship of planning layout.
- Visual mapping (figs 5,6 & 7) is not clear enough for assessing relationships and broader context.
- Insufficient context analysis.
- Public open house meeting needs to be facilitated for proper public consultation and follow established best practice.
- Independence of specialist studies to be maintained.

FINAL COMMENT:

The Phase I HIA does not meet the requirement of S38(3) of the NHRA as it lacks the integration of a broader contextual analysis and the public participation process is incomplete.

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 Draft CBD Local Spatial Development Framework: NM

Case No: N/A

Mr Jonathan Windvogel introduced the case.

Ms Berendine Irrgang (CoCT) and Ms Sigcine Mangele (CoCT) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- There is a legal requirement for SDFs to be submitted to HWC for comment and to satisfy the requirements of S30(5) including the designation of possible heritage areas.
- Concerns around height heat map with respect to level of detail.
- The proposed HPOZ has not yet been declared.
- Need clarity between existing HPOZ and proposed heritage clusters i.to legislative relationship.
- Request to see a map of proposed HPOZ boundary with height heat map, Cape Town CBD area overlay and Cape Town urban design.
- The history of District 1 and District 6.
 - Public memory and intangible heritage.
 - Retaining historic core.
 - Connection to Good Hope Centre precinct east and west of the CBD.

COMMENT:

HWC comments to be further developed. City of Cape Town to revert on time frames for HWC comment.

JW

28. Adoption of decisions and resolutions

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

29. CLOSURE:

The meeting adjourned at 13.50.

30. DATE OF NEXT MEETING:

3 December 2024

MINUTES APPROVED AND SIGNED BY:

CHAIR: DATE:

SECRETARY:

DATE: