

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via MS Teams
at 09H00 on Monday, 16 October 2024**



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)
Mr John Wilson-Harris (JWH)
Mr Chefferino Fortuin (CF)
Mr Dave Saunders (DS)

Staff

Ms Waseefa Dhansay (WD)
Ms Aneeqah Brown (AB)
Ms Stephanie Barnardt (SB)
Ms Corne Nortje (CN)
Ms Xola Mlwandle (XM)
Emily-Jane Vowles (EJV)
Ms Chiara Singh (CS)
Ms Nosiphiwo Tafeni (NT)
Ms Sneha Jhupsee (SJ)

Observers

None

Visitors

Mr Piet Louw
Ms Cindy Postlethwayt
Ms Nancy Kirsh
Ms Bridget O'Donoghue
Mr Chris Snelling
Mr Peter Coates
Ms Sandy
Ms Berta Hayes
Mr Neil Schwartz
Ms Samantha Dyer

Ms Claire Abrahamse
Mr Yunus Karriem
Ms Jacqui Marais
Ms Berendine Irrgang
Ms Michelle Lee
Ms Phillippa Duncan
Mr Nicolas Baumann
Ms Tali Bruk
Ms Barbara Southworth

3. Apologies

Ms Samantha Lee (SL)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 16 October 2024

The Committee resolved to approve the agenda dated 16 October 2024 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 16 September 2024

The Committee reviewed the minutes dated 16 September 2024 and resolved to approve them as circulated without amendments.

5.2 Minutes dated 8 October 2024

The Committee reviewed the minutes dated 8 October 2024 and resolved to approve them as circulated with one minor amendment.

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

- DG: item 9.2

7. Confidential Matters

None

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

PM reported back.

9.2 Lower Dorp Street, Stellenbosch

DG recused himself as chair for the item. The Committee nominated JWH to chair this item.

Mr Piet Louw and Mr David Gibbs (landscape architect) were present and took part in the discussion.

COMMENT

As per the approved HIA of 2015, it is well known that Dorp Street has substantial local and provincial heritage significances. As such the Committee requires the current proposals to be developed further in accordance with the previously approved heritage indicators and associated urban design indicators/mitigation measures endorsed by HWC in response to the HIA dated 2015. In this regard, particular reference is made to Annexure I of the HIA report which includes heritage related urban design indicators/mitigation measures.

The current proposals need to be further developed by being informed by the heritage indicators and urban design indicators/mitigation measures set out in the HIA dated 2015. The final proposals need to be subject to further heritage assessment in the form of a supplementary HIA report to be prepared by a suitably qualified heritage practitioner with urban design expertise.

Any substantial deviation from the previous approved proposals, heritage indicators and associated urban design mitigation measures will trigger the need for the submission of a NID and a new HIA process.

The supplementary HIA report to be subject to a public participation process.

10. Standing Items

10.1 Site Inspections conducted:

None

10.2 Report back from Council and other Committees

10.3 Discussion of the Agenda

For discussion.

10.4 Potential/proposed Site Inspections

- Proposed Development of a Linear Commercial Complex and Service Station on Farm 1006 Portion 4 of Portion 1, Meerlust, Huguenot Road, 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 Proposed Development of Development Areas B, D and E on Erven 65238; 65274; 65275, The Kenilworth Racecourse, Kenilworth: MA
HM / CAPE TOWN METROPOLITAN / KENILWORTH / ERVEN 65238; 65274; 65275**

Case No: HWC15021702AS0318E

Emily-Jane Vowles introduced the case.

Ms Claire Abrahamse (heritage practitioner) and Ms Cindy Postlethwayt (heritage consultant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The manager's office and the stable building site description to be updated to accommodate setbacks.
- The grading remains as per the previous Snelling and Bailey Phase 1 HIA recommendations.
- The HIA process is generally supported.
- The previously endorsed indicators have been well addressed.
- Concerns raised from the public participation have been addressed.
- Padel Court building and landscape mitigation of visual impacts needs further resolution.
- Lower Kenilworth Improvement District is supportive of the proposals.

RECORD OF DECISION:

1. The Committee resolved that the Phase 2 HIA as amended dated September 2024 prepared by Claire Abrahamse meets the requirements of Section 38 (3) of the NHRA.
2. The Committee supports the recommendations of the HIA on pages 51.
3. The Committee supports the proposal on condition that additional landscape mitigation be provided to the Padel Court building including additional tree planting.

EJV

**13.2 Erven 418-Re, 420, 421 and 419, Cavalcade, Glenside, and Freeman Street, Greenpoint:MA
HM / CAPE TOWN METROPOLITAN / GREENPOINT / ERVEN 418-RE, 420, 421 & 419**

Case No: 20033103JW0420E

Ms Stephanie Barnardt-Delport introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- GPRRA has not had an opportunity to comment since 2021 and would like to be kept informed.

