

MATTERS DISCUSSED

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

- 11.1 Proposed enclosed Padel Court on Portion 1 of Farm 1791 Spice Route Destination, Suid-Agter Paarl Road: NM
CAPE WINELANDS / DRAKENSTEIN / PAARL / PTN 1 OF FARM 1791**

Case No: HWC23031310SJ0314

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 5 May 2023.

SJ

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

Case No: HWC23022810SJ0227

RESPONSE TO NID:

Heritage Impact Assessment is required, inclusive of a Visual Statement which focuses on the nature of built form typology, scale, character and materiality appropriate to the heritage context of the site. (Note: a full Visual impact assessment is not required).

SJ

- 11.3 Proposed Development of a Logistics Hub to Stockpile and Export Manganese and other Commodities on Farm 1132 (Portion 2 of Yzervarkensrug No 129, Portions 8 and 13, Yzervarkensrug No 127 and Portion of Farm 195), Saldanha Bay: NM
HM / WEST COAST / SALDANHA BAY / FARM 1132 (PORTION 2 OF YZERVARKENSRUG NO. 129, PORTIONS 8 & 13, YZERVARKENSRUG NO. 127 & PORTION OF FARM 195)**

Case No: HWC23012007AM0320

RESPONSE TO NID:

Heritage Impact Assessment of the proposal is required, including an Archaeological Impact Assessment to address the significance of historical use of the site by First Nation Groups.

AM

12. SECTION 38(1): INTERIM COMMENT

**12.1 Phase 1 HIA for Urban Hub Development on Erven 2902, 2802, 2791, 2798, 2799-RE, Corner Dorp & Buitengracht Street, Bo-Kaap: MA
HM / CAPE TOWN METROPOLITAN / BO-KAAP / ERVEN 2902, 2802, 2791, 2798, 2799-RE**

Case No: 21102502SJ1109E

INTERIM COMMENT:

1. Meaningful and comprehensive public participation and engagement with I&APs must be included within the heritage process.
2. The indicative development envelope included within the heritage indicators needs more detailed clarification in terms of appropriate height and scale in this particular heritage context.
3. A townscape, streetscape, and contextual analysis with views from various vantage points to be considered, including the significance and visual relationships of Mosques in proximity of the site.
4. The design proposal in terms of its implication of proposed uses on the public interface and integration into the life of the community needs careful consideration.

SJ

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

**13.1 Proposed Redevelopment of the Artscape Precinct on Erven 186 and 187, Roggebaai, Cape Town: MA
HM / CAPE TOWN METROPOLITAN / CAPE TOWN CITY CENTRE / ROGGEBAAI / ERVEN 186 AND 187**

Case No: 18100908AS1011E

RECORD OF DECISION:

The Committee resolved to support the amendment to read "Record of Decision" based on the following recommendation:

1. Given that the 2020 HIA met the requirements of Section 38(3) of the NHRA (as specifically indicated in the recommendations of said report); and that the Adopted Resolutions and Decisions of the IACom Meeting 9 September 2020, and the published Approved IACom Minutes 9 September 2020 constitute a legally binding decision of HWC (regardless of the fact that a recording of the meeting cannot be found by the Administration); and given that the written record of this decision clearly erroneously refers to it as a "RESPONSE TO DRAFT BASIC ASSESSMENT: INTERIM COMMENT", HWC is requested to instruct the Administration to urgently issue a correct response as a "Record of Decision".

CN

**13.2 Proposed New (Re) Development on Erven 284, 287, 288 & 289, Cnr Clarens & Regent Road, Sea Point: MA
HM / CAPE TOWN METROPOLITAN / SEA POINT / ERVEN 284, 287, 288 & 289**

Case No: 22030411NK0322E

FURTHER REQUIREMENTS:

The Committee resolved to support the HIA as meeting the requirements of S.38(3) of the NHRA and endorse the recommendation of the HIA but requires refinements of the architectural proposal to address streetscapes scale and proportion as discussed.

This requires the refinement of the proposals indicating the retention of the colonnade on the corner building and the reinstatement of the proportion of the original openings on the façade of the garage structure.

A commemoration of the social history to be incorporated into the development.

