

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 11 November 2020**



1. Opening and Welcome

The Chairperson, Mr David Gibbs, opened the meeting at 09h05 and welcomed everyone present via Microsoft Teams.

2. Attendance

Members

Mr Dave Saunders (DS)
Mr Mike Scurr (MS)
Mr Siphiso Mavumengwana (SM)
Ms Cecilene Muller (CM)
Mr David Gibbs (DG)
Mr Gaarith Williams (GW)
Ms Sarah Winter (SW)
Mr Jason Knight (JK)
Mr John Gribble (co-opted)
Ms Emmylou Bailey (co-opted)
Mr Rashid Fataar (RF)

Staff

Ms Cathy-Ann Potgieter (CAP)
Mr Olwethu Dlova (OD)
Ms Waseefa Dhansay (WD)
Ms Stephanie Barnardt (SB)
Ms Penelope Meyer (PM)
Ms Nosipho Tafeni (NT)
Ms Khanyisile Bonile (KB)
Ms Zikhona Sigonya-Ndongeni (ZSN)
Ms Aneeqah Brown (AB)

Observers

None

Visitors

Ms Berendine Irrgang
Mr Darryn Botha
Dr Nicolas Bauman
Mr Wouter Fourie
Ms Claire Abrahamse
Ms Patricia Botha

Ms Quahnita Samie
Mr Andrew Nimmo
Mr Veronique Fyfe
Ms Jenna Lavin
Ms Alma Kuspert

3. Apologies

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 11 November 2020

The Committee resolved to approve the agenda dated 11 November 2020.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 9 October 2020

The Committee reviewed the minutes dated 9 October 2020 and resolved to approve them with minor amendments.

5.2 Minutes dated 14 October 2020

The Committee reviewed the minutes dated 14 October 2020 and resolved to approve them with minor amendments.

6. Disclosure of Interest

- MS: item 13.1
- DG: item 10.6
- SW: item 13.4

7. Confidential Matters

7.1 None

8. Appointments

8.1 None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

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

- Proposed additions to an existing structure on ERF 119707, 93 9th Street, Kensington

10. Standing Items

10.1 Site Inspections/ Virtual Assessments

- None undertaken since the last meeting

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

- Proposed redevelopment of Molen Erf 14601, Stellenbosch (agenda item 13.2)
- Proposed Boundary Fence and Development of Orchards on Farm 956, Donkerhoek, Simondium, Paarl (agenda item 13.3)

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

Nothing to report.

**10.6 Proposed Redevelopment of Protea Village, Erven 212 and 242, Bishops Court: NM
HM/CAPE TOWN METROPOLITAN/BISHOPS COURT/ERVEN 212 AND 242**

Case No: 17120718WD1208M

DG recused himself and logged-off from MS Teams. The Committee elected MS to chair this item.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee members had sight of the “HWC Pack” containing Appendix A - D but not the complete basic assessment.
- The Committee decided to defer discussion and compilation of the final comment to a separate meeting to be held on Tuesday, 17 November 2020.
- The Committee requests that the heritage practitioner respond to all items that are noted in the HWC Interim Comment dated 5 August 2019, by close of business Friday, 13 November 2020 in order to meet the deadline for the final comment to be submitted on the 18th of November 2020.
- This response must be a separate written comment confirming the extent to which each comment has been addressed, and if not, reasons provided.

KB

MATTERS DISCUSSED

1. 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 the Site on Erf 8019, Sir Lowry Square Woodstock: MA
HM/CAPE TOWN METROPOLITAN/WOODSTOCK/ERF 8019**

Case No: 20091008KB0921E

MS recused himself and logged-off from MS Teams.

Ms Khanyisile Bonile introduced the case.

Ms Berendine Irrgang (City of Cape Town), Ms Quahnita Samie (Heritage Practitioner), Mr Darryn Botha (Project Architect) and Mr Andrew Nimmo (Architect and I&AP) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- As per S10 of the National Heritage Resources Act (NHRA), IACom was able to hear Mr Nimmo's verbal comments (written comments were received outside of the HIA commenting period).
- The Committee noted significant improvement to the proposal from the previous meeting.
- Some reservations remain with respect to negative interfaces and inactive edges – in particular as a result of the placement of the switch gear room at the corner of Francis and Basket Streets.
- With respect to the conceptual Landscape plan, the Committee queried the feasibility and desirability of trees placed in continuous raised planters and raised concerns about the potential negative impact of continuous raised planters, noting that planting trees in natural ground is preferable. For the street-trees proposed within sidewalks (outside the site boundaries) liaison with the City of Cape Town is required.
- With respect to the two section options presented, the Committee indicated support for the Sir Lowry Road setback option in preference to the alternative which indicates a sheer interface.

FURTHER REQUIREMENTS:

The Committee requires a revised proposal indicating further development of the interfaces of the proposal with the public realm, together with more detailed landscape plans and sections to facilitate better integration with urban fabric. The Committee requires the relocation of the switch gear room (away from the corner) to allow for a more active street interface and corner condition allowing for visual permeability.

KB

**13.2 Proposed redevelopment of Molen Erf 14601, Stellenbosch: NM
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ERF 14601**

Case No: 20101911KB1020E

Permit application was tabled.

FURTHER REQUIREMENT:

The Committee resolved to undertake a site inspection on 24 November 2020 (SW, DS, MS and CM).

KB

**13.3 Proposed Boundary Fence and Development of Orchards on Farm 956, Donkerhoek, Simondium, Paarl: NM
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/FARM 956**

Case No: 20030508SB1020E

A Heritage Impact Assessment (HIA) and associated documentation prepared by Aikman Associates were tabled.

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection 24 November 2020 (SW, DS, MS and CM).

SB

**13.4 Proposed Re-Development and Rezoning of the Site, Portion 9 Farm 653, Port Beaufort Square, Woolshed, Witsand: NM
HM/HESSEQUA/WITSAND/9/653**

Case No: 19090301SB0905E

SW recused herself and logged-off from MS Teams.

Heritage Impact Assessment and associated documentation prepared by Dr Nicolas Baumann were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Nicolas Bauman (Heritage Consultant) was present and took part in the discussion.

DISCUSSION

Amongst other things, the following was discussed:

- The historical archaeological importance of the site, as an early industrial building (Woolshed) was noted, although there are no immediate archaeological concerns. The standard clause with respect to accidental finds and archaeological monitoring would apply.
- The prominence of the Woolshed and the Anglican church as local landmarks.
- The view corridor from the R324 that is associated with the visibility of the two buildings.
- The placement of the additional buildings along the R324 and the orthogonal; alignment of these relative to the urban design conceptual diagram.
- Questions surrounding the rationale behind the 'herringbone' orientation of the residential units.

FURTHER REQUIREMENTS:

The Committee requires a revision of the Site Plan to address the concerns with respect to the visibility of the Woolshed from the view corridor, the orientation and placement of the additional buildings as informed by the conceptual urban design diagram. This includes the realignment of residential units from herringbone to orthogonal, and the widening of the view corridor by reducing the extent of the corner building.

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 Proposed 750MW Oya PV Project and 400MW Yemaya PV Project on: Farm 155 and Portion 1 of Farm 156, Witzenberg: MA
HM/CAPE WINELANDS/WITZENBERG/FARM 155 AND PTN 1 OF FARM 156**

Case No:20091504SB0917E

Revised Heritage Impact Assessment with a new layout and associated documentation prepared by PGS Heritage were tabled.

Ms Stephanie Barnardt introduced the case.

Mr Veronique Fyfe and Mr Wouter Fourie (Archaeologists) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- IACom has previously endorsed the heritage impact assessment.
- APM has provided comments and recommendations.
- Rock Art site requires a 200m buffer.

FINAL COMMENTS:

The Committee endorses the Archaeological Palaeontological and Meteorites (APM) recommendations and comments. It endorses the updated heritage impact assessments as having met the requirements of Section 38(3) of the NHRA.

It recommends that the development may proceed subject to the recommendations of the heritage impact assessment reports as outlined below.

Yemaya PV facility:

Land use patterns

1. The patterns of current land use are to be left in place as far possible including current fence layouts and wind pumps should have a 50m buffer from any new development.
2. Existing roads to be used as far as possible without extreme widening and new farm tracks must be minimised.
3. The impact on the land use patterns is neutral if done within the development threshold and will be read as a new, potentially positive, layer of land use.

Historic roads and farm tracks

1. Existing historic roads must be maintained as close to current state as possible. Widening, guttering, road verges, hardening should be reduced as far possible. The most significant historic roads, the Grand Trunk Road and the tracks leading to old farmsteads at "Fontein" in the Gats Rivier CLA should be maintained as close to current state as possible.

2. Construction traffic must be reduced in amount and weight as far as is possible to accommodate the width and strength of the roads as they currently exist.
3. Strengthening of any stone retaining walls must be done without reducing the aesthetic and authenticity of the stone structure. Their structural authenticity and aesthetic, which shows their historical and technical heritage significance should be kept as a tangible signature on the landscape and they should be read on the landscape as historic stone retaining walls.
4. Existing roads must be used as far possible and minimally altered.

Watercourses

1. Watercourses and confluences must have a buffer of 100m for any development on either side. The development buffer along the watercourse adjacent to an identified no-go area must be 200m.

Watercourse and road intersections

1. Existing watercourse and road intersections must be maintained as close to current state as possible.
2. Existing patterns must be maintained and current points of crossing to be used for new development.
3. Strengthening of any crossings must be done without reducing the aesthetic and authenticity of the current site.

Perceptual qualities during all phases

1. Development of solar PV facility must be located so that views onto it from the surrounding area, historic routes or the significant CLA's identified in the report are minimised.
2. Development must be concentrated on lower valley areas away from ridge slopes and visual intrusion minimised by utilizing slope angles, valley undulations and prevalent travel directions to hide development from viewpoints such as historic routes or historic farmstead that are still utilised, such as Gats Rivier tourism accommodation. All guesthouses are buffered, and the ridgeline is excluded from the study area.

General for final design layout

1. Review of the CLA once the PV panel and access road layout has been completed and before construction.
2. Foot survey of specific sites of panels, cabling and roads before construction on completion of final design layout.
3. Work plan for management of heritage resources and cultural landscape elements during construction, operational and decommissioning phase to be included in the Conservation Management Plan.
4. Work plan to be approved by HWC with comment from heritage practitioner, cultural landscapes specialist (for CL elements)

Intangible Heritage

1. New geographical names must be appropriate and reflect aspects of the landscape and the new layer of land use.
2. With sensitive development that stays within the threshold and adheres to mitigation measures, the land use and living heritage of the landscape can be improved by introducing new interactions with people.

3. Impacts are to POTENTIAL IKS. Research on IKS in the area would mitigate this impact. A social heritage or cultural landscapes specialist is required to be present for the PPP in order to identify and assess any IKS or living heritage concerns related to the study site and mitigations if required. PPP studies done for other reports would need to be assessed for living heritage indicators and, if necessary, questions about living heritage would need to be included as part of the PPP for public consideration. Further, Conservation Bodies registered with HWC need to be informed of the proposed development for their comment in terms of heritage resources.
4. There are no local communities currently living on the site so there is no direct impact. Research on IKS in the surrounding areas and local communities can be used to determine any significant resources on the site that may be related to IKS. Without further research, impact assessment on POTENTIAL IKS is not possible. Any known fauna or flora with IKS significance, for example medicinal plants, must be noted by the qualified botanical specialist and must be assessed for potential impacts by development. However, this is outside the scope of this BA process but must be followed up on in the PPP and included in the final heritage significance and impact statements in the final HIA/ EIA.

Oya PV facility:

Land use patterns

1. The patterns of current land use are to be left in place as far possible including current fence layouts and wind pumps should have a 50m buffer from any new development.

Management measures

1. Existing roads to be used as far as possible without extreme widening and new farm tracks must be minimised. The impact on the land use patterns is neutral if done within the development threshold and will be read as a new, potentially positive, layer of land use. Historic roads and farm tracks existing historic roads must be maintained as close to current state as possible. Widening, guttering, road verges, and hardening should be reduced as far possible. The most significant historic roads, the Grand Trunk Road and the tracks leading to old farmsteads, such as the Baakens Rivier farmstead should be maintained as close to current state as possible.
2. Construction traffic must be reduced in amount and weight as far as is possible to accommodate the width and strength of the roads as they currently exist.
3. of any stone retaining walls must be done without reducing the aesthetic and authenticity of the stone structure.
4. Their structural authenticity and aesthetic, which shows their historical and technical heritage significance, should be kept as a tangible signature on the landscape and they should be read on the landscape as historic stone retaining walls.
5. Existing roads must be used as far possible and minimally altered.

Watercourses

1. Watercourses and confluences must have a buffer of 100m for any development on either side. The development buffer along the watercourse adjacent to an identified no-go area must be 200m.

Watercourse and road intersections

1. Existing watercourse and road intersections must be maintained as close to current state as possible.

2. Existing patterns must be maintained and current points of crossing to be used for new development.
3. Strengthening of any crossings must be done without reducing the aesthetic and authenticity of the current site.

Perceptual qualities during all phases

1. Development of solar PV facility must be located so that views onto it from the surrounding area, historic routes or the significant CLA's identified in the report are minimised.
2. Development must be concentrated on lower valley areas away from ridge slopes and visual intrusion minimised by utilising slope angles, valley undulations and prevalent travel directions to hide development from viewpoints such as historic routes or historic farmstead that are still utilised, such as Baakens Riviers tourism accommodation. All guesthouses are buffered, and the ridgeline is excluded from the study area.

General for final design layout

1. Review of the CLA once the PV panel and access road layout has been completed and before construction.
2. Foot survey of specific sites of panels, cabling and roads before construction on completion of final design layout.
3. Work plan for management of heritage resources and cultural landscape elements during construction, operational and decommissioning phase to be included in the Conservation Management Plan.
4. Work plan to be approved by HWC with comment from heritage practitioner and a cultural landscapes specialist (for CL elements).

Intangible Heritage

1. New geographical names must be appropriate and reflect aspects of the landscape and the new layer of land use.
2. With sensitive development that stays within the threshold and adheres to mitigation measures, the land use and living heritage of the landscape can be improved by introducing new interactions with people.
3. Impacts are to POTENTIAL IKS. Research on IKS in the area would mitigate this impact. A social heritage or cultural landscapes specialist is required to be present for the PPP in order to identify and assess any IKS or living heritage concerns related to the study site and mitigations if required. PPP studies done for other reports would need to be assessed for living heritage indicators and, if necessary, questions about living heritage would need to be included as part of the PPP for public consideration. Further, Conservation Bodies registered with HWC need to be informed of the proposed development for their comment in terms of heritage resources.
4. There are no local communities currently living on the site so there is no direct impact. Research on IKS in the surrounding areas and local communities can be used to determine any significant resources on the site that may be related to IKS. Without further research, an impact assessment on POTENTIAL IKS is not possible. Any known fauna or flora with IKS significance, for example medicinal plants, must be noted by the qualified botanical specialist and must be assessed for potential impacts by development. However, this is outside the scope of this BA process but must be followed up on in the PPP and included in the final heritage significance and impact statements in the final HIA/ EIA

Both applications of September 2020, as well as the recommendations of the updated heritage impact assessment meet the requirements of S38(3) of the NHRA.

SB

**15.2 Proposed Stellenbosch Waste Transfer Facility on Farm RE 279, Stellenbosch, Cape Winelands.
S38(8)-NID: MA
HM/CAPE WINELANDS /STELLENBOSCH/FARM RE 279**

Case No: 20050704SB0622E

Heritage Impact Assessment and associated documentation prepared by CTS Heritage were tabled.

Ms Stephanie Barnardt introduced the case.

Ms Jenna Lavin (CTS Heritage), Ms Claire Abrahamse (Heritage Consultant), Ms Alma Kuspert (Environment Consultant), Ms Patricia Botha (Stellenbosch Interest Group) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- Issue of process: The Committee expressed concern that the EAP appears to have made a recommendation ahead of IACom comments.
- Comprehensive heritage report and recommendations have been supplied.

FINAL COMMENTS:

The Committee endorses the heritage and visual impact assessment as meeting the requirements of S38(3) of the NHRA. The Committee further supports the recommendations on page 55-56 of the HIA prepared by CTS Heritage and Claire Abrahamse, dated September 2020, which identifies site option 2 as having the lowest cultural landscape and heritage visual impact. Notwithstanding the EAP recommendation for option 3, the Committee supports the HIA recommendation that option 2 is the preferred site.

The following recommendations are endorsed:

1. Site Alternative 2 is the preferred development alternative in terms of impacts to heritage resources.
2. The retention of the dam walls and existing hedge line for visual mitigation.
3. The establishment of a new tree line above the site to screen from above the dam wall height.
4. These tree lines must be managed over time, to ensure visual screening is continued, even as the trees and hedges mature and may need to be replaced.
5. The roadway should not be overly-formalised or -engineered. Tarred sidewalks are discouraged – a simple tarred or bricked roadway is preferred.
6. Consideration should be given by the Municipality to the enhancement of public access to the site above the dams – at Site 1 – and the rehabilitation of this piece of land as an informal parkland, in order to enhance the community connection to this historic outspan site.
7. The rehabilitation of the Veldwachtersrivier course below the R310 should be undertaken as part of the development of the site.

8. If any unmarked graves or buried archaeological heritage resources are uncovered or exposed during bulk earthworks, these must immediately be reported to Heritage Western Cape.

SB

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

16.1 None

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 42 HERITAGE AGREEMENT

24.1 None

25. ADVICE

25.1 None

26. OTHER

26.1 None

27 Adoption of decisions and resolutions

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

28. CLOSURE:

The meeting adjourned at 14:15

29. DATE OF NEXT MEETING:

17 November 2020

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON

DATE:

SECRETARY _____

DATE _____