

**Adopted Resolutions of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 22 September 2021**



MATTERS DISCUSSED

11. SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP (NID)

None

12. SECTION 38(1): INTERIM COMMENT

None

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

**13.1 Revised Masterplan, Re of Portion 12 of the Vergenoegd Farm No 653, Somerset West: MA
HM/ CAPE TOWN METROPOLITAN/ SOMERSET WEST/ RE OF PORTION 12 OF THE VERGENOEGD
FARM NO 653**

Case No: 16012507WD0210M

FURTHER REQUIREMENTS:

The Committee requires the submission of a revised landscape framework plan which addresses the concerns in terms of the paving material, shrub and ground cover and tree planting amongst others.

WD

**13.2 Proposed Development of Remainder Farm 1054, Klein Goederust, Franschhoek: MA
HM/CAPE WINELANDS/ STELLENBOSCH / FRANSCHHOEK/ FARM 1054**

Case No: 20120229TZ1203E

RECORD OF DECISION:

The Committee resolved to endorse the HIA supplementary report with the Recommendations as having complied with the provisions of sections 38(3) of the NHRA as follows:

1. HWC approves the development of the proposed winery and gatehouse (subject to further notes below), generally in accordance with the Site Development Plan, and the plans included in Annexure A and B to the HIA report dated September 2021; subject to implementation of the mitigation measures proposed in the Landscaping Plan included as Annexure D to the HIA;
2. HWC approves the demolition of the two farm labourer cottages on Remainder Farm 1054; and
3. Should buried pre-colonial archaeological material or human remains be uncovered at any stage during the construction work on the site, work in the vicinity must cease immediately, the remains must be left in situ but made secure and the project archaeologist and HWC must be notified immediately.

The Committee resolved to approve the application on condition that the gatehouse canopy be omitted and that the revised plan to be submitted to HWC for endorsement.

SB

**13.3 Proposed Refurbishment and Development of the Cape Town Station Forecourt Precinct, Erf 148638, Cape Town: MA
HM/CAPE TOWN METROPOLITAN/CAPE TOWN CBD/ERVEN 148638**

Case No: 16102520KR1026M

FURTHER REQUIREMENT:

An artistic evaluation undertaken by suitably qualified expert to establish significance is to be submitted.

SB

**13.4 Erven 17958 And 17959, Site Development Areas 5 And & 7 (Quinan House), Somerset West: MA
HM/SOMERSET WEST/ERVEN 17958 AND17959**

Case No: 20062603ND0630E

RECORD OF DECISION:

The Committee resolved to endorse the assessment report dated September 2021 as prepared by Ms Abrahamse and further to endorse the application on condition that no perpendicular walls within the landscape area exceed 500mm in height.

KB

**13.5 Farm 187 Ebenzer Kolonie, Farm 269, 464, Papendorp Vredendal: NM
HM/WEST COAST/MATZIKAMA/ VREDENDAL/EBENZER KOLONIE/ FARM 187, 269, 464**

Case No: 21052509AM0624E

FINAL COMMENT:

The committee resolved to endorse the HIA as meeting the requirements of S38(3) of the NHRA (No.25 of 1999) and further endorsed the recommendations on page 36 of the HIA prepared by ACRM, dated August 2021, including the following:

1. No archaeological mitigation is required during the prospecting phase.
2. Should prospecting lead to bulk sampling or mining, a heritage impact assessment must be undertaken.
3. Fossil material extracted from the boreholes, or later separated during sample analysis, must be kept and bagged for identification by a palaeontologist.
4. Organic-rich, dark, peaty layers intersected in boreholes which may contain fossil pollens and plant remains are particularly important, irrespective of which formation in which they may occur.

The Committee also endorsed the APM comment and recommendations as follows;

1. Though the archaeological survey coverage was limited, based on the APM Committee's knowledge of the subject area, the members reasoned that further survey work is not warranted.
2. As per the recommendation of the HIA, any fossil material extracted from the boreholes must be kept and if drilling into the Koingnaas formation occurs, the organic contents must be preserved for future analysis.