RECORD OF DECISION:

The Committee resolved to endorse the amendment drawings numbered PNT_13.290 Rev D, PNT_13.180 Rev D, PNT_13.170 Rev D, PNT_13.300 Rev D, PNT_13.301 Rev D (additional basement level) prepared by Darryl Croome Architects (DCA) dated September 2024 as this change has no impacts upon heritage resources.

SB

**13.3 City of Cape Town IRT Infrastructure Phase 2A: W6, Wynberg, Main Road: MA
HM / CAPE TOWN METROPOLITAN / WYNBERG / MAIN ROAD**

Case No: 20081805SB0831E

Ms Stephanie Barnardt-Delport introduced the case.

Mr Yunus Karriem (WECA), Ms Sand, Ms Nancy Kirsh, Jacqui Marais (CoCT EHRM) and Ms Bridget O'Donoghue were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The detailed design proposals have been assessed by the heritage practitioner as previously requested by the Committee.
- Landscape plans have been revised with input from CoCT Heritage.
- Integration of urban design and landscape proposals as mitigation is supported and are critical to the implementation of a project from an integrated heritage, landscape, urban design and engineering perspective.
- The project will be monitored by an environmental control officer.

- A close out report to be submitted to HWC within 30 days of practical completion by a heritage practitioner.

RECORD OF DECISION:

The Committee resolved to support the heritage assessment submitted by the heritage practitioner as well as the recommendations as follows;

1. A variety of tree species are to be planted for this project.
2. The relocated kerbstones will start on both sides of the Main Road from Constantia Main Road, northwards.
3. Approve the Landscape Plans as detailed in Table 2.
4. Approve the Engineering drawings identified in Table 3, with the requirement of the pedestrian crossings on the majority of interlinking roads from Church to Malton Roads east of the couplet road are raised per the Urban Design strategy.
5. Landscape plans drawings numbered: ATL - 220021- 701-4503, ATL - 220021- 701-4503, ATL - 220021- 701-4503, ATL - 220021- 701-4503 dated 8 October 2023 prepared by ATLA
6. Engineering Drawings numbered HHO-220021-701-1001 Rev C , HHO-220021-701-1002 28 February 2024 Rev C, HHO-220021-701-1003 Rev C, HHO-220021-701-1004 Rev C, HHO-220021-701-1005 Rev C, HHO-220021-701-1006 Rev C, HHO-220021-701-1007 Rev C, HHO-220021-701-1008 Rev C, HHO-220021-701-1009 Rev C, HHO-220021-701-100610 (01 March 2024) Rev B prepared by HHO dated 28 February 2024

HWC requires the submission of a close out report within 30 days of practical completion to HWC by the heritage practitioner to confirm the implementation of landscaping detail as per the recommendations of HWC Record of Decision (RoD) dated 24 May 2024.

SB

13.4 Bulk Rezoning Expansion on Erf 149294-Re, V&A Waterfront:NM HM / CAPE TOWN METROPOLITAN / V&A WATERFRONT / ERF 149294-RE

Case No: HWC23060705SJ0609

Ms Sneha Jhupsee introduced the case.

Mr Nicolas Baumann, Ms Tali Bruk, Mr Neil Schwartz, Ms Barbara Southworth, Ms Samantha Dyer, Ms Claire Abrahamse, Ms Cindy Postlethwayt and Ms Berendine Irrgang were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The intention of the current V&A application is to do away with the 'package of plans' approach.
- The HIA methodology is logically set out with reference to heritage core, buffer and periphery areas as set out in the draft CMP.
- The final CMP is in the final stages of being concluded with management aspects of the Heritage Oversight Committee still being resolved by the Waterfront before being submitted to HWC Council for approval.

- The bulk diagram represents the full extent of the bulk including both existing bulk rights and the additional bulk that is being applied for.
- The visual spatial shaft of space in front of Somerset Hospital and its visual (directional/notional) connection to the sea is a key heritage informant which needs to be tested further in terms of cumulative heritage impacts and requiring further detailed heritage assessment.
- Clarification on public access to water's edge is an overarching key heritage issue and while it has been addressed at the broader and precinct scales will need to be further resolved and refined at the site development scale.
- The 'arch of fire' related to Fort Wynyard needs to be protected thus requiring future development plans located within Precinct 12 (Granger Bay Parcels W, A, B, C and E) to be submitted to HWC for sign off to ensure that height of any new development does not intrude into this protected area.
- Urban design guidelines address precinct issues and have incorporated the heritage indicators of the HIA and those contained in the CMP.
- The slip way remains traditional maritime use with emphasis on public use.
- The ongoing need for memorialization and interpretation needs to find spatial expression and be linked to an implementation plan and should be considered as a condition of approval of the CMP.
- While in agreement with certain precincts and development parcels being exempt from further Section 38 HIA processes, there is still the need for discrete NIDs or HIAs going forward to follow a holistic heritage assessment approach to address heritage context, visual-spatial connections with the sea, the principle of public access and the nature of spaces between buildings.
- The HIA processes for new development parcels must not be conceived as site specific but must be placed within a broader heritage context in order to properly assess cumulative impacts.
- Of particular significance is the need to address the cumulative impact of interventions impacting the forecourt and shaft of space related to the Somerset Hospital and the need to retain the integrity of the visual-spatial axis to the coastline.
- Also of particular significance is the need to address the cumulative impact of the cluster of new development parcels located on the northern end of the Breakwater and with the need to protect visual-spatial connections with the sea edge.

RECORD OF DECISION:

The Committee resolved to approve the HIA by Nicolas Baumann dated September 2024 inclusive of urban design guidelines and its recommendations and conditions of the HIA as follows:

1. Endorses the identification of heritage significance and heritage indicators in this Report provided such indicators continue to be referred to as a basis for heritage related assessment of future development.
2. Supports, in principle, the proposed rezoning and associated development described in Section 13 and Annexure D of this report;
3. Specifically supports the development of Parcels 5 F and G; and Parcels 12 W, A, B, C, D and E as proposed with no further requirements in terms of the provisions of the NHRA
4. Specifically supports the development of Parcels 12 J, K, L, M and N; U1, U2, U3, U4, U5 & V as proposed with no further requirements in terms of the provisions of the NHRA, subject to the following archaeological mitigation conditions:

- a. Parcels 12 L, M, N, U1, U2, U3, U4, U5 & V: Maritime archaeological sensitivity Any future excavations or earthworks in the “maritime” portion of the V&A (seaward of the historical shoreline) which will penetrate to depths approximating or deeper than the level of the former seabed, are potentially sensitive and must be archaeologically monitored.
- 5. Specifically requires the development of Parcels 12 i, O , P, Q, R, S, a1 and a2 to be subject to further requirements in terms of Section 38 of the NHRA, requiring a NID and HIA, for which more detailed analysis of site, significance and site specific indicators will need to be developed but based on preliminary analysis included in the Townscape and Visual Study. HIAs are not necessarily required for each parcel individually, provided the information available is sufficient to enable impact assessment, including cumulative impact assessment.
- 6. Specifically requires the development of Parcels 7 and 10 to be subject to further requirements in terms of Section 38 of the NHRA, requiring a NID and HIA. Existing analyses and indicators for these sites are sufficiently developed to warrant this HIA serving as the basis for a Phase 1 HIA for these sites.
- 7. Specifically supports in principle the overall development envelope proposed for Parcel 15 subject to:
 - a. The SDP to be assessed for conformity with the heritage indicators in this HIA and submitted to HWC for approval prior to CoCT approval, and
 - b. The following archaeological mitigation condition: Any future excavations or earthworks in the “maritime” portion of the V&A (seaward of the historical shoreline) which will penetrate to depths approximating or deeper than the level of the former seabed, are potentially sensitive and must be archaeologically monitored and submissions made to SAHRA as appropriate.
- 8. With respect to clustered parcels, consideration should be paid character areas or holistic assessment, and this applies particularly to the development parcels impacting the visual link being Somerset Hospital and the sea as well as the grouping of parcels on the North Western Edge namely parcels I, O, P, Q, R, S A1 and A2.
- 9. With respect to parcels W A B C E and F, final building plans are to be submitted to HWC for approval of compliance with the survey parameters of the Arc of Fire.

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 Development of a Linear Commercial Complex and Service Station on Farm 1006 Portion 4 of Portion 1, Meerlust, Huguenot Road, Stellenbosch: NM
HM / CAPE WINELANDS / STELLENBOSCH / FARM 1006 PORTION 4 OF PORTION 1**

Case No: HWC21070811AM0723E

RECORD OF DECISION:

The Committee resolved to undertake a site inspection on 25 October 2024 at 11:00. (JWH, SW, AM, KS).

EJV

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

- 16.1 Proposed Development of Allesverloren Lifestyle Estate on Erven 1845-1850, 23, 32, 36, 138 and Portion 8 of the Farm Allesverloren 642, Riebeeck West:MA
HM/ SWARTLAND / MALMESBURY / RIEBEEK WEST / ERF 1845, 1846,1847, 1848, 1849, 1850, 23, 32, 36 & 8/642**

Case No: 19060710SB0607E

Item removed from the agenda as matter was resolved at HOMs.

SB

- 16.2 Proposed Residential Units, Erf 66-Re, Elands Bay: MA
HM / WEST COAST / CEDERBERG / ELANDS BAY**

Case No: 21110815SB1108E

Item 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. 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 None

28. Adoption of decisions and resolutions

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

29. CLOSURE:

The meeting adjourned at 13:10

30. DATE OF NEXT MEETING:

13 November 2024

MINUTES APPROVED AND SIGNED BY:

CHAIR:

DATE:

SECRETARY:

DATE: