

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams
at 09H00 on Wednesday, 19 July 2023**



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)
Mr Dave Saunders (DS)
Ms Sarah Winter (SW)
Ms Katie Smuts (KS)
Ms Samantha Lee (SL)
Mr Chefferino Fortuin (CF)
Mr John Wilson-Harris (JWH)

Staff

Ms Waseefa Dhansay (WD)
Ms Nosiphiwo Tafeni (NT)
Ms Stephanie Barnardt (SB)
Mr Robin George (RG)
Ms Sneha Jhupsee (SJh)
Ms Colette Scheermeyer (CSc)
Ms Xola Mlwandle (LM)
Ms Penelope Meyer (PM)
Ms Nauchina Rahim (NR)
Ms Ayanda Mdludlu (AM)

Observers

None

Visitors

Ms Auriel Jordaan
Ms Anne-Marie Fick
Ms Cindy Postlethwayt
Mr Clive Theunissen
Mr Henry Aikman
Mr John Hesom
Mr Stephan de Kock
Ms Jenna Lavin
Ms Ansoné Esterhuizen
Ms Bridget O'Donoghue

Mr Phillip Smith
Mr Richard Fienberg
Mr Chefferino Fontein
Ms Greta??
Mr Chris Snelling
Ms Asavela Siqangwe
Mr Cahlan Williams
Ms Berta Hayes
Ms Caryn Clarke
Mr Jonathan Kaplan

3. Apologies

None

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 19 July 2023

The Committee resolved to approve the agenda dated 19 July 2023 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 19 April 2023

The Committee reviewed the minutes dated 21 June 2023 and resolved to approve them as circulated without amendments.

6. Disclosure of Interest

- DG: item 13.2 and 16.2
- KS: item 13.1

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:

- SDP amendment from previously approved HIA - Erf 2189, 8 Granger Bay Boulevard, Green Point
- Proposed Total Demolition on Erf 55183, 24 Bishopslea Road, Claremont
- Proposed Hotel, Quay 7, East Pier Precinct, V&A Waterfront
- Proposed construction of a temple, administrative unit, and utility building on Erf 160695, 80 Liesbeeck Ave, Observatory
- Proposed redevelopment of Hospital and Park, Earl Street, Woodstock
- Erf 82, 11 Blackheath Street, Three Anchor Bay, Sea Point

9.2 IACom Meeting to be held on 23 August 2023

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

- Zomerlust Residential Development on Erf 21875, 193 Main Street, Paarl
- Proposed Development on Portion 2 of Farm Calais No. 6000, Paarl
- Proposed M3 Road Widening and Pedestrian Bridge, Bishopscourt

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 residential development on Erf 13182, Thokozani Street, Wellington - Diemersfontein Wine Estate
- Proposed Development of New Farmstead on Bo-Helderberg Farm 1252, Stellenbosch

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 Sommerlust residential development on Erf 21875, 193 Main Street, Paarl: MA HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ ERF 21875

Case No: 22072610SB0827E

KS recused herself and logged-off from MS Teams.

Ms Stephanie Barnardt introduced the case.

The Committee reported back on the site inspection that was undertaken in July 2023. See attached annexure SI1. Ms Sarah Winter gave the site inspection report.

Ms Anne-Marie Fick, Mr Clive Theunissen and Mr Stephan de Kock were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site inspection report was presented and discussed.
- AIA recommendations were noted but have not been reflected in the site planning.
- Phase1 HIA should focus on the identification and assessment of heritage resources and the formulation of heritage indicators and must include the spatialization of relationships between resources (e.g., the buildings forming a 'werf' cluster).
- There is a linear quality to the site, and there is a rural sense of place related to the 'werf'.
- The site planning of the proposal seems dominated by excessively scaled infrastructure (e.g., access roads and parking decks overwhelming the existing character of site).
- There is a need for the spatialization of the heritage indicators, including the retention and positive response to different character areas and landscape elements across the site as well as opportunities for place making and edge definition.
- A landscape plan is required, and the site survey must include the extent of existing tree canopies.

FURTHER REQUIREMENTS:

The heritage indicators need to be further developed and spatialized graphically (through diagrams, plans and sections) in conjunction with heritage related landscape and urban design assessment to determine the site's carrying capacity and potential to absorb further development. This landscape and urban design assessment is to include an updated survey of existing trees and the extent of their canopies.

The committee requires the appointment of suitably qualified built environment professionals with the following skills: Urban design, landscape architecture, architecture, and heritage practice to analyze the site and to conceptualize the proposals for development in keeping with the character of the site, from a place-making heritage perspective.

SB

**13.2 Proposed residential development on Erf 13182, Thokozani Street, Wellington - Diemersfontein Wine Estate: NM
HM / CAPE WINELANDS / WELLINGTON / ERF 13182**

Case No: 22042610NK0429E

RECORD OF DECISION:

The Committee resolved to undertake a site inspection on Thursday 3 August 2023 (DG, JHS, DS, KS, SW, and CF).

CN

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

**14.1 Propose Development of New Farmstead on Bo-Helderberg Farm 1252, Stellenbosch: NM
HM/BOLAND/ STELLENBOSCH/ FARM 1252**

Case No: 21120706SB1207E

Ms Ayanda Mdludlu introduced the case.

Ms Jenna Lavin and Ms Berta Hayes were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- 300m contour height as an upper limit to development.
- 'Pods' implies a small-scale structure, whereas the 'pods' in question are fairly large "chalets".
- Touching the earth lightly implies that the structures stand out, whereas 'digging-in' might result in reduced visual intrusion.
- The 3D renders of the proposed pods do not reflect the site topography or the proposed mitigation measures.
- Mitigation of 'pods' to be indicated on the drawings – i.e.-visualizations to be updated in response to the mitigation measures.

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Thursday, 3 August 2023 (DG, JHS, DS KS, SW, and CF). The 3D visualizations are to be updated to reflect mitigation measures.

AM

15 SECTION 38(8) NEMA INTERIM COMMENTS**15.1 Proposed development on Portion 2 of Farm Calais No. 6000, Paarl: MA HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ PTN 2 OF 6000**

Case No: 22021102SB0221E

Ms Stephanie Barnardt introduced the case.

The Committee reported back on the site inspection that was undertaken in July 2023. See attached annexure SI2.

Ms Cindy Postlethwayt and Mr Clive Theunissen were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site inspection report was discussed.
- The site lies within a transitional zone.
- Distant views of mountains, however vegetation and topography preclude sweeping views across the landscape from the scenic route.
- Further detail (particularly the higher density portions of the proposal as well as adjacent to the scenic route) to be supplied at building plan stage for local authority review.

FINAL COMMENT:

The Committee resolved to endorse the HIA prepared by Cindy Postlethwayt dated May 2023 as meeting the requirements of S38(3) of the NHRA. The Committee further supports the recommendations of the HIA as follows:

1. In terms of the Section 38(8) of the NHRA, the committee supports the proposed development, generally in accordance with the proposal included as Annexure E in the HIA report and subject to the implementation of the mitigation measures described in section 15 of the HIA report.
2. The Committee approves the demolition of any structures older than 60 years on the property (as the proposed demolitions does not impact on any structures of heritage significance).

SB

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

Case No: 21070812RG0411E

Mr Robin George introduced the case.

Mr Henry Aikman, Mr Richard Fienberg and Ms Greta were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The item was added to the agenda late.
- Supplementary reports and the updated site development plan were tabled.
- The report did not address fully Section 5 (7) with proposed mitigation proposals with regards to the social component and the sense of place Section 3 (3) (a) (h) in relation to the “Strawberry Farm history” and spatial development with regards to this erf. The author in the disclaimer reports that she focused on the information which was provided and some of her own research and did not do any further research (page 2 Melanie Attwell and associates report) further not fulfilling the requirements of Section 5 (7) (f).
- The Committee noted the inclusion of private open space (within the updated SDP) which provides visual connectivity; however, this contributes no spatial improvement to the narrow public access way, therefore the concerns previously raised by the committee remain.

FINAL COMMENT:

The Committee upholds its previous comment that the watercourse and associated open space system be treated as the primary heritage resource and design informant and with respect to the broader green open space network. While the revised SDP accommodates a broader green space along Willow Road, public access to the greenbelt system is still limited to a narrow access way, which is problematic.

RG

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

**16.1 Proposed M3 Road Widening and Pedestrian Bridge, UCT: MA
HM/CAPE TOWN METROPOLITAN/UCT/M3**

Case No: 21062507SB0920E

DG recused himself and joined the audience. The Committee nominated SW to chair this item.

Ms Stephanie Barnardt introduced the case.

The Committee reported back on the site inspection that was undertaken in July 2023. See attached annexure SI3. DS presented the site report.

Mr Bridget O'Donoghue and Jeremy Rose were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site inspection was discussed.
- The detailed design of the embankment to the rear of the Summer House was discussed with concerns raised pertaining to the verticality of the portion directly behind the structure.
- The preference is for the retention of the sloping nature of the embankment in its entirety and as a continuous linear element.
- The need for revised drawings for the embankment to be submitted.
- The design of the pedestrian bridge and its access ramps to be submitted to HWC for comment.

INTERIM COMMENT:

The Committee requested revised drawings for the treatment of the embankment adjacent to Summer House and the submission of design proposals for the pedestrian access ramps adjacent to Mostert's Mill prior to issuing final comment. The Committee agreed to review the revised drawings and issue a comment by email.

SB

**16.2 Proposed Moddergat Sand Mine, Near Worcester, Breede Valley, Farm 44/18 and Farm 499/23:
NM
HM/CAPE WINELANDS/BREEDE VALLEY/ FARM 499/18 &499/23**

Case No: 21062507SB0920E

Ms Stephanie Barnardt introduced the case.

Mr Jonathan Kaplan was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Objections to the findings of the HIA received from the part-owner of the property.
- Stone packed walls, pottery fragments, etc. noted as heritage resources within the vicinity, though not evident within the footprint of the proposed sand mine site itself.

FURTHER REQUIREMENT

Mapping of heritage resources identified within the objection is required to determine their proximity to the mining site, and measures for mitigation are to be proposed for any resources potentially impacted negatively by the proposed mining activity. This is to be submitted to HWC's HOMs for processing.

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 None

25 SECTION 42 HERITAGE AGREEMENTS

25.1 None

26. OTHER

26.1 Heritage Management Plan for the Proposed Development of the 301MW Moya Solar Photovoltaic (PV) Facility and Associated Infrastructure near Matjiesfontein, Western Cape: MA HM/ CAPE WINELANDS/ WITZENBERG /FARM 155 AND PTN 1 OF FARM 156

Case No: 20070908SB0727E

Ms Stephanie Barnardt introduced the case.

Ms Caryn Clarke was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The 50m buffer applied to the Old Trunk Road was discussed.

ENDORSEMENT:

The Committee resolved to endorse the heritage management plan as prepared by PGS Heritage dated 18 January 2021, subject to the following condition: any proposed deviations to the heritage management plan must be submitted to HWC for review prior to implementation.

SB

27 Adoption of decisions and resolutions

DS proposed the motion to adopt the decisions and resolutions of the committee. KS seconded the motion. The motion was carried with all in favour. The Committee resolved to adopt the decisions and resolutions as recorded above.

28. CLOSURE:

The meeting adjourned at 14:00

29. DATE OF NEXT MEETING:13:

23 August 2023

MINUTES APPROVED AND SIGNED BY:

CHAIR:



DATE: 23 August 2023

SECRETARY:



DATE: 23 August 2023