

**Adopted Resolutions and Decisions of the Joint Meeting of the Impact Assessment Committee (IACOM) and Archaeology, Palaeontology and Meteorites Committee (APM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 16 February 2022**



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 New Agricultural Werf and Associated Buildings Kleinbosch Farm, Dal Josaphat, Paarl: NM
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/FARM 1576 PORTION 9**

Case No: 21091320SB1004E

RECORD OF DECISION:

The IACom and APM Committees resolved to endorse the findings of the phase I HIA, including the identification of the heritage resources as well as the heritage and landscape indicators. The Committee further approved the Spatial Development Plan (SDP), to enable more detailed work forming part of the phase II HIA to progress – this will include building plans, landscape plans and archaeological management.

The nature of further detailed work and Phase II assessment to include the following:

1. The detailed work to each building protected by S.27.
2. The proposals for the new buildings.
3. Detailed landscaping proposals.
4. The archaeological management recommendation included in the AIA.

Further work is required on clarifying the relationship between 'old and new' elements. The design development process must be preceded by a conservation statement underpinning this relationship and which views the werf holistically.

The Phase II HIA process will continue to be addressed jointly by IACOM and BELCom.

The APM endorses the recommendations of the AIA with the addition of archaeological monitoring along the sensitive river courses which cross the property.

SB

**13.2 Proposed Subdivisions and Consolidations to Construct 2 Additional Dwelling Units on 3 & 4 of Farm 637 Oude Bosch, Near Hermanus, Overstrand: MA
HM / OVERSTRAND / OVERBERG / HERMANUS / PTN 3 & 4 OF THE FARM OUDE BOSCH**

Case No: 21101218CN0121E and 21101218SB1018E

FURTHER REQUIREMENTS:

Whereas IACom has no concerns pertaining to the proposed subdivision, consolidation or location of the proposed dwelling units, the APM expressed concerns and therefore the matter is referred to the APM.

The APM requires the submission of a revised AIA which must consider impacts upon potential historical archaeology and documents the process of engagement with relevant I&APs.

CN

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 Agricultural Expansion with associated Infrastructure, Erf 357, McGregor: NM
HM/ CAPE WINELANDS/LANGEBERG/MCGREGOR/ERF 357**

Case No: 21090603SB1001E

FINAL COMMENT:

The Committee endorses the HIA and AIA prepared by ASHA Consulting (dated 19 December 2021) with the recommendation on pg.19 as follows:

It is recommended that the proposed agricultural development and dam enlargement should be authorized, but subject to the following conditions:

1. The five artefact scatters at waypoints 115 to 119 in the northern part of Vineyard Section1 must be sampled by an archaeologist prior to the commencement of agriculture in that area;
2. If necessary, planting may continue prior to the mitigation within 90m of the south-eastern boundary of Vineyard Section 1;
3. The dam wall should be covered in topsoil and allowed to vegetate naturally;
4. 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.

NK

**15.2 Proposed Additional Fruit Packing Facilities on Farm 128, La Boroux, Hermon Road, Wellington: MA
HM/CAPE WINELANDS/ DRAKENSTEIN/ WELLINGTON/FARM 128**

Case No: 21062404SB0625E

FINAL COMMENT:

The Committee is satisfied with documentation submitted as meeting the requirements of S38 of the NHRA and endorsed the proposal with no further heritage requirements, as the proposed development has significant sustainable social and economic benefits and has been found by the visual specialist to have a minimal visual impact with the recommended mitigation measures being supported.

This should be subject to the mitigation measures set out in the Visual Statement being imposed as a condition of approval.

It should be noted that some mitigation measures (such as vegetation rehabilitation and screen planting) are not immediately effective and will only achieve successful mitigation over time. Additionally, please note that even if the proposed development incorporates visual screening & offsets designed to reduce visual impact successfully, the structures will always remain at least partly visible from some views.

1. Material finishes and colour of structures

Colour for materials and building façade finishes are usually recommended to be matched as closely as possible to the surrounding landscape's natural tones, while white and light beiges and tans (which generally make buildings stand out and contrast against nearby darker natural landscapes) are not generally considered appropriate. However, given that the entire Sonlia complex currently adheres to a colour palette of warm greys and earthy beige colours, the favoured mid-range to darker earth tones in green or grey will not be appropriate in this case. Therefore, the proposed Cold store, Box store and Plantroom must be built, painted, or otherwise finished in a non-reflective, context-appropriate colour to match the existing colour palette. The final colour/s chosen may not be lighter or brighter than the existing colour palette, but the original hue may be darkened by increasing the shade (black) and tone (grey) to make the colour appear more subtle and less intense.

