

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via MS Teams
at 09H00 on Monday, 10 March 2025**



1. Opening and Welcome

NOTE: Due to the Chairperson, Mr. David Gibbs, being unable to attend the meeting, and tendering apologies, Ms Penelope Meyer presided over the election of an Acting Chairperson in terms of the rule 12(5) of the Rules of Order and Conduct at Meetings of HWC. The Committee elected Ms Sarah Winter to chair the meeting.

The Acting Chair, Ms Sarah Winter, officially opened the meeting at 09:00 and welcomed everyone present.

2. Attendance

Members

Ms Samantha Lee (SL)
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)

Staff

Mr Ruan Brand (RB)
Mr Olwethu Dlova (OD)
Ms Stephanie Barnardt (SB)
Ms Corne Nortje (CN)
Ms Sneha Jhupsee (SJh)
Ms Nosiphiwo Tafeni (NT)
Ms Waseefa Dhansay (WD)
Ms Penelope Meyer (PM)
Ms Xola Mlwandle (XM)
Ms Chane Herman (CH)
Emily-Jane Vowles (EJV)
Ms Chiara Singh (CS)
Ms Sofia Vy Menell Briel (SVMB)
Ms Yusrah Hoosain (YH)

Observers

None

Visitors

Ms Cindy Postlethwayt
Ms Berta Hayes
Mr Henry Aikman
Mr Bruce Wilson
Mr Neil Schwartz
Prof Walter Peters
Mr David Fine
Mr Richard Finch
Mr Jonathan Grieve
Mr Shilo Hope
Ms Nicolene Visser

Ms Nikita van Zyl
Mr Tracy van Gavin
Mr Mark Bell
Mr Daryl Sher
Ms Tali Bruk
Mr Cillie Malan
Mr Clive Theunissen
Mr Brian Robertson
Mr Chris Snelling
Mr Bruce Eitzen
Mr Brian Howard

Mr Alastair Thorns
Mr Stuart Hermansen
Mr Paul Siguqa

Dr Jayson Orton
Mr Gareth Nolan

3. Apologies

Mr David Gibbs (DG) (Chair)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 10 March 2025

The Committee resolved to approve the agenda dated 10 March 2025 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 19 February 2025

The Committee reviewed the minutes dated 19 February 2025 and resolved to approve them as circulated without amendments.

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

- None

7. Confidential Matters

7.1 WD updated the Committee on progress with the integration of S.38 applications with SAHRIS.

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

PM reported back on the following Appeals matters:

- Portion of Remainder 33 of Farm Nooitgedagt 30 (RE/33/30)
- Proposed Total Demolition on Erf 56314, 64 Newlands Road, Claremont
- Proposed Alterations, Additions and Partial Demolition on Erf 168487, 124 Waterkant Street, Cape Town
- Erf 1061 Remainder, 12 Main Road, Hout Bay

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

- None

10.2 Report back from Council and other Committees

Mr David Gibbs will report back at the next meeting.

10.3 Discussion of the Agenda

For discussion.

10.4 Potential/proposed Site Inspections

- Proposed Development on Erf 16502, 16503-RE, 16507-RE, 16508-RE, 16510-RE etc, Welgevallen, University of Stellenbosch, Stellenbosch
- Ptn 28 Farm Welmoed 468, Lynedoch Village, off R310, Stellenbosch
- Farm 845 Portion 5, Drakenzicht 3, Wemmershoek Road, Paarl

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 Proposed Development on Erf 16502, 16503-RE, 16507-RE, 16508-RE, 16510-RE etc, Welgevallen, University of Stellenbosch, Stellenbosch: NM HM/ CAPE WINELANDS/ STELLENBOSCH/ ERF 16502, 16503-RE, 16507-RE, 16508-RE, 16510-RE

Case No: HWC24112203CH0218

HELD OVER:

The Committee resolved to undertake a site inspection on Friday, 4 April 2025 (SW, AM, KS, DS, JWH and CF).

CH

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

13.1 Farm 1054-RE, Farm Klein Goedrust, Franschhoek: MA HM/CAPE WINELANDS/STELLENBOSCH/FRANSCHHOEK/ FARM 1054-RE

Case No: 20120229TZ1203E

Ms Chiara Singh introduced the case.

Ms Cindy Postlethwayt (heritage consultant), Ms Nikita van Zyl (architect), Ms Berta Hayes (Stellenbosch Interest Group), Ms Tracy van Gavin (applicant), Paul Siguqa (property owner/applicant) and Barry Phillips (Franschhoek Residents and Ratepayers Association) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The socio-economic role of tourism development.
- Objections from the local conservation bodies.
- Impacts on the scenic route qualities on the R45.
- The glazed box form of the new pavilion structure does not consider the horizontality of the landscape read in conjunction with the mountain backdrop and is at variance with the horizontal, recessive, walled nature of the new wine cellar.
- The absence of heritage related architectural indicators to guide the design development process for the whole precinct.

FURTHER REQUIREMENTS:

The Committee supports the principle of tourism development and its role in contributing to the agricultural sustainability of the property. However, the Committee does not support the scale and architectural approach of the proposed pavilion which will have a negative impact on the scenic route qualities of the R45. In addition, there is a concern with the introduction of disparate architectural approaches which detract from the ability of the buildings to tie into the landscape. While the Committee supports the principle of contemporary architectural interventions this approach needs to be consistent in the treatment of all the new buildings.

The Committee is of the opinion that the heritage indicators are insufficient to guide an appropriate architectural response. In order to address this concern, the Committee requests the further development of the heritage indicators to include a set of heritage related architectural indicators and that these involve the input of a heritage specialist with architectural expertise.

RECORD OF DECISION:

The proposed wine cellar and villas are approved in principle. The amended drawings to be submitted to HOMs for approval.

Csi

**13.2 Proposed Redevelopment on Erf 31990-RE, 23 Main Road, Mowbray: MA
HM/ CAPE TOWN METROPOLITAN/ MOWBRAY/ ERF 31990-RE**

Case No: HWC24071109CN0717

Ms Chane Herman introduced the case.

Mr Henry Aikman (heritage consultant), Mr Mark Bell (CoCT), Mr Bruce Wilson (architect) and Mr Daryl Sher (representing the client) were present and took part in the discussion.

HELD OVER:

The matter was held over for the 30-day commenting period to be concluded and integrated into the HIA.

CH

**13.3 SDP Indicator Amendment on Erf 149294-Re, Parcel 'M', Canal District, Dock Road, V&A
Waterfront: NM
HM / CAPE TOWN METROPOLITAN / V&A WATERFRONT / ERF 149294-RE**

Case No: HWC25021005SJ0214

Ms Sneha Jhupsee introduced the case.

Ms Cindy Postlethwayt (heritage consultant), Mr Neil Schwartz (V&A Waterfront) and Ms Tali Bruk (V&A Waterfront) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Yacht Club development (outside the V&AW precinct) has negatively impacted the visual link between the Amsterdam Battery and the sea.

RECORD OF DECISION:

The Committee resolved to approve the revised development plans as having minimal heritage impact. The Committee resolved that development may proceed in accordance with the following:

1. The amended development envelope and guidelines/controls for Parcel 'M' contained in the Heritage Assessment report by Cindy Postlethwayt, and the 'Review of Development Controls for Parcels L&M' report, dated December 2024 and prepared by Urban Concepts (attached as Annexure A).
2. The amended Height Control Plan dated December 2024 (attached as Annexure F).

SJ

**13.4 Erf 177476, Boyes Drive, St James: MA
HM/ CAPE TOWN METROPOLITAN/ ST JAMES / ERF 177476**

Case No: 17090415AS0914E

Ms Stephanie Barnardt introduced the case.

Prof Walter Peters (architect), Mr Cillie Malan (architect), Mr Mark Bell (CoCT) and Mr David Fine (applicant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The concerns raised by the local conservation body and the City Heritage Section.
- The support for the contemporary nature of the intervention including its ability to mitigate the visual impact of the current roadway.
- The visual context along Boyes Drive being very different to the condition along Main Road.
- The appropriateness of the scale and form of the curved dormer.

FURTHER REQUIREMENTS:

The Committee resolved to vote on the matter and by way of majority vote of 5 to 2 the decision is to require that the curved dormer to be reduced in scale to read as a less dominant element. It is recommended that the applicant engage with CoCT heritage to resolve this issue.

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 None

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

**16.1 Ptn 28 Farm Welmoed 468, Lynedoch Village, off R310, Stellenbosch: MA
HM / CAPE WINELANDS / STELLENBOSCH / PORTION 28 OF FARM 468**

Case No: HWC23040509AM0411

HELD OVER:

The Committee resolved to undertake a site inspection on Friday, 4 April 2025 (SW, AM, KS, DS, JWH and CF).

SB

**16.2 Erf 878, Fontien Street, Riebeeck Kasteel, Swartland: MA
HM / WEST COAST / SWARTLAND / RIEBEECK KASTEEL / ERF 878**

Case No: 20030413SB0603E

HELD OVER:

The matter was removed from the agenda as the commenting period had not yet been completed.