AM

13.6 Proposed Redevelopment of Erven 194, 208, 209, 914, 915 & 1764 (Blanco), George: NM HM/ GARDEN ROUTE / GEORGE / BLANCO / ERVEN 194, 208, 209, 914, 915 & 1764

Case No: 21020112SB0204E

RECORD OF DECISION:

The Committee resolved to endorse the HIA and associated documentation prepared by Mr de Kock as meeting the requirements of the NHRA in compliance with Section 38(3), and to approve the proposal with no further heritage requirements. The Committee endorsed and supported the recommendations of the HIA as follows:

1. The Conceptual Site Development Framework as presented through this report is endorsed;
2. The following conditions of approval must be incorporated into further detailed planning and design for the development:
 - a. Historic fabric remaining as part of the existing structure situated on Erf 209, including but not limited to e.g. the front door and surrounding timber framing/ stained glass, interior architraves and doors must be carefully removed and reused.
 - b. Detailed architectural and urban design proposals necessarily showing potential impact of the proposal along Montagu, Napier and Howitson Streets must be submitted to HWC for approval prior to the implementation of the development.
 - c. Detailed design proposals to clarify design strategies aimed at addressing the aspects identified in Section 10 of this report; management of pedestrian and vehicular movement throughout the site as well as interfaces between individual buildings and outdoor spaces must be submitted to Heritage Western Cape for approval prior to the implementation of the development.
 - d. A comprehensive landscaping plan, undertaken by a suitably-qualified landscape architect must be submitted to HWC for approval prior to the implementation of the development.
 - e. Management strategies aimed at avoiding potential physical damage of yellowwood trees along Napier Street by larger delivery vehicles, compiled by a suitably qualified professional, must be provided prior to the commencement of the development.

SB

13.7 Proposed Phase 2A: W6 IRT, Wynberg Main Road and Associated Roads, Wynberg: NM HM/ CAPE TOWN METROPOLITAN/ WYNBERG/ W6 IRT

Case No: 20081805SB0917E

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection (SW, MS, DS, GW, RF, CM and DG).

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 Revised Development for Business Park and Warehousing, Vergenoegd, Farm 653 Ptn 15, Faure, Somerset West: MA HM/CAPE METROPOLITAN/ SOMERSET WEST/ PTN 15 OF FARM 653

Case No: 19120210AS1211E

FURTHER REQUIREMENTS:

The Committee requires the submission of a further developed site plan which takes into account the points which noted in the discussion. This diagram should indicate clearly the dimension of the shifted position of the building in area 2 (northwards) as well as the resultant positive impact of the view cone of the historic area. The Committee agreed to review via email.

SB

15.2 Proposed part 2 amendment to the existing Environmental Authorization for the Modderfontein WEF, near Victoria West located in both the Northern and Western Cape: MA HM/ CENTRAL KAROO / MODDERFONTEIN (RE/228)

Case No: 20210416SB0416E

FINAL COMMENT:

The Committee endorsed the HIA prepared by CTS heritage as meeting the requirements of S 38(3) of the NHRA, for the authorized layout as well as amended layout.

The Committee endorses and support the recommendations of the HIA as follow:

It must be noted that the provisions related to impacts to heritage in the existing Environmental Authorization detailed in section 1.2 above are wholly inadequate and will not mitigate the anticipated negative impacts on heritage resources. It is recommended that these provisions are amended to reflect the following conditions:

1. Western Cape (Authorised Layout)
 - a. A no-go development buffer of 100m must be implemented around sites S7 and S8 (SAHRIS IDs 34634 and 34636).

- b. A Heritage Management Plan for rock engravings, rock painting and gong rocks must be compiled and submitted to SAHRA
 - c. A pre-construction walkdown of the final authorized layout including the powerline route must be conducted by both an archaeologist and a palaeontologist to identify any areas requiring targeted mitigation in the form of excavation or removal of heritage resources. A walkdown report detailing the findings of the walkdown and the final layout must be submitted to SAHRA.
 - d. The attached Chance Fossil Finds Procedure must be implemented for the duration of the construction phase
 - e. The mitigation recommendations included in the VIA (2011) are implemented
 - f. Should any previously undocumented heritage resources be identified during the course of the construction, operation or decommissioning of the project, work must cease in the area of the find and HWC must be contacted regarding a way forward.
2. Western Cape (Revised Amended Layout)
- a. The revised amended layout is the preferred alternative
 - b. A no-go development buffer of 100m must be implemented around Sites MDF 028 and MDF 029. This will require an amendment to the proposed revised layout of the roads.
 - c. A Heritage Management Plan for rock engravings, rock painting and gong rocks must be compiled and submitted to SAHRA
 - d. A pre-construction walkdown of the final authorized layout including the powerline route must be conducted by both an archaeologist and a palaeontologist to identify any areas requiring targeted mitigation in the form of excavation or removal of heritage resources. A walkdown report detailing the findings of the walkdown and the final layout must be submitted to SAHRA.
 - e. The attached Chance Fossil Finds Procedure must be implemented for the duration of the construction phase
 - f. The mitigation recommendations included in the VIA (2011 and 2021) are implemented
 - g. Should any previously undocumented heritage resources be identified during the course of the construction, operation or decommissioning of the project, work must cease in the area of the find and HWC must be contacted regarding a way forward.

The Committee also supported the APM comments as follows:

1. The Committee endorsed the integrated recommendations on Page 10 of the HIA (dated July 2021).

The Committee made the following additional recommendation:

1. A copy of the Heritage Management Plan for the rock engravings, rock paintings and gong be submitted to HWC.

SB

**15.3 Proposed Water Reservoir and Pipelines on Erven 300 & 354/Rem, Uniondale: MA
HM/GARDEN ROUTE / GEORGE / UNIONDALE / ERVEN 300 & 354/REM**

Case No: 20091509SB1026E

FINAL COMMENT:

The Committee resolved to endorse the HIA as meeting the requirement of S38(3) of the NHRA and endorsed the recommendations as follows:

1. Fence to be of a green or dark-coloured, visually permeable material;
2. Reservoir to be as low in the ground as possible;
3. if technically feasible, consider including fine material on the reservoir roof so that, in time, plant growth can occur;
4. If any archaeological material (e.g. concentrations of glass and/or ceramics, historic building fabric) or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

The Committee also endorsed the APM comments as follows:

1. The fort must be protected from physical harm through the construction phase and this requirement must be included in the EMPr.

SB

**15.4 Proposed Sand Mine on Portion 33 of the Farm Klipheuvel 143, Mossel Bay (Klein Brak River):
NM
HM/GARDEN ROUTE/ MOSSEL BAY / KLEIN BRAK RIVER / PTN 33 OF FARM 143**

Case No: 21050614SB0531E

FINAL COMMENT:

The Committee resolved to endorse the HIA as meeting the requirement of S38(3) of the NHRA and endorsed the recommendations of the HIA as follow:

1. A Palaeontological Chance Finds Procedure must be incorporated into the EMPr;
2. Archaeological test excavations must be conducted under a Workplan approved by HWC. The deposits should be sieved so as to determine the density of cultural materials and food refuse. Where necessary, excavations must be expanded to capture suitable samples of the deposits; and
3. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

SB

**15.5 Proposed Development of the Sadawa Solar Energy Facility Collector Substation, Touwsrivier: NM
HM/ CAPE WINELANDS/ WITZENBERG/ FARM SADAWA 239 (PTN 0)**

Case No: 21041903SB0419E

HELD OVER:

The matter was held over until APM Committee requirements are met and a revised AIA submitted and incorporated into the final HIA.

SB

**15.6 Proposed expansion of existing agricultural activities near Vredenburg on portion 2 of the farm Konings Vlei no. 138, portion 5 of the farm Muishond Fontein no. 137, and portion 1 of the farm Nieuwe rust no. 89: NM
HM/ WEST COAST / SALDANHA BAY / VREDENBURG / PORTION 2 OF THE FARM KONINGS VLEI NO. 138, PORTION 5 OF THE FARM MUISHOND FONTEIN NO. 137, AND PORTION 1 OF THE FARM NIEUWE RUST NO. 89**

Case No: 20210419SB0419E

FINAL COMMENT:

The Committee resolved to endorse the HIA as meeting the requirements of S38(3) of the NHRA and further endorse the recommendations of HIA as follows:

1. There is no archaeological objection to the proposed expansion of the cultivation areas. If any unmarked graves or buried archaeological heritage resources are uncovered or exposed during bulk earthworks, these must immediately be reported to Heritage Western Cape (Att: Ms Stephanie Barnardt 021 483 5959).

SB

**15.7 Proposed Development of the Kolkies Solar Energy Facility Cluster on Farm Die Brak No.241 and Farm No. 240, Trouwsrivier: NM
HM/ CAPE WINELANDS/ WITZENBERG/ FARM DIE BRAK NO.241 AND FARM NO. 240**

Case No: 21041902SB0419E

HELD OVER:

The matter was held over until APM Committee requirements are met and a revised AIA is submitted and incorporated into the final HIA.

SB

**15.8 Proposed Development of the Sadawa Solar Energy Facility Suite, Touwsrivier: NM
HM/ CAPE WINELANDS/ WITZENBERG/ FARM MISGUNST 239 (PTN 0)**

Case No: 21041905SB0419E

HELD OVER:

The matter was held over until APM Committee requirements are met and a revised AIA is submitted and incorporated into the final HIA.

SB

**15.9 Proposed Development of the Electrical Grid Infrastructure (EGI) for the Sadawa Cluster Solar Energy Facility near Touwsrivier, Western Cape: NM
HM/ CAPE WINELANDS/ WITZENBERG/ FARM DIE BRAK 241 (PORTION 0); FARM MISGUNST 239 (PORTION 0); AND FARM NO. 240 (PORTION 0 OF))**

Case No: 21041904SB0419E

HELD OVER:

The matter was held over until APM Committee requirements are met and a revised AIA is submitted and incorporated into the final HIA.

SB

**15.10 Proposed Resort Development on Portion 12 of Farm 452, Riet Valley near Gouritz, Hessequa: NM
HM/GARDEN ROUTE/ HESSEQUA/ GOURITZ/ PTN 12 OF FARM 452**

Case No: 21030910SB0309E

FINAL COMMENT:

The Committee resolved to endorse the HIA as meeting the requirements of S 38(3) of NHRA. The Committee endorse and supports the recommendations with minor amendments as follows:

1. Alternative 1 is the preferred alternative on condition that the layout of Alternative 1 is amended to avoid impact to the likely shell midden distribution mapped in Figure 6.1, and that all proposed development takes place within the heavily grazed areas of the property mapped in Figure 6.2
2. Bulk earthworks located within 10m of the fence line that separates the heavily grazed area from the vegetated coastline must be monitored by a professional archaeologist in case any traces of archaeological shell midden remain. An archaeological monitoring report must be submitted to HWC within 6 months of the conclusion of bulk earthwork-related construction
3. The following architectural guidelines must be adhered to in the design of the new structures and roads:
 - a. The new structures must be sensitive to the natural context and must be appropriately coloured to blend into the surrounding vegetation
 - b. Darker, duller colours must be used that can disguise the infrastructure in the landscape
 - c. Development is limited to single story dwellings, set low in the landscape

- d. Existing architectural typologies should be referenced in the design of the new structures, but not copied
 - e. Road infrastructure should not be tarred but left gravel and should be kept to the minimum scale possible
4. The landowner must enter into a Heritage Agreement with HWC in terms of section 42 of the NHRA to ensure the long-term preservation and management of the significant heritage resources located within this property.
 5. If any unmarked Khoisan, or battlefield 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).
 6. The above recommendations must form part of the Construction Phase Environmental Management Programme (EMPr) for the proposed development.

With regard to new structures the Committee is of the opinion that scale, form and landscape integration need to be key and formants in the design rather than following the onsite typologies fully.

SB

15.11 Proposed development of the Electrical Grid Infrastructure (EGI) for the Kolkies Cluster Solar Energy Facility on Farm Die Brak 241 (Portion 0); Farm Sadawa 239 (Portion 0); and Farm no. 240 (Portion 0), Touwsrivier: NM HM/ CAPE WINELANDS/ WITZENBERG/ FARM DIE BRAK 241 (PORTION 0); FARM SADAWA 239 (PORTION 0); AND FARM NO. 240 (PORTION 0)

Case No: 21041901SB0419E

HELD OVER:

The matter was held over until APM Committee requirements are met and a revised AIA is submitted and incorporated into the final HIA.

SB

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

16.1 None

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 **Conservation Management Plan: Phosphate Mining Right on a Portion of Portion 2 and Portion 4 of the Farm Elandsfontein 349, Saldanha: MA
HM\WEST COAST\SALDANHA BAY\ELANDSFONTEIN PRIVATE NATURE
RESERVE\ELANDSFONTEIN 349**

Case No: 14012902TS0217

COMMENT:

The IACom awaits the submission of the final CMP.

SB

26.2 **Draft EMPr for the Proposed Tooverberg Wind Energy Facility on Remainder & Portion 1 of Farm 244, Witzenberg: NM
HM/WITZENBERG/TOOVERBERG WEF**

Case No: 18102909AS1108M

COMMENT:

The Committee awaits the final submission.

SB

27 Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions as minuted.