2. Screening with Trees

There are two main motivations for recommending Trees to be planted as a mitigation measure:

- a. To build on the distinctive pattern of tree planting, usually oak trees, forming avenues, windbreaks, or clusters/rows around farm buildings.
- b. To increase the VAC of the landscape over time by planting trees that will mature to screen and partially absorb potentially discordant structures in the landscape from views that are not screened by topography and existing vegetation. The intention is to screen 5 long and near views, increase the VA of the receiving environment over time and imitate the local vegetation patterns, thereby protecting and strengthening the landscape character and sense of place. Additionally, the applicant cannot (in the long term) depend on the existing mature trees on the site to screen the existing and proposed development. Nevertheless, the existing trees on the subject site must be retained as far as possible. General planting

and irrigation requirements and guidelines (for Alternative 1 & 2) The following specifications must appear on the plans as notes to specify the mix, specie, size, planting distances, location and replacement requirements of trees to be planted. Depending on the decision of the CA (HWC), this information may be presented on the FRAME plans, or are to be submitted by a qualified professional on a Landscape Plan. Irrigation specifications must also be indicated on plans.

- c. Evergreen species are preferable. To ensure that year-round screening is achieved, at least half of the trees planted must be evergreen. Avenues may be mixed, with different species alongside one another.
- d. Trees must be those species that grow to become tall trees. These may be nonindigenous (non-invasive) tree species.
- e. The trees are to be at least 100L specimens.
- f. Trees must be planted at maximum of 8m centers apart (tree planting may be denser, but not less dense).
- g. Tree avenues may be planted either in a straight line, or slightly offset from one another as shown in Figure 51. The latter configuration tends to result in higher screening capacity over time with the same number of trees.
- h. Trees that die must be replaced to the same specification to ensure even screening.
- i. The following tree species recommended are generally fast-growing, drought-tolerant and can grow upwards of 10 to 15m tall when mature.
 - Suggested indigenous species include: *Syzygium guineense* (Waterpear), *Ekebergia capensis* (Cape ash), *Ficus natalensis* (Natal fig) and *Harpephyllum caffrum* (Wild plum).
 - Suggested non-indigenous species include *Quercus palustris* (Pin oak), *Quercus nigra* (Water oak), *Ficus rubignosa* (Port Jackson fig) and *Populus simonii* (Simon's poplar). Please note that *P. simonii* should be planted at minimum 6m centers. The key to the successfully establishment of trees for screening is not their size or maturity at installation, rather it is the provision of ideal growing conditions from the point of installation onward – with specific reference to soil conditioning and irrigation supply and design.
- j. Trees must be irrigated for at least the full 2-year establishment period (to maximize their chances of successful establishment).
- k. Soil moisture content in the root ball must be consistent, i.e.; trees may not be allowed to dry out during the Western Cape summer months or become waterlogged during the wet winter months.
- l. Trees must be irrigated. Slower, soaking watering regimes should be preferred over large quantities over short periods of time.
- m. The recommended guideline for watering trees is a minimum of 40 – 50L per week.
- n. The most important aspect of the watering regime is consistency. Once planted, the irrigation of the trees should not be allowed to skip a +/- 7-day cycle.
- o. If the soil is at all sandy, it is strongly recommended that Zeoplant moisture retention granules (or a similar product) is specified to reduce fluctuations in the soil moisture content of the root balls of trees.
- p. The root balls of trees must also receive adequate aeration, and compaction of root zones to be avoided wherever possible by protecting the root zones of trees.

Alternative 1

Tree avenues for screening must be planted:

- In front of the Cold store's covered working area (tree bases to be no less than 500mm below the 149m ASL FFL of the covered working area);
- To the west of the Box store;
- And in an avenue along the southern side of the access road from the entrance to the small building at the foot of the dam wall.

Alternative 2

Tree avenues for screening must be planted:

- In front of the Cold store's covered working area (incl. between the Cold store and the Plantroom, and in front of the Plantroom as indicated);
- To the west of the Box store;
- And in an avenue along the southern side of the access road from the entrance to at least 0m beyond the small building at the foot of the dam wall. This avenue of trees should (if possible) extend in an avenue along the roadway (permission to be negotiated by the applicant with either the neighbouring property or the local authority). In order to sufficiently screen the Plantroom, a new vegetated platform (fill area) must be created at a level equal or maximum 0,5m lower than the 149.00m ASL of the FFL of the covered workspace of the Cold store. Screening trees must be planted as indicated with their bases at the level of this platform. Please note that the screen planting recommended above is the absolute minimum. The applicant may plant double lines of trees, increase the density of planting or plant additional screening trees in copses as necessary to screen site-specific views more fully if they wish.

3. Exterior surfaces and roads

Any exterior surfaces that are affected by the proposed development must adhere to the following:

- a. If the area is not paved, measures must be put in place to control and suppress dust, especially during the summer months.
- b. Areas that are disturbed which are not actively used for access, parking etc. must be revegetated to reduce sources of dust, soil erosion and unsightly scars in the landscape.
- c. Should areas be finished with hard surfacing such as gravel or pavers, the colouring of the material must match that of the in-situ soil or the existing paving materials used on site.

4. Soil disturbance and re-vegetation

In general, it is recommended that disturbance to the soil on site is kept to a minimum to limit visual scarring. Any cuttings, embankments and newly created slopes must be stabilized and re-vegetated with locally indigenous plant species and/or local grasses to match the vegetation cover of the surrounding landscape. All areas of the subject site that are disturbed by construction activities must be stabilized and re-vegetated immediately after the construction phase concludes. Portions of slopes to be stabilized may be packed with local stone as an acceptable soil covering, but this method must be combined with groundcover or succulent planting to soften the hard edges and reduce contrast between surrounding farmland and the semi-(agri)industrial utility areas of the proposed development.

5. Fencing

All fencing must be visually permeable and coloured to match the colour palette described in item a) in line with the general materials and finishes recommendations. High, solid, or palisade-type walling, and any form of precast panel type fencing is inappropriate and must be avoided. Boundary walls, fencing and gateways should be in keeping generally with a visually neutral architectural character, designed simply, and remain visually permeable as far as possible.

6. Lighting

Light pollution should be carefully avoided, and both interior and exterior lighting must be kept to an absolute minimum where necessary for functionality, safety, and security. The detailed design of building plans must demonstrate measures taken to direct lighting away from sensitive viewers and minimise light spillage on the ground or building surfaces – this is especially important for the working areas and facades on the western and southern edges of the subject site. The goal is to keep the ambient light levels within the immediate receiving environment low, given the proposed development's setting within a Heritage overlay zone. Please refer to the International DarkSky Association (<https://www.darksky.org/>) for resources. In principle, lighting throughout the Sonlia facility should:

- a. Only be on when needed for active use;
- b. Only light the area that needs it;
- c. Be no brighter than necessary;
- d. Minimize blue light emissions;
- e. Be fully shielded (pointing downward).

The potential negative impacts of night lighting should be mitigated in the following ways:

- Install light fixtures that provide precisely directed illumination to reduce light “spillage” beyond the immediate surrounds of the light source, including interior and undercover lighting sources;
- Outdoor areas should not be highly or brightly lit, except in limited areas where absolutely necessary for utility and safety. Motion sensing lights should be used in these areas.
- Façade lighting must be avoided.
- If pedestrian pathways, parking areas and vehicular roads are lit, they should be lit with low level ‘bollard’ type lights or (maximum 3m tall) post lights that are fully shielded (pointing downward). Fully shielded fixtures minimize skyglow, glare and light trespass.
- Parking areas oriented with headlights toward the west must be avoided, and if unavoidable, low walls or vegetation must screen parked vehicles facing west.
- Generally, lights should be installed at the lowest allowable height and cast low-angle illumination while minimizing incidental light spill. Minimise the use of “always-on” security flood lights and peripheral/boundary lighting. No uncovered luminaires of any kind should be visible from public roads, the surrounding residences, or the greater landscape. Security lighting should be activated on movement as far as possible
- Light emitting diodes (“LEDs”) are appropriate for outdoor lighting (avoid the use of blue rich white light lamps). Because blue light brightens the night sky more than any other color of light (International Dark Sky Association, 2021), it’s important to minimize the amount emitted. The proposed development should use warm light sources (lower color temperatures) for outdoor lighting: a maximum of 3000 Kelvins is recommended.

7. Height restrictions and Plantroom placement

The proposed Plantroom position and/or height must be revised to avoid moderate visual impact that cannot be mitigated sufficiently by other means. A number of options are acceptable, and one

(or a combination of these) must be selected and implemented by the applicant and FRAME.

- a. If the Plantroom remains where it is, a height restriction should be placed on it to ensure that any buildings between the proposed new Cold store and the road step down with the slope, and gradually reduce in height towards the west as the valley descends and the dam wall no longer offers screening from views from the south. The height restriction to be set at a maximum of 155,5m ASL (the level of the underside of the Cold Store canopy level as seen from the road – TBC by FRAME). No structures may protrude above this roof line. This may necessitate that a basement or semi-basement is built to accommodate the double storey building under natural ground level and/or the level of the vegetated platform (fill area) that must be established around the Plantroom and between the Plantroom and the Cold store's covered workspace of the Cold store (between 148,5m and 149m ASL).
- b. If the Plantroom can be moved, it should be placed within the "courtyard" created by the existing and proposed new buildings. Two alternative placements are indicated in Figure 52. Should the Plantroom be relocated to one of these two positions, a height restriction of 160,5m ASL (the height of the roof of the Cold Store alongside (TBC by FRAME) must be adhered to. Again, this may require the building to be sunk into the NGL in order to achieve this.

AM

**15.3 Proposed Rezoning & Subdivision for Private Dwellings and Tourist Accommodation on Remainder Erf 1262, Waterside Road, Wilderness, George: NM
HM/GARDEN ROUTE / GEORGE / WILDERNESS/ERF 1262**

Case No: 19111209KB1118E

FINAL COMMENT:

The Committees endorsed the HIA and AIA prepared by Dr Nilssen (dated 11 January 2022). Recommendations pg.48 report as follow:

Provided that the below recommendations are implemented, there are no fatal flaws or objections to the authorization of the proposed development on grounds of the heritage study. The portion of well-preserved stone walling to the west of the large yellow wood tree, which will be left intact, should be conserved in perpetuity.

1. Although the stone walling is not considered to be of high heritage value or significance, and even though a portion of the walling will be conserved, the demolition of a portion of the historic walling requires a destruction permit from Heritage Western Cape under Section 34 of the NHRA. A demolition permit must also be obtained from the Local Authority.
2. Due to limited access during the field investigation, the development site between Waterside Road and Dumbleton Road should be inspected by a suitably qualified and accredited archaeologist after vegetation clearing and before commencement of construction. In the event that more stone walling associated with the earlier road alignment is discovered, it should be adequately documented prior to its destruction 49 under permit from HWC. It is noted, however, that Marlize de Bruyn could not see any further walling when the area was more accessible during a previous site visit.

3. Apart from the above, no further heritage related studies or mitigation / management measures are necessary.
4. Where applicable, the Environmental Control Officer or Contractor(s) or future owner(s) must be briefed about the potential of sub-surface archaeological resources (e.g., historic middens, shell middens, stone tools, fossil bones, human remains, etc) and should report any discovery of such heritage resources during the construction phase to Heritage Western Cape. Any such resources are protected under Section 35(4) of the NHRA and must be protected from further disturbance until investigated by HWC and/or a suitably qualified archaeologist. Any work in mitigation will require a permit and, if deemed appropriate, should be commissioned, and completed before construction continues in the affected area and will be at the expense of the developer.
5. In the event of exposing human remains during construction, then the find should be protected from further disturbance and work in the immediate area should be halted. The find will fall into the domain of SAHRA and must be reported to them and will require inspection by a professional archaeologist to determine the way forward. Any disturbance to a human burial older than 60 years will require a permit in terms of Section 36 (3)(a). Graves and burial grounds are the property of the state and may require excavation and curation in an approved institution. Any work associated with the find will also be at the cost of the developer.
6. All of the above recommendations should be included in the conditions of authorization as well as the Environmental Management Program (EMPr) if an EMPr is being developed for the proposed development.

NK

**15.4 Proposed Mining of Sand on Erf 269 Elandskrag Plaas Laingsburg: NM
HM/CENTRAL KAROO/LAINGSBURG/ERF269/ELANGSKRAG PLAAS**

Case No: 21101824AM1020E

RESOLUTION:

The Committee decided to consider the revised PIA via email. A final comment will be issued 21 February 2022.

AM

**15.5 Proposed Establishment of 132kV Powerline in Kareebosch: NM
HM/EDEN/KAREEBOSCH/VARIOUS ERVEN**

Case No: 21102218AM1022E

FINAL COMMENT:

The Committees resolved to endorse the heritage impact assessment prepared by CTS Heritage, dated November 2021 as meeting the requirements of S38 of the NHRA and supported the recommendations from the HIA on p. 38 as follows:

1. The mitigation measures included in Section 9 of the VIA (2021) must be implemented for all phases on the development as indicated
2. The attached Chance Finds Procedure must be implemented throughout the construction phase of the development

3. Should any buried archaeological resources or burials be uncovered during the course of development activities, work must cease in the vicinity of these finds. The relevant heritage authority (the South African Heritage Resources Agency (SAHRA) in the Northern Cape and Heritage Western Cape (HWC) in the Western Cape) must be contacted immediately in order to determine an appropriate way forward.

AM

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 None

27 Adoption of decisions and resolutions

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