

**Adopted Resolutions and Decisions of the Meeting of the Impact Assessment  
Committee (IACOM)  
of Heritage Western Cape (HWC) held at 1<sup>st</sup> Floor Boardroom, Green Market Square,  
Cape Town  
at 09H00 on Wednesday, 15 February 2023**



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**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 Subdivision of Erf 5022, St Simon and Jude Catholic Church, 174 St George's Street, Simonstown: NM  
HM/ CAPE TOWN METROPOLITAN/ SIMONSTOWN/ ERF 5022**

**Case No:** 21121308RG0201E

**FURTHER REQUIREMENTS:**

The Committee resolved to undertake the site inspection.

**RG**

**13.2 Proposed Redevelopment of Unregistered Erf 17363(A Consolidation of Erven 282, 283, 284, 285, 286, 287, 288, 289, 295 & 299) Alexander And Du Toit Streets, Stellenbosch: NM  
HM/CAPE WINELANDS/STELLENBOSCH/ ERF 17363**

**Case No:** 21061804SB0621E

**RECORD OF DECISION:**

The Committee endorses the heritage impact assessment prepared by Cindy Postlethwayt and dated January 2023 as meeting the requirement of S.38(3) of the NHRA and further supports the recommendations of the HIA as follows:

1. In terms of Section 38(4) of the NHRA approves the proposed demolitions of all structures older than 60 years on Unregistered Erf 17363 (a consolidation of Erven 282, 283, 284, 285, 286, 287, 288, 289, 295 and 299) in Stellenbosch;
2. In terms of Section 38(4) of the NHRA approves the proposed consolidation, rezoning and development of Unregistered Erf 17363 (a consolidation of Erven Erven 282, 283, 284, 285, 286, 287, 288, 289, 295 and 299) in Stellenbosch, provided it is generally in accordance (in all heritage related matters) with the Plans and associated Urban Design and Landscaping Guidelines appended to this report as Annexure D2.

The development may proceed.

SB

**13.3 Proposed Addition of 3 Dwellings on Ptn 43 of Farm 159, Meerendal Farm, Durbanville: NM HM/CAPE METROPOLITANDURBANVILLE/MEERENDAL FARM/ PTN 43 OF FARM 159**

**Case No:** 21092212AM1018

**RECORD OF DECISION:**

The Committee endorses the heritage impact assessment prepared by Aikman Associates dated November 2022 as meeting the requirements of S.38(3) of the NHRA. The Committee further supports the recommendations of the HIA as follows:

1. As has been shown the three proposed additional dwellings would have a low visual impact and the archaeological impact assessment found that there was no objection on archaeological grounds for the building of additional dwellings. The DHS supports the proposed development and their concerns have been taken into consideration. It is accordingly recommended that HWC supports the proposed siting and form of the additional dwellings.

The development proposal may proceed.

AM

**14 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP**

**14.1 Proposed Housing Development on Erf 1306, Cummings Street, Wellington: NM HM/ CAPE WINELANDS/ DRAKENSTEIN/ WELLINGTON/ ERF 1306**

**Case No:** HWC23012607RG

**RESPONSE TO NID:**

Heritage impact assessment is required. The HIA must comply with S.38(3) and include cultural landscape study and visual statement.

RG

**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 for a Single Residential Development of 77 Group Housing Units on Erf 19374, Off Plantation Road, Heather Park, George: NM HM / EDEN / GEORGE / GEORGE / ERF 19374**

**Case No:** 22060806NK0623E

**FINAL COMMENT:**

The Committee endorses the heritage impact assessment prepared by Ron Martin Heritage Consultancy dated November 2022 as meeting the requirements of the S.38(3) of the NHRA. The Committee further supports the recommendations of the HIA as follows:

1. Endorse this report as having complied with the provisions of Section 38(3) of the Act.
2. Recommend to the Department of Environmental Affairs & Development Planning (DEA&DP) that the proposed rezoning of Erf 19374, George, be approved, and
3. That the proposed layout plan for the new development, be approved.
4. The only condition should be that a tangible representation of the memory associated with Preto be incorporated, through a naming exercise, either of the streets or the development itself, to be initiated. This could be done in collaboration with the George Museum or the George Heritage Trust, in consultation with the community.

**CN**

**16.2 Proposed Powerline and Grid Connection Associated with Emoyeni WEF, Beaufort West: NM HM/CENTRAL KAROO/ BEAUFORT WEST/ VARIOUS FARM**

**Case No:** 22092204AM0928E

**FINAL COMMENT:**

The Committee endorses the heritage impact assessment prepared by PGS Heritage dated January 2023 as meeting the requirements of the S.38(3) of NHRA and the Committee further endorses the recommendation of the HIA as follows:

1. The calculated impact as summarized in Section 8 of this report confirms the impact of the new 132kV grid connection and associated infrastructure for the authorized Emoyeni Wind Energy Facilities will be reduced with the implementation of the mitigation measures. This finding in addition to the implementation of a chance finds procedure, as part of the EMPr, will mitigate possible impacts on unidentified heritage resources.
2. General project area: Implement a chance to find procedures in case where possible heritage finds are uncovered.
3. If development occurs in the 'extended corridor area', then the ECO for this project must monitor construction activities in this area. In addition, a training program related to archaeology and palaeontology must be implemented for the ECO and supervisors. Evidence of training (a report) will also need to be submitted to HWC.
4. The ECO should implement cultural awareness talks before construction activities commence to induct personnel in:

- a. The types of cultural heritage sites that exist within the disturbance areas that trigger the implementation of the Chance Finds Procedure, which includes measures for dealing with archaeological finds, palaeontological resources and burial ground and graves.
  - b. Locations of known cultural heritage sites and requirements to avoid all sites, as they are No-Go-Zones.
5. Rock art site (PL\_11) of high heritage significance: §As the site is located more than 2km outside of the proposed development area, no mitigation is required Historical farmstead (PL\_06) of high heritage significance: It is recommended that the respective no-go-buffer-zones are kept to the closest proposed powerline infrastructure:
    - a. -The burial grounds and informal graves should be demarcated with a 50-meter buffer zone and should be avoided and left in situ.
    - b. -Implement a 30-meter buffer around the midden.
    - c. -Implement a 30-meterbuffer around the surface scatter.
    - d. -Implement a 30-meterbuffer around all structures (incl. the original farmhouse and kraals).
  6. In terms of general conservation of the historical farmstead, the placement of pylon infrastructure in the above-mentioned buffers should be avoided (to the extent technically feasible) or minimized.
  7. If development occurs within any of the recommended buffers for structures at PL\_06, the site will need to be satisfactorily studied and recorded before impact occurs. Recording of the structure i.e. (a) map indicating the position and footprint of the structure (b) photographic recording of the structure (c) measured drawings of the floor plans of the structure.
  8. If the site is going to be impacted directly and the graves need to be removed a grave relocation process for these sites is recommended as a mitigation and management measure. This will involve the necessary social consultation and public participation process before grave relocation permits can be applied for with the HWC under the NHRA and National Health Act regulations.
  9. Rock engraving sites (K002, K003) of medium-low heritage significance: The sites should be demarcated with a 30-meter buffer and should be avoided if any construction is to happen close to it.
  10. If the engravings cannot be avoided, then they should be photographed and traced as necessary to produce a clear record.
  11. Structures (PL\_02, PL\_05, PL\_08, PL\_10) that are of low/ no heritage significance: §No mitigation required.
  12. Stone tool surface scatters (PL\_01, PL\_03, PL\_04, PL\_07, PL\_09) that are of low heritage significance: No mitigation required.
  13. Small stone packed feature (PL\_12) of low heritage significance: No mitigation required.
  14. Palaeontological finds: The ECO for this project must be informed that sediments of the Adelaide Subgroup (Beaufort Group, Karoo Supergroup) have a Very High Palaeontological Sensitivity: Training of accountable supervisory personnel by a qualified palaeontologist in the recognition of fossil heritage is very important and necessary.
  15. If Palaeontological Heritage is uncovered during surface clearing and excavations the Chance find Protocol attached should be implemented immediately. Fossil discoveries ought to be protected and the ECO/site manager must report to South African Heritage Resources Agency (SAHRA) (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Tel: 021 462 4502. Fax: +27(0)21 462 4509. Web: www.sahra.org.za) so that mitigation (recording and collection) can be carried out.

