

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)  
of Heritage Western Cape (HWC) held via Microsoft Teams,  
at 09H00 on Wednesday, 16 November 2022**



**1. Opening and Welcome**

The Chair, Mr David Gibbs, officially opened the meeting at 08:35 and welcomed everyone present.

**2. Attendance**

**Members**

Mr David Gibbs (DG) (Chair)  
Ms Janine de Waal (JdW)  
Mr Siphiso Mavumengwana (SM)  
Mr Chris Snelling (CSn)  
Mr Dave Saunders (DS)  
Ms Emmylou Bailey (EB)  
Mr Mike Scurr (MS)  
Ms Sarah Winter (SW)

**Staff**

Ms Waseefa Dhansay (WD)  
Mr Olwethu Dlova (OD)  
Ms Colette Scheermeyer (CSc)  
Ms Muneerah Solomon (MSo)  
Ms Sneha Jhupsee (SJh)  
Mr Yaseen Samodien (YS)  
Ms Aneeqah Brown (AB)  
Ms Zikhona Sigonya-Ndongeni (ZSN)  
Ms Ayanda Mdludlu (AM)  
Ms Corne Nortje (CN)  
Ms Chane Herman (CH)  
Ms Cecilene Muller (CM)  
Mr Robin George (RG)  
Ms Khanyisile Bonile (KB)

**Observers**

None

**Visitors**

Ms Lize Malan  
Mr Henry Aikman  
Ms Greta Wonders  
Mr Neil Schwartz  
Mr Alistair Turrell  
Ms Bridget O'Donoghue  
Mr Tony Barbour  
Ms Ntombekhayo Nkoane

Ms Patricia Botha  
Mr Philip Smith  
Dr Nicolas Baumann  
Ms Samantha Dyer  
Ms Sarah Patterson  
Mr Adriaan Mentz  
Ms Kathy Dumbrell

**3. Apologies**

Dr Tessa Campbell (TC)  
Mr Rashid Fataar (RF)

**3.1. Absent**

None

#### **4. Approval of the Agenda**

##### **4.1 Agenda dated 16 November 2022**

The Committee resolved to approve the agenda dated 16 November 2022 with no changes.

#### **5. Approval of Minutes of Previous Meeting**

##### **5.1 Minutes dated 19 October 2022**

The Committee reviewed the minutes dated 19 October 2022 and resolved to approve them without amendments.

#### **6. Disclosure of Interest**

- DG: item 7.1 and 12.1
- SW: item 7.1
- CSn: item 10.4.1

#### **7. Confidential Matters**

None

#### **8. Appointments**

None

#### **9 Administrative Matters**

##### **9.1 Outcome of the Appeals and Tribunal Committees**

Nothing to report

#### **10. Standing Items**

##### **10.1 Site Inspections/Virtual Assessments undertaken:**

- Proposed Tourism Development along with associated infrastructure on Portion 37 of 74, Stellenbosch
- Proposed Housing Development on Erf 3029, Strawberry Lane, Constantia

##### **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**

###### **10.4.1 Proposed Temple and Associated Buildings, Erf 160695, Observatory**

CSn recused himself and log off from MS Teams.

The Committee resolved to undertake a site inspection on Thursday, 24 November 2022 at 11h30 (JdW, DG, DS, EB and SW).

(SW noted previous involvement and it was agreed that the applicant would be approached to confirm whether or not there was a perception of bias).

## **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 Proposed Tourism Development along with associated infrastructure on Portion 37 of 74, Stellenbosch: MA HM/ CAPE WINELANDS/ STELLENBOSCH/ PTN 37 OF FARM 7**

**Case No:** 22042615NK0429E

DG recused himself and joined the Applicant team. The Committee nominated EB to chair this item.

The Committee members provided a report back on the site inspection undertaken on 3 November 2022. See attached site inspection reported as Annexure SI1.

Ms Lize Malan (heritage consultant) and Ms Patricia Botha (Stellenbosch Interest Group) were present and took part in the discussion.

#### **DISCUSSION:**

Amongst other things, the following was discussed:

- There is a need for a synthesis of the urban design proposal and the landscape framework plan to respond to the rural character of the cultural landscape.
- Appropriateness of the development in terms of expansion of the werf and the nature of the built form typology being urban rather than rural.
- Scenic route conditions from the R44 and R301 and views from surrounding properties
- Concerns around the scale and massing of the hotel development.
- Linear nature of the development above the existing parking area on visually exposed slopes.

#### **INTERIM COMMENT:**

The Committee requests that the HIA include further detailed analysis of the response of the development to the rural landscape conditions with particular focus on the hotel component and the exhibition/ restaurant to address concerns regarding the overall scale of the development and the built form typology. More detailed information is required on the hotel and exhibition hall proposals in order to understand the nature of the heritage impacts.

**NK**

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

#### **13.1 Proposed Housing Development on Erf 3029, Strawberry Lane, Constantia: MA HM/ CAPE TOWN METROPOLITAN/ CONSTANTIA/ ERF 3029**

**Case No:** 21070812RG0411E

The Committee members reported back on the site inspection undertaken on 11<sup>th</sup> November 2022. See attached site inspection reported as Annexure S12.

Mr Henry Aikman (heritage consultant) was present but was unable to participate in the discussion due to connectivity issues. Mr Philip Smith (CoCT) and Ms Greta Wonders (I&AP) were present and took part in the discussion.

#### **DISCUSSION:**

Amongst other things, the following was discussed:

- It was noted that Mr Aikman had clarified in writing that further information is still to be supplied and would be submitted for the next IACom meeting.
- Clarification of existing right of public access (if any) to be confirmed/ clarified.
- Confirmation of whether or not any land claim application exists, given the context of land claims within the Constantia Valley.
- More information around the four structures proposed for demolition as well as the site as a whole in terms of social significance (with respect to history of the area).
- There are concerns around the scale and density of the proposal in its current form
- The Committee notes the current split zoning of the site with a portion of the site being zoned Public Open Space (privately owned).
- The Committee notes that the consultant is collating additional material and thus awaits receipt of this material.

#### **INTERIM COMMENT:**

With respect to the northern section (adjacent to Strawberry Lane) of the site (currently zoned residential), the Committee in principle supports the development of this portion. However, the Committee has deep concerns around the interface of the development with a Grade IIIA landscape, particularly the interface of the development proposals facing onto the watercourse and greenbelt system in terms of density and spatialisation, and of the development proposals for the current 'Public Open Space' zoned area.

The Committee recommends that the watercourse and associated green open space, as the central continuous component of the open green belt system, be treated as a primary heritage resource to establish design informants (visual and spatial continuity) and that a set of indicators arising from this be derived to inform the site development plan.

**RG**

**13.2 Proposed SDP on Erf 9588, V&A Waterfront - Canal District Parcel I: NM  
HM / CAPE TOWN METROPOLITAN / WATERFRONT / ERF 9588**

**Case No:** 17062701AS062M

Application documents were tabled.

Ms Sneha Jhupsee introduced the case.

Dr Nicolas Baumann (heritage consultant), Mr Neil Schwartz (Waterfront Planning Manager), Ms Samantha Dyer (Waterfront Development Planning Assistant), Mr Alistair Turrell (landscape architect) and Ms Sarah Patterson (architect) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- Interface between historic wall and fence line.
- Security/maintenance needs.
- The Committee noted the updated erf numbers Erf 178543 Ptn of 173716.

**COMMENT:**

The Committee endorsed the site development plan for V&A Canal District Parcel I, as meeting the directives as set out by the Tribunal dated 29 November 2018.

The drawings are to be stamped by HWC.

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** 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 DTPW Projects**

See confidential minutes.

CN

**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:**

**7 December 2022**

**MINUTES APPROVED AND SIGNED BY:**

**CHAIR:**

**DATE:**

**SECRETARY:**

**DATE:**

## **Annexure S11**

### **IACom Committee Site Inspection Report for: DEVELOPMENT OF TOURISM/ VISITORS' FACILITIES**

Erf/Farm No.: Portion 37 of Farm 74, Stellenbosch

Street Address: R304, Stellenbosch

Registered Owner: ABC Investments - TBC

Grading: Grade IIIB (Landscape Unit)

Nature of Application: **SECTION 38(8)**

Date of Site Visit: **03.11.2022**

HWC Representatives: **Dave Saunders, Chris Snelling, Emmylou Bailey, Sarah Winter, Mike Scurr, – (IACOM)**

Reasons for Site Inspection: **IACOM RESOLUTION TO ASSESS THE SITE AND CONTEXT WITH PARTICULAR REFERENCE TO VISUAL IMPACT**

Report compiled by Mike Scurr for IACom

#### **Site Procedure & Findings:**

The site inspection was conducted on Thursday 03 November 2022 by five IACom members. The HWC case officer, Natalie Kendrick, was also present. No members of the professional team nor any applicants were present at the inspection.

#### **Area Inspected:**

The committee members walked the general site development area and context, and importantly also viewed the site from the R44 (entrance to Summerhill wines on Adam Tas/ R44).

#### **Items Noted:**

- Although the HIA is very well illustrated, the committee members felt that an in situ visual inspection was necessary to see the site conditions.
- Key aspects considered include:
  - The area around the dam and its treed setting
  - Far views to the Simonsberg and Drakenstein Mountains
  - The height and scale of existing buildings on site
  - The form and character of the existing farm buildings
  - The vineyard and parking area to the North
  - The visibility of the site from the R44 Adam Tas Road corridor, seen from the entrance to Summerhill Winery.
  - The Urban Design Framework

#### **Recommended Action:**

Members to report the findings of the inspection at the next IACom Committee meeting (16/11/2022).

#### **Which committee should this report be submitted to:**

IACom

**Photographs:**

A selection of key informing images taken on site are included in this report.

2022.11.13









## Annexure SI2

### IACom Committee Site Inspection Report for: PROPOSED REZONING AND SUBDIVISION

Erf/Farm No.: Re Erf 3029 Constantia

Street Address: Willow Road, Constantia

Registered Owner: ABC Investments - TBC

**Grading: Grade IIIA (Landscape Unit)**

Nature of Application: **SECTION 38(8)**

Date of Site Visit: **11.11.2022**

HWC Representatives: **Emmylou Bailey, Sarah Winter, David Gibbs – (IACOM)**

Reasons for Site Inspection: **IACOM RESOLUTION TO ASSESS THE SITE AND CONTEXT WITH PARTICULAR REFERENCE TO VISUAL IMPACT AND PUBLIC OPEN SPACE GREEN BELTS**

Report compiled by Emmylou Bailey for IACom

#### Site Procedure & Findings:

The site inspection was conducted on Friday 11 November 2022 by three IACom members. The HWC case officer, Robin George, was also present. HWC officers Ceceline Muller and Chane Herman were also present. No members of the professional team nor any applicants were present at the inspection.

#### Area Inspected:

The committee members walked the general site development area and context.

#### Items Noted:

- Although the HIA is well illustrated, the committee members felt that an in situ visual inspection was necessary to see the site conditions and assess the use of the public open space.
- Key aspects considered include:
  - The use of the Pagasvlei stream as a public open space.
  - Access to the stream walkway in relation to the development.
  - The proposed development site in relation to the greater Constantia green belt system.
  - The form and character of the existing historic buildings.
  - The site in relation to the Strawberry Lane historic small holdings.

#### Recommended Action:

Members to report the findings of the inspection at the next IACom Committee meeting (16/11/2022).

#### Which committee should this report be submitted to:

IACom

#### Photographs:

A selection of key informing images taken on site are included in this report.

2022.11.15







