

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held at the 1st Floor Boardroom, Protea Assurance
Building, Green Market Square, Cape Town
at 09H00 on Wednesday, 23 August 2023**



1. Opening and Welcome

Note: Due to the Chairperson, Mr. David Gibbs, being unable to attend the meeting and tendering apologies, Ms Waseefa Dhansay 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 Chair, Ms Sarah Winter, officially opened the meeting at 09:00 and welcomed everyone present.

2. Attendance

Members

Ms Sarah Winter (SW) (Act Chair)
Mr Dave Saunders (DS)
Mr John Wilson-Harris (JWH)
Ms Katie Smuts (KS)
Ms Samantha Lee (SL)
Mr Chefferino Fortuin (CF)

Staff

Ms Waseefa Dhansay (WD)
Ms Nosiphiwo Tafeni (NT)
Ms Stephanie Barnardt (SB)
Ms Muneerah Solomon (MSo)
Ms Sneha Jhupsee (SJh)
Ms Colette Scheermeyer (CSc)
Ms Chane Herman (CH)
Ms Naushina Rahim (NR)
Ms Zikhona Sigonya-Ndongeni (ZSN)
Ms Ayanda Mdludlu (AM)

Observers

None

Visitors

Mr. Gareth Williams
Ms Kirsty Westcott
Ms Cindy Postlethwayt
Mr Frank Cumming
Ms Carin Smuts

Mr Clef Fortuin
Mr Tiaan Meyer
Ms Erna van Zyl
Ms Bridget O'Donoghue

3. Apologies

Mr David Gibbs (DG)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 23 August 2023

The Committee resolved to approve the agenda dated 23 August 2023 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 19 July 2023

The Committee reviewed the minutes dated 19 July 2023 and resolved to approve them as circulated without amendments.

5.2 Minutes dated 16 August 2023

The Committee reviewed the minutes dated 16 August 2023 and resolved to approve them as circulated with one spelling amendment.

6. Disclosure of Interest

- JWH: Item 16.3

7. Confidential Matters

None

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

NR reported back on the following appeals matters:

- Proposed Total Demolition on Erf 55183, 24 Bishopslea Road, Claremont
- Proposed Erf: 576, 21 Quick Street, Stanford
- Proposed Erf 917, Church Street, Worcester
- Proposed Erf 82, 11 Blackheath Road, Three Anchor Bay
- Proposed Erven 2480, 2481 & 2482, Mossel Bay

9.2 Spice Route Padel Court: Request from applicant

COMMENT:

The Committee's request for a HIA remains. The additional information submitted does not satisfy the requirements of S38(3).

9.3 Committee Membership

It was agreed that an additional archaeologist form part of the Committee and that KS would follow this up.

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

- Proposed residential development on Erf 13182, Thokozani Street, Wellington - Diemersfontein Wine Estate.
- Proposed Development of New Farmstead on Bo-Helderberg Farm 1252, Stellenbosch

10.2 Report back from Council and other Committees

Nothing to report.

10.3 Discussion of the Agenda

For discussion.

10.4 Potential/proposed Site Inspections

- Proposed Development for “Block 28” Erven 846, 853-RE, 854-RE, 855- 860, 861-RE, 862, 863, 865-867, 868-RE, 869, 870: Corner of Buitengracht, Waterkant and Strand Streets, Cape Town.

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 Residential Development on Erf 13182, Thokozani Street, Diemersfontein Wine Estate, Wellington: MA HM / CAPE WINELANDS / DRAKENSTEIN / WELLINGTON / ERF 13182

Case No: 22042610NK0429E

Ms Corne Nortje introduced the case.

The Committee reported back on the site inspection that was undertaken on 3 August 2023. See attached annexure SI1.

Ms. Cindy Postlethwayt was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The cultural landscape has been significantly eroded by adhoc suburban development.
- The garden setting of the Diemersfontein werf contributes to its heritage significance displaying a formal response to the landscape context.
- The Committee agreed that the werf is not worthy of Grade II heritage status.

- The homestead is a very intact Cape Revival rural set piece worthy of Grade IIIA heritage significance in terms of its historical architectural qualities, garden setting and placement in the landscape with views towards the homestead.
- Units 1 and 2 erode the garden setting of the werf and should be removed to provide the homestead with more breathing space.
- The Committee endorsed the concerns of the Drakenstein Municipality Heritage Section with respect to Units 1 and 2.
- The layout of the proposed development was queried in terms of the arrangement of buildings.

RECORD OF DECISION:

The Committee endorses the HIA as having satisfied the requirements of S.38(3). The development may proceed subject to the removal of Units 1 and 2 and the retention of existing mature trees and other vegetation in this location. The Committee is of the opinion that these units intrude into the garden setting of the historical werf. The heritage significance of the werf is based on its historical and architectural significance and its relationship with its garden setting.

The Committee recommends that the grading of the werf, and its garden setting should be IIIA.

Revised SDP must be submitted to HOMS for endorsement.