16. Before any fossil material can be collected from the development site the specialist involved would need to apply for a collection permit from SAHRA. Fossil material must be housed in an official collection (museum or university), while all reports and fieldwork should meet the minimum standards for palaeontological impact studies proposed by SAHRA (2012).
17. These recommendations should be incorporated into the Environmental Management Plan for the proposed development.
18. Cultural Landscape: It is recommended that the respective no-go-buffer-zones are kept to the closest proposed powerline infrastructure:
  - a. The burial grounds and informal graves should be demarcated with a 50-meter buffer zone and should be avoided and left in situ. The graves should be fenced during construction if construction activities happen within 50m from a site.
  - b. Implement a 30-meter buffer around the midden. The sites should be fenced during construction if construction activities happen within 30m from a site.
  - c. Implement a 30-meter buffer around the surface scatter. The sites should be fenced during construction if construction activities happen within 30m from a site.
  - d. Implement a 30-meter buffer around all structures (incl. the original farmhouse and kraals). The sites should be fenced during construction if construction activities happen within 30m from a site.
19. In terms of general conservation of the historical farmstead, the placement of pylon infrastructure in the above-mentioned buffers should be avoided (to the extent technically feasible) or minimized.

Alternative routing 2 is the preferred option with the least impacts upon heritage resources.

AM

**16.3 Proposed Residential Development on Erf 3122 (Hartenbos), Mossel Bay: NM  
HM/EDEN/ MOSEL BAY/ ERF 3122**

**Case No:** 21042001SB0421E

**FINAL COMMENT:**

The Committee endorse the heritage impact assessment prepared by Perception Planning dated November 2022 as meeting the requirements of S.38(3) of the NHRA. The Committee supports the recommendations of the HIA as follows:

**Archaeology**

If an Environmental Management Program (EMPr) is applicable to the project, then it should make provision for the following (Nilssen, 2022:43,44):

1. "Because the Early and Middle Stone Age artefact scatters at waypoints 127 and 34 are considered to be of medium significance at the local level (Grade IIIB), their extents - including 5 m buffers – were mapped (via GPS) and these are No-Go areas that are already incorporated into the revised development layout.
2. Waypoint 127 should be enclosed with a temporary boundary fence prior to the construction phase and under an archaeologist's supervision to ensure that this No-Go area is avoided during the construction phase of development.
3. Waypoint 34 falls within a conservation area and outside the development footprint, but the installation of a perimeter fence and construction of the service road should be monitored by

- a suitably qualified and informed archaeologist to avoid or minimize the disturbance or destruction of artefacts.
4. If any human remains or significant archaeological materials are exposed during development activities, then the find should be protected from further disturbance and work in the immediate area should be halted and Heritage Western Cape must be notified immediately. These heritage resources are protected by Section 36(3)(a) and Section 35(4) of the NHRA (Act 25 of 1999) respectively and may not be damaged or disturbed in any way without a work plan and permit from the heritage authorities.
  5. Any work in mitigation, if deemed appropriate, should be commissioned and completed before construction continues in the affected area and will be at the expense of the developer.
  6. If an EMP is not developed for the project, then the above recommendations must be implemented by the applicant or developer.”

### **Palaeontology**

1. A practical monitoring and mitigation programme must be implemented during the Construction Phases of the proposed housing development. The following measures apply to all earthworks affecting all four formations listed above:
  - a. The field supervisor/foreman and workers involved in digging excavations must be informed of the need to watch for fossils and buried potential archaeological material. Section 8.2 of the PIA provides measures for inclusion in the Construction Phase EMP and the Fossil Finds Procedure included as Appendix 3 of the PIA provides guidelines to be followed in the event of fossil finds.
  - b. It is also recommended that fresh exposures of the marine beds that may be created during construction, such as along the perimeter road, are recorded and sampled by a palaeontologist. To this end the ECO must liaise with the contracted palaeontologist as to the progress of road construction earthworks.
  - c. It is proposed that exposures of the De Hoopvlei Formation Miocene beds and the overlying Wankoe Formation that may be created along the perimeter road are highlighted by explanatory signage.
  - d. Should the fossil content indeed indicate a mid-Miocene age for the De Hoopvlei Formation this site will be an important, new stratotype locality. This would represent a positive outcome of regional to national consequence.”