SB

**16.3 Farm 845 Portion 5, Drakenzicht 3, Wemmershoek Road, Paarl: MA
HM / CAPE WINELANDS / DRAKENSTEIN / PAARL / FARM 854 PORTION 5**

Case No: HWC23101707SB1018

Emily-Jane Vowles introduced the case.

Ms Cindy Postlethwayt (heritage consultant), Mr Clive Theunissen (Drakenstein Municipality), Mr Richard Finch (FPG Property Holding), Mr Brian Robertson (Avondale Trust), Mr Jonathan Grieve (Avondale Trust) and Ms Nicolene Visser (observer) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is located inside the urban edge and there is a previously approved scheme for the site.
- Local objections to previous and current proposed development in terms of impacts on the character of the area and the setting for various important farmsteads such as Ronwe, Avondale and Zanddrift.
- Drakenstein Municipality Heritage Section has no objection to the proposed development but is concerned about the process followed.
- The landscape has been significantly altered since the Drakenstein Heritage Survey (2012) which identified the Klein Drakenstein rural landscape as a Heritage Protection Overlay Zone (HPOZ).
- The Municipality is in the process of designating a number of Heritage Protection Overlay Zones including an HPOZ for the Klein Drakenstein rural landscape.
- The key heritage concern is the appropriate nature of the interface between the proposed development and the surrounding rural cultural landscape and the need to address a range of issues/controls including density gradient, built form and scale, setbacks, landscaping, etc.
- Reference was made to other similar cases where the appropriate nature of the interface between urban development and a significant rural landscape had been successfully resolved from a HIA perspective.

HELD OVER:

The Committee resolved to undertake a site inspection on Friday, 4 April 2025 (SW, AM, KS, DS, JWH and CF).

SB

**16.4 Farm 83 Portion 1, Quaggafontein, Beaufort West: NM
HM / KAROO / BEAUFORT WEST / FARM 83 PORTION 1**

Case No: HWC24050905EJV0516

Emily-Jane Vowles introduced the case.

Dr Jayson Orton (heritage consultant) and Mr Bruce Eitzen (Landscape Heritage Southern Africa) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Archaeological and paleontological issues and other heritage issues have been adequately addressed.

FINAL COMMENT:

The Committee resolved to endorse the Heritage Impact Assessment (HIA), titled "Heritage Impact Assessment: Proposed Mulilo Karoo Wind Power 3 Wind Energy Facility, Beaufort West Magisterial District, Western Cape", dated July 2024, and prepared by Dr. Jayson Orton, as having met the provision of Section 38(3) of the National Heritage Resources Act (NHRA), with specific reference to the following recommendations on page 46:

1. The final layout must be considered by a palaeontologist to determine whether any areas still require consideration in the field prior to construction;
2. Significant fossils as listed in the palaeontological report should be protected from harm and marked as No-Go areas, but taking care to avoid highlighting the specific locations;
3. The Fossil Chance Finds Procedure must be included in the project EMPr;
4. No stones may be removed from any archaeological sites;
5. No-Go signage must be placed at the stone-walled ruins at waypoints 228, 243, 245, 248 and 249;
6. Signage on public roads should be of modest proportions;
7. An early warning system must be used to ensure that red navigation lights stay off until needed;
8. Buildings and substation must be painted in earthy tones (where feasible);
9. Cuts and fills and landscape scarring in general must be minimised through careful design;
10. Rehabilitation of all areas not needed during operation must be carried out;
11. Should any archaeological material or human burials be 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.

EJV

**16.5 Portions 1-RE and 3 of Farm 101 and Farm 98-RE, Farm Waterval and Farm Middle Kraal, Beaufort West: NM
HM/ CENTRAL KAROO/ BEAUFORT WEST / REMAINDER OF PORTIONS 1 AND 3 OF FARM 101, WATERVAL/ REMAINDER OF FARM 98, MIDDLE KRAAL**

Case No: HWC24050904CSI0524

Ms Chiara Singh introduced the case.

Dr Jayson Orton (heritage consultant) and Mr Bruce Eitzen (Landscape Heritage Southern Africa) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is more sensitive than the site discussed under item 16.4. in terms of archaeology but the HIA for this matter had adequately addressed this sensitivity in terms of mitigation measures.
- The location of any turbines within the visual buffer of the Karoo National Park (KNP) was raised as a concern and the heritage consultant was requested to clarify this concern.
- The heritage consultant confirmed that following discussions with SANParks turbines had been relocated outside of the viewshed protection zone of the KNP.
- The heritage consultant agreed that HWC should stipulate that no turbines be located within this viewshed.