The Committee endorses the mitigation measures outlined in the HIA report as follows:

1. Planning, Design and Development phase mitigation:
 - a. With respect to the construction activity, the following mitigation measure are recommended:
 - i. Designate the werf curtilage and garden as 'no-go areas' for site camp establishment, materials storage, stockpiling, dumping, to avoid and prevent damage or intrusion to these areas.
 - ii. Limit construction activity to within the hoarding areas, constructing on disturbed areas only to minimize impact to visual amenity resources identified (e.g., werf curtilage and garden).
 - iii. Ensure post-construction repair and rehabilitation of the site, towards improvement of disturbed areas and areas degraded by the construction activity.
 - iv. Implement a construction phase environmental management plan (CEMP) to ensure on-going management of environmental matters, including noise, dust, and erosion control.
2. Operational phase mitigation:
 - a. With respect to the operation phase, the following mitigation measure are recommended:
 - i. Maintain the werf curtilage and garden as 'no-go areas' for any further development and ensure that any activities or events held within these areas are 'tread-lightly.'
 - ii. Planning and management to respond positively to visual/heritage considerations and design indicators, towards an appropriate fit and seamless integration into the landscape context.
 - iii. Architectural measures (form / scale / massing / materials / textures) to ensure visually recessive structures and to combat the cumulative effect of the aggregation of buildings and services.

- iv. Landscape measures (screen planting / village green open space / view corridors) to anchor and settle the new buildings into the site and to 'dissolve' and 'diffuse' hard edges.
- v. Avoid light pollution by reducing lighting to the minimum necessary. Lighting is to be carefully controlled and well-integrated into the design proposal and coordinate with signage. Light sources must be shielded to reduce light spillage. Up-lighting onto the outer sides of the buildings must be used sparingly. Shielded down-lights must be used on all open areas. Neon or unshielded bright security lights may not be used, only shielded security lighting may be used. With respect to boundary interface with adjacent farmstead areas, lighting may be permitted at entrance gateways only. These principles should be applicable as much to the common property within the development site as the individual erven; and should be applied to any lighting and signage relating to this development on the remainder of the farm, including the access roads.
- vi. The line of trees along the approach avenue from the Vineyard smallholdings traffic circle to the access to the werf on Erf 13182 should be retained. Further tree planting could be planned and implemented to accommodate future senescence. Any upgraded road surface treatment (including verges and stormwater drainage systems) or infrastructure associated with this development but outside the boundaries of the development site should equally remain informal, in keeping with existing, incorporating where possible earth-swales for storm-water run-off rather than heavily engineered concrete channels and drains. Where practical, existing roadways should be utilized. Concrete kerbs and channels should be avoided. Avoid excessive earthworks / cut and fill or vegetation removal.

The preparation and implementation of an Operational Phase Environmental Management Plan (OEMP) should be provided with reference to the landscape site development plan to ensure that environmental integrity is maintained. Whereas this should suffice as mitigation of operational phase visual impacts, the thorough implementation, maintenance, and management of **detailed landscape plans** prepared by qualified landscape architects (with cultural landscape experience) included with building plan submissions would ensure that the vision for the site is achieved.

CN

13.2 The Locomotive Shed, Corner Quinan Boulevard and Gardner Williams Avenue, Paardevlei, Somerset West: MA HM / CAPE TOWN METROPOLITAN / SOMERSET WEST / ERF 18792

Case No: HWC23072601SJ0801

Ms Sneha Jhupsee introduced the case.

Mr Martin Abrahamse and Mr Paul Slabbert were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIB.
- The increased massing of the building in comparison to the previous application.

- The uniqueness of the building lies in its simple elements including roof form, construction and fenestration.
- The issue of the materiality and formatting of the proposed replacement windows is unresolved and should be guided by the materiality and formatting of the original windows i.e. steel, small paned.

RECORD OF DECISION:

The Committee resolved to approve the proposed alterations subject to the submission of revised replacement windows to reflect the authenticity and character of the building.

Final drawings must be submitted to the Committee for approval.

SJ

13.3 Proposed Development for “Block 28” Erven 846, 853-RE, 854-RE, 855- 860, 861-RE, 862, 863, 865-867, 868-RE, 869, 870: Corner of Buitengracht, Waterkant and Strand Streets, Cape Town: NM HM / CAPE TOWN METROPOLITAN / CITY CENTRE CBD / ERVEN 846, 853-RE, 854-RE, 855- 860, 861-RE, 862, 863, 865-867, 868-RE, 869, 870

Case No: HWC21112311SJ0228E

Ms Sneha Jhupsee introduced the case.

Ms Erna van Zyl gave a presentation in order to contextualize the proposed development on Block 28 within the City’s Foreshore Gateway Urban Design Vision and Framework.

Ms Bridget O’Donoghue, Mr. Tiaan Meyer, Mr. Frank Cunning, Mr. Gareth Williams, Mr Clef Fortuin and Ms Kirsty Westcott were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The strategic location of the site at the intersection of two city grids and opposite the Lutheran Church complex which has outstanding heritage significance.
- The HIA appears to be silent on the issue of the scale of the building.
- A Request for Advice was tabled at IACom on the 17th August 2022 and the Committee had expressed an opinion on the scale of the new building envelop amongst a range of other issues.
- Consideration needs to be given to the vast width of Buitengracht Street and thus its ability to accommodate taller buildings along this interface.
- City’s Foreshore Gateway Urban Design Vision and Framework promotes Buitengracht Street as an urban corridor as opposed to forming an edge to the historical city grid. The cross section indicating the relationship of the proposed new development with the Lutheran Church Complex needs further clarification and interrogation.
- The impact on views along Strand Street with foreground views of the Lutheran Church complex and skyline of the church tower needs further interrogation.

RECORD OF DECISION:

The Committee resolved to undertake a site inspection on Monday, 11 September 2023 at 11:00am. The Heritage and VIA consultants are also to attend.

The approved minutes of the IACom meeting that was held on 17 August 2022 to be circulated to Committee members.

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 Housing Development on Erf 325, Jacobaai: MA
HM/WEST COAST/SALDANABAY/JACOBAAI/ERF 325**

Case No: HWC23021602SB0322

Ms Stephanie Barnardt introduced the case.

Ms. Cindy Postlethwayt was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The location of the proposed development within the urban edge and being aligned with the local Spatial Development Framework.
- The buildings on the site having no heritage value.
- The comments from the ACKTC have been adequately addressed in the supplementary report.

FINAL COMMENT:

The Committee endorses the supplementary report as having addressed further requirements. The provisions of S.38(3) have been satisfied and the following recommendations of the supplementary report are endorsed.

1. Test excavations must be conducted on the dune cordon in the north-western corner of the proposed development site, to determine the presence/absence and significance of sub surface archaeological deposits in that area (under approved work plan).
2. Monitoring of excavations for building foundations, boundary walls and services (i.e., water pipelines, stormwater, & septic tanks) must be conducted by a professional archaeologist. A Monitoring Work Plan must be submitted to Heritage Western Cape prior to any construction activities occurring.
3. If any unmarked human remains are exposed during excavations, work must immediately stop, and an archaeologist contacted to inspect the remains. Human remains must not be disturbed

until inspected by the archaeologist. Human remains will have to be removed under a permit issued by Heritage Western Cape.

SB

**16.2 Proposed Housing Development on Erf 1475, Jacobsbaai: MA
HM/WEST COAST/SALDANABAY/JACOBAAI/ERF 1475**

Case No: 22081908SB0831E

Ms Stephanie Barnardt introduced the case.

Ms Cindy Postlethwayt was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The location of the proposed development within the urban edge and being aligned with the local Spatial Development Framework.
- The comments from the ACKTC have been adequately addressed in the supplementary report.

FINAL COMMENT:

The Committee endorses the supplementary report as having addressed further requirements. The provisions of S.38(3) have been satisfied and the following recommendations of the supplementary report are endorsed:

1. No mitigation is required prior to construction excavations occurring.
2. Monitoring of construction excavations for building foundations, boundary walls, and services (i. e. water pipelines, stormwater & septic tanks) must be conducted by a professional archaeologist.
3. Monitoring Work Plan must be submitted to Heritage Western Cape prior to any construction excavations commencing.
4. If any unmarked human remains are exposed during excavations, work must immediately cease, and an archaeologist be contacted to inspect the remains.
5. Human remains must not be disturbed until inspected by the archaeologist. Human remains will have to be removed under a permit issued by Heritage Western Cape.

SB

**16.3 Proposed Alterations and Redevelopment of RE Farm 1592, (Adara Palmiet Valley Estate), Paarl: MA
HM /CAPE WINELANDS /DRAKENSTEIN / PAARL / RE-FARM 1592**

Case No: 22042902CM0509E

Mr. J.W-H recused himself.

Ms Stephanie Barnardt introduced the case.

Mr Carin Smuts and Ms Bridget O'Donoghue were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee's requirements for changes to the proposals have been addressed.
- Positioning the guard house within the wall structure elevates the importance of the structure.
- Therefore, the motivation for the positioning of the new guard house is supported.

COMMENT:

The committee endorsed the revised drawing (B1_Conservatory Details_001.5; B1_Conservatory Details_001.6; B5_Plans_M05.0; B5_Sections, Elevations, XAs_M05.1; B17_Plans_0017.1_Option 01; B17_Sections, Elevations, XAs_0017.2_Option 01; 17_Plans_0017.1_Option 02; B17_Sections, Elevations, XAs_0017.2_Option 02; B17_Plans_0017.1_Option 03; B17_Sections, Elevations, XAs_0017.2_Option 03) as having addressed previous concern as per final comment dated April 2023.

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. 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.

28. CLOSURE:

The meeting adjourned at 13:00

29. DATE OF NEXT MEETING:

18 September 2023

MINUTES APPROVED AND SIGNED BY:

CHAIR:



DATE: 18 September 2023

SECRETARY:



DATE: 18 September 2023