### **Visual**

1. Buildings on Slopes
  - a. Where a building is supported on columns on the downslope of the erf, the area underneath will need to be stabilised with a stone pitching. Low shrubs should be planted on the edge of the area to afford some screening of the void.
  - b. Erven on the top edge of the steep slopes e.g., the drainage line and the plateau, should accommodate single storey buildings only. The row behind can accommodate double storey units. Refer to proposed erven below.
  - c. The design of buildings on steeper slopes should be shown in sections in the Architectural Guidelines. This will ensure that only one storey and not two storey structures are constructed above the road level on the down-slope side of the road.
  - d. All cut and fill soil surfaces should be adequately protected from erosion either by vegetation or a combination of block retaining walls and vegetation or rock cladding.
2. Colours for Roofs and Buildings
  - a. Avoid bright reflective or contrasting colours for roofs and buildings.

- b. Tones and tints of selected complementary colours that fit the setting and vegetation should be considered.
  - c. Subdued and complimentary natural shades and tints blend easily into a landscape setting.
3. Roads and Pathways
- a. Roads and pathways should be paved with a durable brick of brown/sand colour. The light brown colour is similar to the exposed earth in the area. The light colour will also not generate high surface temperatures as an asphalt or dark surface would.
  - b. The cut and fill slopes should not be steeper than 1:2.5 vertical to horizontal as this allows vegetation to establish more easily. This will reduce erosion of the soil.
4. Lighting
- a. Avoid bright reflective or contrasting colours for roofs and buildings.
  - b. External lights will increase the visual impact of the project at night therefore attention should be given to their selection for the specific function.
  - c. All lighting therefore should be carefully considered with regard to the extent of illumination, the intensity and colour of lights and the luminaire.
  - d. It is recommended that lighting is designed by a lighting engineer in collaboration with the landscape architect for the project. The aspects of the lighting solution should include the following:
    - Light fittings should have shields to eliminate sight of the light source. Down lighting of areas is preferred to up lighting.
    - Any perimeter lights are to be directed downwards and inwards to the development.
    - Emitted light colour should be a softer light than sodium (yellow) or mercury halide (blue-white). The light colour should also be chosen with knowledge of what colour will attract insects. It is important that a colour type and spread of light will not cause insects to be attracted to it and in so doing deplete the insect diversity of the region. For this purpose, an entomologist familiar with the effect of light frequencies on insects should be consulted.
    - The use of flood lights to illuminate structures, large areas or features should not be considered. Rather incorporate concealed lights to shine downwards. Darker areas on the building elevations will provide a less visually noticeable structure.
    - No light fittings should spill light upwards or be directed upwards from a distance towards the area or building to be illuminated.
    - The lighting plan should strive to maximise the light energy use. This should include a hierarchy of light function. The function will determine the best light type to use. Some may be switched on only when needed by motion sensors.
    - Security lights should not flood the area with light continuously but should be activated by a motion sensor.
    - It is now accepted practice that lighting of new projects should be subdued and energy efficient.

If any human remains or significant archaeological materials are exposed during development activities, then the find should be protected from further disturbance and work in the immediate area should be halted and Heritage Western Cape must be notified immediately. These heritage resources are protected by Section 36(3)(a) and Section 35(4) of the NHRA (Act 25 of 1999) respectively and may not be damaged or disturbed in any way without a permit from the heritage authorities. Any work in mitigation, if deemed appropriate, should be commissioned and completed before construction continues in the affected area and will be at the expense of the

developer. The above recommendations should be included in the Environmental Management Program (EMPr) for the proposed residential development.

The HWC Chance Fossil Finds Protocol to be implemented and included in the Environmental Management Programme Report.

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 Proposed Amendment on Erf 149294-Re, Quay 7, East Pier Precinct, V&A Waterfront, Cape Town:  
MA  
HM / CAPE TOWN METROPOLITAN / WATERFRONT / ERF 149294-RE

Case No: None

**COMMENT / ADVICE:**

The applicant is advised to either submit a revised design proposal which complies with the original decision of HWC's Appeals committee which limited the height of the proposed replacement building to 24 m at the apex of the roof or alternatively submit a new application in terms of S38 of the NHRA.

SJ



**25 SECTION 42 HERITAGE AGREEMENTS**

25.1 None

**26. OTHER**

**26.1 Conservation Management Plan for Boschendal Historic Core Precinct: NM  
HM/CAPE WINELANDS/STELLENBOSCH/ BOSCHENDAL**

Case No: None

**FURTHER REQUIREMENTS:**

The Committee resolved to undertake the site inspection on 10 March 2023 (DG, DS, CF, SL and CD).

**SB**

**27 Adoption of decisions and resolutions**

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