FINAL COMMENT:

The Committee endorsed the HIA as satisfying requirements of S.38(3) of the NHRA and recommends that the development proceeds subject to the following conditions as outlined in the HIA report prepared by ASHA consultant and dated 16 July 2024:

1. The final layout must be considered by a palaeontologist to determine whether any areas still require consideration in the field prior to construction;
2. The Fossil Chance Finds Procedure must be included in the project EMPr;
3. No stones may be removed from any archaeological sites;
4. No-Go signage must be placed at identified sensitive locations and the sites must be monitored. These are waypoints 1838-1844, 1870, 1872, 222, and 268;
5. If waypoint 1872 (which lies within 10 m of the footprint of the Turbine 19 hard stand) cannot be avoided, then it must be recorded in detail prior to destruction;
6. Destruction of the site at waypoint 221 and partial destruction of the walling at waypoint 486 are acceptable;
7. The powerline may pass over the wall at waypoint 486 on either side of the road, but damage to the wall must be limited to what is required for road widening (no service track may penetrate the wall beneath the powerline);
8. If the alternative access road is used, and any sites are likely to be impacted, then an appropriate course of action must be determined with an archaeologist prior to construction;
9. Signage on public roads should be of modest proportions;
10. An early warning system must be used to ensure that red navigation lights stay off until needed;
11. Buildings and substation must be sited in low visibility areas and painted in earthy tones (where feasible);

12. Cuts and fills and landscape scarring in general must be minimised through careful design;
13. Rehabilitation of all areas not needed during operation must be carried out; and
14. 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.

It is noted that one turbine is located 200m outside of the viewshed protection area of the Karoo National Park. The final layout must ensure that no turbines are located in this area.

Csi

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 Proposed Consolidation, Subdivision, Rezoning & Development on Erf 48 & 49, Dutch Reformed Church, 23 Church Street, McGregor: NM HM / CAPE WINELANDS / BREEDE RIVER WINELANDS / MCGREGOR / ERVEN 48 & 49

Case No: HWC25021011SJ0211

Ms Sneha Jhupsee introduced the case.

Mr Gareth Nolan (applicant) was present and took part in the discussion. Mr Chris Snelling (observer) also took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The entire site is a PHS and therefore has far-reaching protections under Section 27 (18) irrespective of it being subdivided or a portion thereof being developed.
- HOMS referred the matter to IACOM to clarify the application process in terms of the relationship between Section 27 and Section 38.
- The issue of whether or not S27 (18) is able to override general protections under Section 38 and other general protections.
- The implications of Section 8(5) of the NHRA.
- The need for clarity from HWC on this issue.

FURTHERE REQUIREMENTS:

The Committee resolved that the proposed development is subject to a S.27 permit application and that this must be accompanied by a Heritage Statement which addresses the following requirements:

1. The identification and assessment of heritage resources at the site, streetscape and townscape scales;
2. The formulation of heritage indicators which must involve the input of an urban designer with heritage expertise;
3. An archaeological study including social historical component to determine the possibility of human burials;
4. An assessment of heritage impacts including where necessary mitigation measures and recommendations for the future protection of the PHS; and
5. The outcome of public participation.

SJ

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 Heritage Management Plan & Agreement (S42) for Erf 1818, Stellenbosch University Botanical Garden, Corner van Riebeeck and Neethling Street, Stellenbosch: NM HM / CAPE WINELANDS / STELLENBOSCH / ERF 1818

Case No: HWC25021104SJ0212

Ms Sneha Jhupsee introduced the case.

Mr Stuart Hermansen (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The heritage value of the site.
- The need to retain the spatial qualities of the garden with low key interventions being limited to discrete pockets.

COMMENT:

The Committee supports the heritage management plan for the Stellenbosch University Botanical Garden which is a very unique heritage resource with a distinct sense of place within the town. The Committee endorses the emphasis on public engagement, access and interpretation. It also endorses the intention to retain a sense of place by limiting new low-key interventions to discrete pockets and therefore retaining the spatial qualities of the garden.

The Committee endorses the recommendation that a heritage agreement be entered into between the landowner and Heritage Western Cape which incorporates the heritage management plan titled "Stellenbosch University: Botanical Garden Masterplan", dated 11 February 2025 and prepared by Stuart Hermansen (HB Architects).

SJ

28. Adoption of decisions and resolutions

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

29. CLOSURE:

The meeting adjourned at 15:15

30. DATE OF NEXT MEETING: 9 April 2025

MINUTES APPROVED AND SIGNED BY:

CHAIR:

DATE:

SECRETARY:

DATE: