

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via MS Teams
at 09H00 on Wednesday, 6 December 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)
Dr Antonia Malan (AM)
Ms Sarah Winter (SW)
Ms Katie Smuts (KS)
Ms Samantha Lee (SL)
Mr Chefferino Fortuin (CF)
Mr Dave Saunders (DS)

Staff

Ms Corne Nortjie (CN)
Mr Olwethu Dlova (OD)
Ms Stephanie Barnardt (SB)
Ms Chane Herman (CH)
Ms Sneha Jhupsee (SJh)
Ms Penelope Meyer (PM)
Ms Naushina Rahim (NR)
Ms Nosiphiwo Tafeni (NT)
Ms Xola Mlwandle (XM)

Observers

None

Visitors

Ms Cindy Postlethwayt
Mr Ricky Stone
Mr Pieter Buttgens
Ms Anne-Marie Fick
Ms Auriel Jordan
Mr Daniel Erasmus
Mr Ritz de la Bat
Mr Stefan de Kock
Ms Jenna Lavin

Mr Henry Aikman
Mr Michael Hendrickse
Mr Rudi Botha
Mr Chris Snelling
Mr Zwelibanzi Shiceka
Mr Graham Jacobs
Mr Mike Scurr
Ms Claire Abrahamse

3. Apologies

Mr John Wilson-Harris (JWH)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 6 December 2023

The Committee resolved to approve the agenda dated 6 December 2023 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 15 November 2023

The Committee reviewed the minutes dated 15 November 2023 and resolved to approve them as circulated without amendments.

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

- KS: item 13.1 and 13.2
- AM: item 13.1
- DG: item 16.1

7. Confidential Matters

None

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

NR reported back on the following appeals matters:

- Proposed additions and alterations on Erven 93 & 665, Church Street, Tulbagh: S27-A&A

9.2 Block 28: Request regarding ROD to not be issued, Legal to assist

The matter was removed from the agenda.

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

- Upgrade of R310 (MR168 and TR2/1) and Quarterlink on TR2/1, Baden Powell Drive, 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

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 Upgrade of R310 (MR168 and TR2/1) and Quarterlink on TR2/1, Baden Powell Drive, Stellenbosch: MA HM / CAPE WINELANDS / STELLENBOSCH / R310 UPGRADE

Case No: X110831TG02

The Committee members reported back on the site visit undertaken on the 27 November 2023. See attached site inspection report, attached as annexure SI1.

Ms Sneha Jhupsee introduced the case.

Ms Cindy Postlethwayt (heritage consultant obo Spier), Mr Henry Aikman (heritage consultant obo Department of Infrastructure), Mr Ricky Stone (Cullinan & Associates obo Spier) and Mr Michael Hendrickse (Department of Infrastructure) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Notwithstanding the engineering requirements of the mobility route, the negative impact upon the heritage resources, in particular the rural cultural landscape quality, is unacceptable, and the appallingly insensitive lack of appropriate fit to context must not be repeated in any future road infrastructure projects contemplated within the Cape Winelands or elsewhere in the province.
- The high negative impact of the completed work on the rural scenic route qualities of the R310
- The nature of the engineering interventions has destroyed the rural character of the scenic route in terms of the following:
 - Excessive road widths
 - Concrete paved medians
 - Elevation of the road above natural ground level
 - Streetlights (urban typology)
 - Use of berms reducing the views into the landscape
 - Changes in terms of historical patterns of access
 - Concrete retaining walls
- Alternative approach required to mitigate impact on the road upgrade in terms of retaining the road cross section as far as possible, softer treatment of the medians, lighting, patterns of planting, etc.
- The need to clarify the timing and scope of the landscape and urban design input as per the HWC and DEA&DP requirements for such input. The absence of such input at an earlier stage in the process has had damaging consequences in terms of heritage impacts.

INTERIM COMMENT:

HWC previously required the submission of a supplementary report which integrates the consultation process meaningfully. This requirement has not been fulfilled to the satisfaction of the Committee. HWC therefore requires an independent supplementary report, compiled by a

suitably qualified and experienced heritage? practitioner, who must be approved by HWC prior to appointment.

Given the length of time since the HIA (dated 2011), the supplementary report must provide a review and update on the design development process and the requirement that this involves, with the input of a landscape architect and urban designer.

In addition to providing a status-quo assessment, the supplementary report must include a clear set of recommendations, including necessary remedial actions, as well as best practice recommendations to ensure that similar infrastructure projects are compliant in future.

SJ

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

13.1 Zommerlust Residential Development on Erf 21875, 193 Main Street, Paarl: MA HM / CAPE WINELANDS / DRAKENSTEIN / PAARL / ERF 21875

Case No: 22072610SB0827E

AM and KS recused themselves and logged off from MS Teams.

Ms Stephanie Barnardt introduced the case.

Ms Anne-Marie Fick (heritage consultant), Mr Zwelibanzi Shiceka (Drakenstein Municipality), Ms Auriel Jordaan (I&AP), Mr Rudi Botha (Urban Designer), Mr Stefan de Kock (heritage practitioner obo Zommerlust Estate), Mr Daniel Erasmus (Zommerlust Estate Homeowners Association) and Mr Ritz de la Bat (Zommerlust Estate Home Owners Association) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Urban Design Analysis and Framework prepared by Urban Studio has informed a new site development plan.
- Improvement upon previous submission, in terms of massing, scale, stepping down of bulk, framing of buildings with trees, etc.

FURTHER REQUIREMENTS:

The updated HIA is to be circulated to I&APs and the matter to be tabled at the next IACom meeting to be held on 24 January 2024.

SB

13.2 Proposed redevelopment on Erf 10695, Village Square, Marine Drive, Hermanus Waterfront: MA HM / OVERBERG / OVERSTRAND / HERMANUS / ERF 10695

Case No: 19111127WD1206E

KS recused herself and logged off from MS Teams.

Ms Chane Herman introduced the case.

Mr Mike Scurr (RSA Architects) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The social history of the Godfrey Cottages.
- View of koppie and views of distant framing mountains.
- Single storey cottages as scaling element along coastline and as a remnant of earlier settlement patterns within the Hermanus Historic Core.
- The set back of the development from the Godfrey Cottages and revised roof form being a sympathetic heritage response.
- The Overstrand Heritage Aesthetics Committee has endorsed the proposal.

RECORD OF DECISION:

The Committee endorsed the Heritage Impact Assessment dated October 2023 and prepared by Rennie Scurr Adendorff and Claire Abrahamse as meeting the requirements of S.38(3) of the NHRA. The Committee supported the recommendations of the HIA that the development with the hipped roof design - Option 2 - as described in Section 7.2 should be approved (Annexure F, drawings numbered DRG.NO.AP P5/3.1, dated 3 August 2023 as prepared by Andrew Greeff Architects)

CH

13.3 Proposed Padel Court on Portion 1 of Erf 1791, Spice Route Destination, Suid-Agter Paarl Road: MA HM / CAPE WINELANDS / DRAKENSTEIN / PAARL / PTN 1 OF FARM 1791

Case No: HWC23031310SJ0314

Ms Sneha Jhupsee introduced the case.

Ms Anne-Marie Fick (heritage consultant) and Mr Zwelibanzi Shiceka (Drakenstein Municipality) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Alternate locations and possible mitigation measures discussed.
- Scale and form of the proposed facility, especially the roof structure, massively and negatively impacting the heritage context at a werf and overall cultural landscape scale.

RECORD OF DECISION:

The Committee refused the application, noting that the scale and form of a covered Padel Court is inappropriate in this heritage context.

SJ

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 Skytram on Erven 1466, 1467 & 23-RE, Farm Cabriere, 5 Berg Street, Franschhoek: NM HM / CAPE WINELANDS / STELLENBOSCH / FRANSCHHOEK / ERVEN 1466, 1467 & 23-RE

Case No: HWC23070609SJ1121

Ms Sneha Jhupsee introduced the case.

Mr Graham Jacobs (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Very bold and exciting proposal- if carefully detailed.
- The preference is to pull the viewing deck away from the mountain crest as far as possible in order to have less overhang and associated structural supports.
- With respect to the upper station, Alternative B has more visual impact than the Alternative A.
- Consider the relative scale of interventions from various viewpoints including surrounding protected nature reserves.

INTERIM COMMENT:

The Committee supports the proposal in principle and looks forward to more detailed information to come. The Committee indicated a preference for 'option A' for the upper station in that it has a more appropriate fit within the topography.

SJ

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

16.1 Proposed Mixed Use Development on Farm 1060, Malanshoop, Koelenhof, Stellenbosch: MA HM / CAPE WINELANDS / STELLENBSOCH / FARM 1060

Case No: 22012809AM0202E

DG recused himself and logged off from MS Teams. The Committee elected SW to chair for this item.

Ms Stephanie Barnardt introduced the case.

Mr Graham Jacobs (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The significance of the Convent Church complex and the need to ensure that it is provided with sufficient breathing space.
- The location of the proposed development site within the urban edge.
- Both SIG and SHF have no objection to the proposed development.
- Concerns regarding the pattern of gated suburban development within the area.
- The importance of a landscape plan to mitigate visual impacts.

FINAL COMMENT:

The Committee endorses the HIA as having satisfied the requirements of S.38(3) of the NHRA. The Committee supports the proposed development subject to the recommendations of the HIA as outlined in Section 10.2 of the report extracted below.

1. The developer's Preferred Development Alternative 1 be endorsed by HWC substantially in accordance with the Concept Development Plan for Malanshoop as indicated in Figure 15 of this report and the (same but larger) Urban Design Masterplan dated 18 July 2022 with attached images of the proposed apartments: all forming part of the Malanshoop Sustainability Framework report (Draft 2): prepared by the Dennis Moss Partnership; But subject to the following conditions:

A. Landscape Plan

That a detailed landscape plan prepared by qualified landscape architects (with cultural landscape experience) for the approval of the Stellenbosch Municipality: Department of Development Planning: Heritage Resource Management, and that this approval be based (amongst others) on the Heritage Indicators in this HIA report while indicating, inter alia, the extent, location and design of the following:

- i. Existing vegetation to be retained or removed, and indicating the types of all vegetation and trees, and the spacing of such trees along the boundaries of the property;
- ii. All proposed newly planted vegetation, including types (species) and planting specifications;
- iii. Tree staking details;

- iv. The size of all trees to be planted (roots to be established in minimum 80 -100 Litre size containers, with a clear stem height of 1.8 m minimum, and a minimum girth of approximately 60 mm);
- v. Indications, on the landscape plan, of the approximate anticipated heights of trees around the perimeter of the property at 5 years of age and upon reaching maturity (14-20 years – depending on the species);
- vi. Density of plant species/plant mixes, size of plants to be planted;
- vii. Existing and finished ground levels at the bases of the trees to be retained/planted;
- viii. All landscaping features, including fences, walls, retaining walls, paving, street furniture, and lighting;
- ix. All Sustainable Urban Drainage Systems (SUDS), including cross-sections of storm-water ponds and/or swales;
- x. Irrigation plans (alternative water sources to be indicated); and
- xi. Phasing and timing of implementation, including a twelve-month establishment period.

A1. Additional notes

- a. Development impacts along the east boundary may require more screening than indicated on the site plan of Preferred Alternative 1 (Figure 15) but as positively reflected in the bottom image of Figure 25 (there appears to be a discrepancy between the plan and the 3D view). The purpose is not to repeat the negative precedent of Nootgedacht Village in this regard.
- b. In order to substantially retain the 'dam amphitheatre' and adjacent pine grove, some residential units may need to be removed or relocated, or subdivision sizes in that area reduced.
- c. The heights of new tree planting along the western boundary of the property south of the 'dam amphitheatre' must be of a species that, upon reaching maturity, preclude tree canopies from obscuring views towards the landmark church and its visual relationship with the mountain backdrop beyond.

B. Architectural Design

- i. That the architectural design of the various proposed units be substantially in accordance with the images provided in the Malanshoop Sustainability Framework report (Draft 2): prepared by the Dennis Moss Partnership (Annexure D2);

B1. Additional notes

- a. To ensure design continuity, the developer's written assurance is required to confirm that the current architects which are the author of the Malanshoop Sustainability Framework report will be engaged with the project until its completion. In the event that it transpires that this cannot be the case, then HWC is to immediately be provided with the particulars of the successor architects whose appointment must be to HWC's approval to ensure heritage-related design continuity.

C. Lighting and Advertising

That a detailed lighting plan be prepared by the architects in conjunction with the landscape architects, where necessary, for the approval of the Stellenbosch Municipality: Department of Development Planning: Heritage Resource Management, and that this approval be based (amongst others) on the Heritage Indicators in this HIA report with particular attention to the following:

- i. Light sources are to be low spill and indirect, i.e. installed with baffles directing light downwards to contain light spill and minimize light pollution, especially along the north and east boundaries of the property. Naked and direct light sources are to be avoided.
- ii. Light sources are to be mounted on buildings or installed in the form of low-level bollards (i.e. not exceeding 1,1m above finished ground level) rather than on free-standing light standards, which are to be avoided;
- iii. The lighting plan is to be conceptually integrated with the architectural and landscaping proposals.
- iv. No commercial signage is to be permitted facing onto the agricultural areas to the north and east of the property. No illuminated signage is to face any of the agricultural areas beyond the urban edge either, the purpose being to retain rural character, especially at night.

SB

16.2 Proposed Development of New Farmstead on Bo-Helderberg Farm 1252, Stellenbosch: MA HM / CAPE WINELANDS / BOLAND / STELLENBOSCH / FARM 1252

Case No: 21120706SB1207E

Ms Stephanie Barnardt introduced the case.

Ms Jenna Lavin (heritage consultant) and Ms Claire Abrahamse (heritage consultant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The building typology in response to agricultural function.
- No central gable facing the public view.
- Muted colour on walls supported.

FINAL COMMENT:

The Committee was satisfied that the updated submission met with the further requirements previously issued. The Committee therefore endorses the application as meeting the requirements of the NHRA. The Committee supports the recommendation of the HIA as follows:

1. The proposed “pods” must have their walls painted in a dark, receding colour palette and the developer must ensure deep roof overhangs to glazed areas, to reduce reflection.
2. The proposed new werf must adhere to the following recommendations:
 - a. New, indigenous vegetation of similar density to the vegetation south of the proposed werf site should be established on the subject farm itself, around the edges where the vegetable garden is currently proposed so that the new werf is visually screened and “softened” by planting within the landscape from all sides.
 - b. All residential and public buildings must be single storey or with a roof-loft arrangement for an upper level. Double-volume spaces can be accommodated in working agricultural buildings where machinery requires it. However, these must be as low as possible to accommodate the required machines and related agri-industrial processes.

3. The attached Chance Fossil Finds Procedure must be implemented for the duration of construction activities
4. If any archaeological heritage resources or unmarked graves are uncovered or exposed during bulk earthworks, these must immediately be reported to the contracted archaeologist, or Heritage Western Cape (Att: Mrs. Colette Scheermeyer 021 483 9685).

SB

**16.3 Proposed Removal, Infilling and Depositing of Material Within Two Watercourses for the Proposed Installation of a New Bulk Water Supply Pipeline Along the R310 (Polkadraai Road), Stellenbosch Registration Division: NM
HM / CAPE WINELANDS / STELLENBSOCH / R310**

Case No: HWC23101303CN1101

The matter has been removed from the agenda.

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 None

27 Adoption of decisions and resolutions

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

28. CLOSURE:

The meeting adjourned at 13:10

29. DATE OF NEXT MEETING:

24 January 2024

MINUTES APPROVED AND SIGNED BY:

CHAIR:



DATE: 24 January 2024

SECRETARY:



DATE: 24 January 2024

APPROVED