

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 10 June 2020**



1. Opening and Welcome

Note: Due to the Chairperson, Mr. Jason Knight having been sick, the Legal Advisor, Ms Penelope Meyer presided over the election of the Acting Chairperson in terms of the rule 12(5) of the Rules of Order and Conduct at Meetings of HWC. The Committee elected Mr David Gibbs to chair the meeting and Mr Mike Scurr to be stand-by chair (for matters Mr Gibbs will have to recuse himself from).

The Acting Chairperson, Mr David Gibbs, opened the meeting at 09h25 and welcomed everyone present via Microsoft Teams.

2. Attendance

Members

Mr Dave Saunders (DS)
Mr Mike Scurr (MS)
Mr Rashid Fataar (RF)
Ms Cecilene Muller (CM)
Mr Siphiso Mavumengwana (SM)
Mr David Gibbs (DG)

Staff

Dr Mxolisi Dlamuka (MD)
Ms Penelope Meyer (PM)
Mr Jonathan Windvogel (JW)
Ms Nuraan Vallie (NV)
Ms Stephanie Barnardt (SB)
Ms Aneeqah Brown (AB)
Mr Thando Zingange (TZ)
Ms Nokubonga Dlamini (ND)
Mr Olwethu Dlova (OD)

Observers

None

Visitors

Ms Jenna Lavin
Ms Christine Havenga
Ms Bridget O'Donoghue
Mr Sebastian van Greunen
Mr Darryl Pryce-Lewis
Mr Ryan Flowers
Mr Anton Slabbert

Dr Jayson Orton
Mr William Whittaker
Mr Dave Venter
Mr Herman Pretorius
Ms Kozette Myburgh
Mr Zane De Decker
Ms Melissa Groenink

3. Apologies

Mr Jason Knight (JK)

3.1. Absent

Mr Mokena Makeka (MM)

4. Approval of the Agenda

4.1 Agenda dated 10 June 2020

The Committee resolved to approve the agenda dated 10 June 2020 with amendments.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 13 May 2020

The Committee reviewed the minutes dated 13 May 2020 and resolved to approve them with minor amendments.

6. Disclosure of Interest

- DG: item 13.2

7. Confidential Matters

None

8. Appointments

8.1 None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

PM reported back on the following outcomes of the Appeals matters:

- Proposed Additions and Alterations, Erf 172004. 212A Buitengracht Street, Bo-Kaap (Section 34)
- Proposed Additions and Alterations to Erf 1444, 24 Davenport Road, Vredehoek (Section 34)
- Athlone Power Station, Cnr Bhunga Avenue and N2, Athlone (Section 34)

PM reported back on the following outcomes of the Tribunal matters:

- Midnight Storm, Baboon Point

10. Standing Items

10.1 Site Inspections/ Virtual Assessments

None

10.2 Report back from Council and other Committees

Nothing to report.

10.3 Discussion of the agenda

For noting.

10.4 Potential Site Inspections

None

10.5 HWC and DEA&DP Standard Operating Procedure (SOP)

Nothing to report.

MATTERS DISCUSSED

11. SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP (NID)

11.1 Proposed Composting Facility, Farm 711, Phillip: NM HM/PHILLIP/FARM 711

Case No:20051902SB0603E

NID application was tabled.

Ms Stephanie Barnard introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The proposed development is located within the Philippi Horticultural Area (PHA).
- The proposed use, i.e. organic waste processing and composting facility, is compatible with the agricultural character of the site.
- The site exceeds 5,000 sq meter in extent, however it lies vacant but has previously been used for agriculture, i.e. vegetable production. Although the proposed development will change the character of the site, this will still be compatible with the dominant agricultural functions of the surrounding area. There are two 60 year old not-conservation-worthy (NCW) structures on site that will be demolished.
- No re-zoning would be required to enable the proposed use.

RESPONSE TO NID:

The Committee resolved to approve the proposal as an ancillary activity compatible with the agricultural use of the context, provided that there was no rezoning required. No HIA is required.

SB

12 SECTION 38(1), INTERIM COMMENT

12.1 None

13 SECTION 38(4) RECORD OF DECISION

13.1 Proposed Residential Development on Erven 64295, 64296 And 64297, Corner Main & Braeside Road, Kenilworth: MA HM/KENILWORTH/ERVEN 64295, 64296 AND 64297

Case No: 16090111AS0914M

Additional information prepared by Christine Havenga & Associates was tabled.

Ms Stephanie Barnardt introduced the case.

Ms Christine Havenga and Mr Dave Venter were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee acknowledged and appreciated the contextual studies submitted in response to the previous concerns.
- The studies submitted have served to confirm the committee's concerns, which still remain around bulk and mass with respect to the Victorian Cottage and cul-de-sac.
- The proximity of the proposed development to the cottage remains a concern and does not seem to have been addressed in the revised draft.
- Shifting of the bulk from the rear to the main road was considered as an alternative to mitigate against massing and bulk impact on the residential close behind.

FURTHER REQUIREMENTS:

A revised proposal with bulk and mass concentrated at the Main Road interface to be submitted for further discussion by the Committee.

SB

**13.2 Proposed Total Demolition of 3 Buildings & Consolidation for the Development of a Four Storey (Lower Ground Parking, 2 Floors & A Floor in The Roof), Erven 31751; Erven 31752 and Erven 150019, 29 Alma Road, Rosebank: NM
HM/ CAPE TOWN METROPOLITAN/ROSEBANK/ERVEN 31751; ERVEN 31752; ERVEN 150019**

Case No:17111605ZK1122E

DG recused himself and MS took the Chair for this item.

Revised landscape plans were tabled.

Ms Stephanie Barnardt introduced the case.

Mr William Whittaker, Mr Sebastian van Greunen, Mr Ryan Flowers, Mr Zane De Decker, Mr Anton Slabbert and Ms Melissa Groenink were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- It was noted that the design plans shown are further developed and are not those that were submitted and recommended for approval by the Appeals Committee.
- The landscape plan as a consequence, is not of the layout plan that was recommended for approval.
- The developer noted that despite the change in the design plan, the envelope of the proposed building remains the same.
- The Committee noted that any further design revisions as shown in the documentation before the Committee, cannot be considered by IACom now. If any further design changes are to be considered this will need to be a new application. The terms of reference for this Committee are as set out in the Tribunal ruling 14 April 2020.
- The landscaping plan submitted and compiled by Planning Partners was reviewed in principle and the Committee did not take issue with any landscaping detail presented, however this needs to be indicated on the same floor plans as approved by Appeals Committee.
- It was suggested that as a courtesy, the applicant should submit a copy of the revised landscape plan to the I&AP's at the same time the plan is submitted to HWC.

FURTHER REQUIREMENTS:

1. Landscaping plan:
 - The applicant is required to submit the landscape plan that correlates with the design plans that were approved by the Appeals Committee. The Committee will take a decision by email on receipt of these.

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 Proposed Rezoning, Subdivision and Consolidation to re-develop the site, Erven 1845, 1846, 1847, 1848, 1849, 1850, 23, 32, 36 and Portion 8 of Farm 64, Malmesbury:
HM/ WEST COAST/ SWARTLAND/ MALMESBURY/ ERVEN 1845, 1846, 1847, 1848, 1849, 1850, 23, 32, 36 and PORTION 8 of FARM 642**

Case No: 19060710SB0607E

Revised landscape plan (for ratification by Committee) was tabled.

Ms Stephanie Barnardt introduced the case.

Ms Jenna Lavin, Mr Herman Pretorius and Mr Darryl Pryce-Lewis were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The committee notes improvements in the revised SDP.
- This includes the improvements in the grid layout and the interface between the greening at the interface with the Kerk Straat.
- Correspondence between Spatial Development Plan (SDP) and landscape plans is required.
- The SPD is to be updated to reflect the removal of these two parking bays as per the landscape plan.
- The Committee supported the landscape plan as tabled.

FINAL COMMENT:

The Committee resolved to endorse and approve the updated landscape plans (drawing number:497-OvP-ANV-001 rev 05, dated June 2020) in conjunction with an updated SDP via round robin email.

WD (LB)

**16.2 Proposed Residential Development on Portion 1 of Farm Johannesburg 1202, Pniel: MA
HM/STELLENBOSCH/FARM JOHANNESDAL 1202**

Case No: 14082003AS0826M

Revised Heritage Impact Assessment (HIA) was tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The VIA has assessed and addressed the visual impact from the view catchment as defined by the Simonberg Mountains to the west, the Wemmershoek, Franschhoek, Groot Drakenstein and Jonkershoek to the north.
- The zone of visual influence from the R310 scenic road is mitigated by distance, dense vegetation, matured trees, buildings and landforms, a distance of 2.5 to 5 km from the site.
- Individual houses will have a distinct design and character as per the SPD, and not be monotonous.
- The design development has been mitigated to fit-in with the mountain landscape which is a grade II resource.

FINAL COMMENT:

The Committee resolved to endorse and approve the revised submission.

SB

**16.3 Proposed Residential Development on Erven 326 & 327, Cnr Beach Road & 10th Avenue,
Melkbosstrand: NM
HM/MELKBOSSTRAND/ERVEN 326 & 327**

Case No: 19111219AS1208E

HIA and associated documentation prepared by Bridget O'Donoghue was tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton, Ms Bridget O'Donoghue and Ms Kozette Myburgh were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The high grading of the promenade for social significance is noted.
- There are no heritage resources that will be impacted by the proposed development.

FINAL COMMENT:

The Committee resolved to endorse the submission as there are no heritage resources that will be impacted.

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 Proposed Development of Golfcourse and Hotel on Hazendal Estate, Stellenbosch: NM HM/HAZENDEL/ERF 222

Case No: 18120510AS50712E

The applicant has not provided an updated report and revised drawing as requested by the committee. The matter was deferred to the next meeting.

SB

24 SECTION 42 HERITAGE AGREEMENT

24.1 None

25. ADVICE

25.1 None

26. OTHER

**26.1 Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A Waterfront: MA
HM/WATERFRONT/ERVEN 149294 AND 9588**

Case No: 15110515GT1110E

The CMP for the V&A Waterfront precinct has not been finalised. The matter was withdrawn from the agenda.

SB

27 Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions.

28. CLOSURE:

The meeting adjourned at 12:08

29. DATE OF NEXT MEETING: 8 July 2020

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON _____

DATE:

SECRETARY _____

DATE _____