SJ

**13.3 Proposed Re-Development at Erven 3189, 3200 - 3203; 192 - 198 Loop Street, Cape Town: MA
HM / CAPE TOWN METROPOLITAN / CAPE TOWN CITY CENTRE / ROGGEBAAI / ERVEN 3189, 3200, 3201, 3202, 3203**

Case No: 17111314KR1115M

RECORD OF DECISION:

The building plans are not in accordance with what was previously approved. The Committee does not support the current proposal for the roof of the historical building facing Loop Street being used as a terrace with associated balustrade due to potential negative visual impacts on the integrity of the historic facade.

MS

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

Case No: 22042902CM0509E

FINAL COMMENT:

The Committee resolved that the HIA meets the requirements of S.38(3) of the NHRA.

The Committee further endorses the recommendation of the HIA, prepared by Bridget O'Donoghue, heritage specialist dated 22 February 2023 as follows:

1. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

2. In terms of the NHRA Section 38(8), HWC assesses the application positively and provides a positive comment for the DEA&DP assessment and decision

Endorsement of the HIA is based on the following detailed issues being resolved at a building scale with building plans required to be being submitted to HWC to approval.

The Committee supports the above, and further notes that whereas most of the proposed building work will not impact heritage significance; following three aspects of the proposals are identified as of primary concern, namely

- a. proposed alterations to the historic **Homestead** (glass enclosure, roof windows)
- b. the proposed **Guest Accommodation building** adjacent to the homestead,
- c. the proposed **Guard House** / reception just outside the werf entrance, which should be considered carefully in terms of its placement and detail resolution.

Whereas these interventions may be supported in principle in terms of the Site Development Plan process, going forward, further detailed design resolution should be submitted to HWC for approval, inclusive of a conservation management strategy. HWC also notes the importance of the treescape, and the proposed 'light touch' in terms of landscape and site engineering interventions, in order to preserve the authenticity and rustic quality of the farmstead.

With respect to the above, in order to address the areas of concern:

- a. **Homestead: South Elevation** & front historic axial view of the house should be retained intact, without the insertion of roof windows in this primary façade. (However, roof windows would be permissible at the back, (facing towards the boundary and not towards the werf)
- b. **Homestead: East Elevation** & aspect presented to the secondary precinct: the proposals for frameless glass enclosure should be refined holistically and in detail to address slenderness and colour of structure so as to 'recede' visually, and to address practicalities such as waterproofing and ventilation, to avoid future ad-hoc interventions, and to retain the vine and planted border to be incorporated into the new structure. IACom recommends that the glass enclosure aligns with the edge of the parapet, not the centre, to preserve the symmetrical presentation of the stairway balustrades. (i.e. the proposed position of glass line in relation to moulded stair balustrade to be reconsidered).
- c. The interior floor level is about 100mm lower than the exterior terrace flooring which is problematic. IACom recommends lowering the exterior floor level to below the level of the interior floor.
- d. **Guest Accommodation Building:** door configuration as shown on the South Elevation is to be adjusted to reflect a more traditional arrangement of single doors with fanlights and separate casement windows either side, which may be more appropriate in the werf context.
- e. **Guardhouse:** This structure should respond to the architectural character of this setting near to building 2 and the werf wall in terms of its presentation to the approach and the main werf entrance, with respect to simplicity of form, whitewashed walls, parapet, and plaster molding details.

With respect to the Drakenstein Municipality grading proposals, the heritage significance of the Homestead building itself has been diminished by the 1990's alterations (post-fire), however, due to its age, history, and role as an anchor within the setting, should be considered as having grade IIIA heritage significance, (if not a PHS). The assembly of werf and associated buildings within its landscape context should be considered as having at least grade IIIA heritage significance. There is

considerable heritage value in the cultural landscape context as a whole which appears to have the wider protection of Drakenstein Municipality conservation measures.

CM

**13.5 Proposed Construction of a Temple, Administrative Unit and Utility Building on Erf 160695, 80 Liesbeeck Avenue, Observatory: MA
HM/ CAPE TOWN METROPOLITAN/ OBSERVATORY/ ERF 160695**

Case No: 21053105AM0608

RECORD OF DECISION:

The Committee notes that the requirements of 38(3) of the NHRA have been met in terms of the HIA process. The Committee therefore resolved to approve the development with the following conditions in order to ensure a minimal heritage impact on the landscape qualities of the heritage context:

1. The site development plan must be revised in detail to address the heritage context, in particular the adjacent heritage resources, to retain the landscape quality and visual permeability of the riverine setting and open space character.
2. The proposed new accommodation building directly adjacent to the approach road must be set back from the road to retain oblique views towards the Valkenburg homestead, including its reconstructed façade.

AM

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 Development of a Portion of the Remainder of Farm 1305, Stellenbosch (Schoongezicht): MA
HM / CAPE WINELANDS / STELLENBOSCH / REM OF FARM 1305**

Case No: 222030707NK0328E

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 5 May 2023.

SB

**15.2 Proposed Extension of the Residential, Light Industry and Business Precincts on the Western Portion of Portion 5 of Farm 742: MA
HM / CAPE WINELANDS / DRAKENSTEIN / PAARL / PORTION OF PORTION 5 OF THE FARM 742**

Case No: 20032416JW0331E

FINAL COMMENT:

The Committee endorsed the heritage impact assessment prepared by Cindy Postlethwayt dated March 2023 as meeting the requirements of S.38(3) of the NHRA and furthermore, the Committee supports the following recommendations of the HIA:

1. Development of portion of Farm 743/5 in accordance with the development proposal Stellenbosch Bridge Phase 3B, together with the associated development and landscape guidelines as appended to this report, on condition that:
 - a. The Mitigation, Management and Monitoring measures included as Section 14 in this report, and in the associated VIA are undertaken. These measures will improve the acceptability of the development, and they should be included as conditions of NEMA authorisation.
 - b. The mitigation measures proposed in the SIA appended to this report be implemented. These measures will improve the acceptability of the development, and they should be included as conditions of NEMA authorisation.
 - c. The visual impacts of this phase of development, specifically per the mitigation measures, be reassessed and submitted to HWC for comment at SDP level, prior to Municipal Approval.

SB

**15.3 Proposed Housing Development on Erf 325, Jacobaai: NM
HM / WEST COAST / SALDANA BAY / JACOBAAI / ERF 325**

Case No: HWC23021602SB0322

FURTHER REQUIREMENTS:

For requirements of S.38(3) to be met, the Committee requires the following:

1. Mapping of heritage resources, in particular the archaeological resources referred to in the text.
2. Mapping of planning parameters, including confirmation of the urban edge.
3. Engagement with I&APs.
4. A proper assessment of the broader cultural landscape context and the impact of the proposed development on settlement patterns, particularly in relation to the adjacent coastal bay.
5. Updated statement on the heritage significance of the existing buildings on the site (further to the NID dated 2011 by others).

SB

**15.4 Proposed Housing Development on Erf 1475, Jacobsbaai: NM
HM / WEST COAST / SALDANA BAY / JACOBAAI / ERF 1475**

Case No: HWC23021602SB0322

FURTHER REQUIREMENTS:

For requirements of S.38(3) to be met, the Committee requires the following:

1. Mapping of heritage resources, in particular the archaeological resources referred to in the text.
2. Mapping of planning parameters, including confirmation of the urban edge.
3. Engagement with I&APs.
4. A proper assessment of the broader cultural landscape.
5. Mitigations measures to be implemented should archaeological resources be discovered on site.

SB

**15.5 Proposed Housing Development on Erf 595, Greyton: NM
HM / OVERBERG / THEEWATERSKLOOF / GREYTON / ERF 595**

Case No: 19052710CM0626E

INTERIM COMMENT:

1. The committee had concerns with respect to the planning layout which needs to be informed by an urban design layer, taking heritage and visual indicators into consideration. These indicators need to be interpreted in urban design terms to inform meaningful placemaking including streetscape, townscape, and landscape within the significant cultural landscape context, which includes the settlement of Greyton and its adjacent settlements; taking cues from how these have responded to the Rivieronderend riverine corridor over time. The overriding character of these settlements, including the role of Genadendal, as part of the settlement pattern (in relation to natural setting qualities and historical patterns of settlement and the appropriate response to building on these patterns of settlement) needs to be further explored in terms of a combined urban design and landscape analysis.
2. There is a particular historical response of built form and layout within the valley, which has resulted in a particular built form character, which should inform the proposed extension to Greyton; and, taking into account alternative approaches to housing delivery and housing backlog, and yet still be integrated within a village concept within its totality contained within its natural and cultural settlement. An extension to Greyton must be conceived as a logical and carefully considered layout to ensure that it remains an integrated component of the broader Rivieronderend cultural landscape, as opposed to being an 'appended' (and stand-alone / self-referential) housing development with an absence of cohesiveness and integration into the townscape qualities of Greyton in its broader setting. Given the comments regarding the context and the urban design component to address the concerns of placemaking according to heritage precedent.

CM

- 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. 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.