

**Approve Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via MS Teams
at 09H00 on Monday, 16 September 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)
Ms Heidi Boise (HB) (BELCom member)

Staff

Ms Waseefa Dhansay (WD)
Mr Olwethu Dlova (OD)
Ms Stephanie Barnardt (SB)
Ms Corne Nortje (CN)
Ms Xola Mlwandle (XM)
Emily-Jane Vowles (EJV)
Ms Chiara Singh (CS)
Ms Chane Herman (CH)

Observers

None

Visitors

Ms Bridget O'Donoghue
Mr David Halkett
Mr Cleeff Fortuin
Ms Maurietta Stewart
Ms Lize Malan
Mr Mike Scurr
Ms Kelly Gilmour
Mr Tali Bruk
Ms Berendine Irrgang
Mr Wayne Keeble

Ms Anine Trümpelmann
Ms Erna van Zyl
Mr Jeremy Rose
Mr Chris Snelling
Mr John Gribble
Mr Andrew Luger
Ms Tamar Shem-Tov
Mr Kirsty Westcott
Mr Andrew Goodwin
Mr Quintus Thom

3. Apologies

Ms Samantha Lee (SL)
Ms Helene van der Merwe (BELCom member)
Mr Shawn Johnston (BELCom member)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 16 September 2024

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

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 21 August 2024

The Committee reviewed the minutes dated 21 August 2024 and resolved to approve them as circulated without amendments.

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

- DG: item 13.1 and 16.2
- Dr Malan was -elected as acting chair for these items

7. Confidential Matters

7.1 See attached confidential minutes.

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

WD reported back on the following Appeals matters:

- Farm 1796, C'est La Vie, Olyvenbosch Road, Wellington

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

None

10.2 Report back from Council and other Committees

The Committee requests that the HWC Council elects a deputy chairperson for IACom.

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 None

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

13.1 Proposed Mixed Use Development on 'Multiple Erven, 'Block 30', 21 – 29 Mechau Street, Cape Town: NM HM / CAPE TOWN METROPOLITAN / CITY CENTRE CBD / ERVEN 743-RE, 744, 745-RE, 746, 748, 749, 750-RE, 758, 759

Case No: HWC23060204SJ0822

DG recused himself and joined the applicant. The Committee nominated AM to chair for this item.

Ms Chane Herman introduced the case.

Ms Bridget O'Donoghue (heritage consultant), Ms Anine Trümpelmann (town planner), Mr David Halkett (heritage consultant), Ms Erna van Zyl (CoCT), Cleeff Fortuin (CoCT), Mr Jeremy Rose (EAP) and Ms Maurietta Stewart (CoCT) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- This block is part of the City's redevelopment of Buitengracht Street and is graded IIIB in a proposed HPOZ.
- The site consists of a parking area and the historic Firemans Arms.
- The response to the NID required an HIA with an AIA, townscape analysis, built environment and visual impact assessment and socio historical studies.
- The Committee discussed the standard requirement for submission of separate specialist studies, which are summarized in the HIA, but resolved that the socio-historical study is adequately reported in the HIA on pages 39-40.
- The design guidelines have addressed the retention of the Fireman's Arms by a reduction in height of the proposed development and responded to the neighboring building by setback and sloping form.
- The presence of human remains and high probability of further findings have been addressed in the recommendations of the AIA for pre-development excavation and subsequent monitoring during earthworks.

RECORD OF DECISION:

The HIA and Specialist Studies are endorsed as meeting the requirements of S.38(3) of the NHRA with approved recommendations as follows:

1. This HIA be endorsed by HWC as meeting the requirements contained in the Response to the NID, dated 4 July 2023.
2. The statement of significances and the heritage design indicators proposed in the report be accepted.
3. The Archeological Impact Assessment is approved and specifically that the application to HWC in terms of Section 36 of NHRA to exhume human remains occurs once HWC approves the application of the future building form and associated urban design guidelines. This application to be made according to the AIA recommendations.
4. The Visual Impact Assessment and the recommended mitigation measures to inform the SDP is approved.

5. The Urban Design Guidelines and Development Requirements, dated August 2024 to guide the SDP are approved.
6. The future SDP is to be submitted to HWC for approval.
7. A registered Structural Engineer, experienced with historic buildings, is to provide a Method Statement on the interface of the historic and proposed buildings to ensure that no negative structural impacts to the historic building, Fireman's Arms results from the proposed development. This method statement will be subject to approval by the CoCT EHMB.
8. A registered Landscape Architect to submit a Landscape Plan at the SDP stage.
9. The SDP including the Landscape Plan is submitted to HWC for approval.
10. Any future alterations to the Firemans Arms external and internal structures, and the memorabilia and collections is submitted to HWC for approval at a future stage.

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 None

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

**16.1 Proposed Residential Development on Erven 123-RE & 803, Harcroft Estate, Duntaw Close and Bel Ombre Road, Constantia: MA
HM / CAPE TOWN METROPOLITAN / CONSTANTIA / ERVEN 123-RE & 803**

Case No: HWC23053105SJ0227

Ms Chane Herman introduced the case.

Mr Chris Snelling (heritage consultant), Ms Bridget O'Donoghue (heritage consultant), Mr Jeremy Rose (EAP) and Mr Andrew Luger (who is this) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Reference made to the Todeschini Report dated 2014 as an informant to understanding of the site as well as planning and design responses.
- Question of compliance with S38(3) raised by I&As.
- The stable and cottage buildings to be retained as part of the overall landscape.
 - Stable building can be kept for communal use.
 - Applicants prefer cottage to be in private ownership but to remain visually accessible in terms of permeable boundary treatments.
- The homestead proposals incorporating internal subdivision and revised dormer window details have been provided.
- The issue of density appears to be a general concern raised by IAPs, whereas this needs to be understood in terms of figure-ground relationships and the relationship of the built form to open space rather than number of dwelling units.

- Two proposed double story buildings below the rose garden were questioned and it was resolved that they are located below the view cone of the homestead and on the periphery of the main garden space and will have minimal visual impact.
- The process of engagement and public participation was discussed

FINAL COMMENT:

The Committee resolved that S38(3) of the NHRA has been satisfied as further requirements previously listed have been addressed and further information has been supplied.

1. The two buildings identified as part of the landscape, namely the stable and cottage, will be retained, with the stable building remaining as part of the communal property and the cottage in private ownership though visually integrated into the communal property.
2. The Committee supports the proposals for these two buildings provided an updated subdivision plan that reflects this be submitted to HWC for endorsement.
3. The Committee endorsed the proposals for the subdivision of the main house with the insertion of the dormer windows.

SJ

**16.2 Remainder of Portion 21 of Farm 195, George: MA
HM /EDEN / GEORGE / PTN 21-RE OF FARM 195**

Case No: HWC22112306AM1122

DG recused himself and joined the applicant. The Committee nominated AM to chair this item.

Ms Stephanie Barnardt introduced the case.

Ms Lize Malan (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- In response to further requirements, a plan showing existing and proposed developments was tabled.
- A revised SDP indicated that the apartment blocks were reduced in size and moved towards the edge of the development

FINAL COMMENT:

The Committee resolved to endorse the revised SDP, prepared by SDK Architects dated 12 February 2024

SB

**16.3 Remainder of Farm 145 (Oude Kraal), Remainder of Farm 147 (Stinkfonteins Berg), Remainder of Farm 172 (Stinkfontein), Farm 173 (Driehoek), Remainder of Farm 174 (Presents Kraal) and Portion 9 of Farm 148 (Helpmekaarr): NM
HM/CAPE WINELANDS/ BREEDE VALLEY & LANGEBOEG / TOUWSRIVER & MONTAGUE**

Case No: HWC23102514SB1124

Ms Stephanie Barnardt introduced the case.

Mr John Gribble (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Visual Impact Assessment identifies certain Turbines as impacting upon the cultural landscape heritage resource and recommends these to be repositioned. How this has been resolved within the final layout is not clear. A comparative map showing the preferred final layout and the extent to which visual concerns have been addressed must be included within the revised HIA to be submitted to HWC for final comment.

INTERIM COMMENT:

The Committee endorses the HIA as meeting the requirements of S38(3) of the NHRA but requires clarity on the degree to which the visual issues raised within the Visual Impact Assessment have been addressed within the final preferred layout option. A comparative map showing the preferred final layout and the extent to which visual concerns have been addressed must be included within the revised to be submitted to HWC for final comment.

SB

**16.4 Portions 1, 2 and 11 of Farm 38 (Eendragt), Farm 193 and Remainder of Farm 37 (Eendragt): NM
HM/CAPE WINELANDS/ BREEDE VALLEY & LANGEBOEG / TOUWSRIVER & MONTAGUE**

Case No: HWC23110807SB1124

Ms Stephanie Barnardt introduced the case.

Mr John Gribble (heritage consultant) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Visual Impact Assessment found the proposal to be fatally flawed given the anticipated impact on the cultural landscape. The Committee agreed with this assessment.
- The Committee noted the disjuncture between the conclusions of the HIA and VIA.

FINAL COMMENT:

The Committee endorses the HIA as meeting the requirements of S38(3) of the NHRA, but does not support the proposed activity, given the anticipated high visual impact of the activity upon the cultural landscape.

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 14:00
- 30. DATE OF NEXT MEETING: 16 October 2024**

MINUTES APPROVED AND SIGNED BY:

CHAIR:
SECRETARY:

DATE:
DATE: