

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 18 January 2023**



1. Opening and Welcome

The Chair, Mr David Gibbs, officially opened the meeting at 09:00 and welcomed everyone present.

2. Attendance

Members

Mr David Gibbs (DG) (Chair)
Ms Janine de Waal (JdW)
Mr Sipiwo Mavumengwana (SM)
Mr Chris Snelling (CSn)
Mr Dave Saunders (DS)
Mr Rashid Fataar (RF)
Mr Mike Scurr (MS)
Ms Sarah Winter (SW)
Dr Tessa Campbell (TC)

Staff

Ms Waseefa Dhansay (WD)
Mr Olwethu Dlova (OD)
Ms Nosiphiwo Tafeni (NT)
Ms Muneerah Solomon (MSo)
Ms Sneha Jhupsee (SJh)
Mr Yaseen Samodien (YS)
Ms Penelope Meyer (PM)
Ms Cecilene Muller (CM)
Ms Corner Nortje (CN)
Ms Ayanda Mdludlu (AM)
Ms Natalie Kendrick (NK)
Ms Chane Herman (CH)

Observers

None

Visitors

Ms Cindy Postlethwayt
Ms Louna Truter
Mr Neil Schwartz

Ms Elize Mendelsohn
Ms Tanja Kruger
Ms Samantha Dyer

3. Apologies

Ms Emmylou Bailey (EB)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 18 January 2023

The Committee resolved to approve the agenda dated 18 January 2023 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 7 December 2022

The Committee reviewed the minutes dated 7 December 2022 and resolved to approve them as circulated without amendments.

6. Disclosure of Interest

None

7. Confidential Matters

None

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

PM reported back on the following appeals matters:

- Proposed redevelopment of Erven 3080 and 3081, 220-222 Upper Buitengracht Street, Bo-Kaap
- Proposed Additions & Alterations and Partial Demolition on Erf 3035, 51 Bryant Street, Bo-Kaap
- Proposed Alterations to the Atlantis on Re of Erf 194, 331A and 331B Beach Road, Bantry Bay

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

Nothing to report.

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

None

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 Residential Development on Kuilsriver, Portions 5; 13; 14; 17 and 19 of the Farm Saxenburg 419, Remainder of Farm Sandown 1053, Portion 2 of the Remainder of Farm Sandown 1053, Portion 1 of Farm Sandown 1053: NM
HM/ CAPE TOWN METROPOLITAN/ KUILS RIVER/ ERF 20628**

Case No: 22020810NK0308E

Heritage Impact Assessment prepared by Cindy Postlethwayt dated December 2022 was tabled.

Ms Natalie Kendrick introduced the case.

Ms Cindy Postlethwayt (heritage consultant) and Ms Elize Mendelsohn (CoCT) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The existing buildings on site are not conservation worthy.
- The site is comprised of multiple land parcels with multiple landowners.
- Development framework and package of plans approach.
- Interface with Stellenbosch Cultural landscape of primary concern – notably the eastern and southern boundary of Portion 5.

FINAL COMMENT:

The Committee endorsed the heritage impact assessment prepared by Cindy Postlethwayt (dated December 2022) as meeting the requirements of S38(3) of the NHRA, subject to the amendment of the recommendations - to read as follows:

1. In terms of Section 38(8) of the NHRA the committee supports in principle the Development Framework for the proposed development of Portions 5; 13; 14; 17 and 19 of Farm Saxenburg 419; Remainder of Farm Sandown 1053; Portion 2 of Remainder Farm Sandown 1053; and Portion 1 Farm Sandown 1053 in Kuilsriver, Cape Town as included in Annexure D of this report.
2. The demolition of all structures older than 60 years on Portions 5; 13; 14; 17 and 19 of Farm Saxenburg 419; and Remainder of Farm Sandown 1053 in Kuilsriver, Cape Town is approved.
3. Subject to the imposition of a condition (by DEA&DP) that the proposed SDP for Portion 5 of Farm 419 (Dormershire farm) (to be subdivision area 24 in the DF) be subject to further assessment in so far as the proposed SDP responds to the heritage indicators included in this report and the related requirements of the City of Cape Town, and be submitted to HWC for final approval. Such impact assessment is to include the comments of the Stellenbosch Interest Group and Stellenbosch Heritage Foundation, Stellenbosch Municipality heritage officials and any other I&APs deemed appropriate by the CCT EHM.

NK

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

13.1 None

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

**14.1 Consolidation, Rezoning and Subdivision on Erven 564, 2759 and 6809, Corner of Voortrek Street and R60, Swellendam: NM
HM / OVERBERG / SWELLENDAM / ERVEN 564, 2759 AND 6809**

Case No: HWC22120813CN1209

Case documents by Case Officer were tabled.

Ms Corne Nortje introduced the case.

Ms Louna Truter (Town Planner) and Ms Tanja Kruger (architect) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is located at the intersection of Voortrek Street and the R60.
- Gateway position adjacent to proposed heritage area.
- Clarification is required in respect of the extract from the Swellendam SDP tabled on page 14 of the Motivation report accompanying the NID. It was noted that a portion of the site is demarcated for mixed-use, not industrial as indicated, and according to the SDP falls within the proposed Heritage area.
- The committee is of the opinion that there is reason to believe that there is potential impact on heritage resources given the location of the proposed nature and form of development at cross route condition immediately adjacent to a major entry point to the proposed heritage area.
- Heritage related urban design issues need to form the focus of a HIA.

RESPONSE TO NID:

The Committee determined that a heritage impact assessment (HIA) is required with heritage indicators to inform urban design and architectural response.

CN

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 Proposed SDP on Erf 178543 Ptn of 173716, V&A Waterfront - Canal District Parcel I: MA
CAPE TOWN METROPOLITAN / V&A WATERFRONT / ERF 178543 PTN OF 173716

Case No: 17062701AS062M

Case documents / analysis by Case Officer were tabled.

Ms Sneha Jhupsee introduced the case and provided a summary of the issues before the Committee.

Mr Neil Schwartz (Waterfront Planning Manager) and Ms Samantha Dyer (Waterfront Development Planning Assistant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The comment issued by IACom on 16 November 2022 is as follows:
 - *The Committee endorses the site development plan V&A Canal District Parcel I as meeting the directive as set out by the Tribunal dated 29 November 2018. These are to be stamped by HWC.*
- Note: The tribunal ruling of 2018 is not relevant to this Parcel, therefore the committee decision is as follows:

RECORD OF DECISION:

The Committee endorses the Site Development Plan V&A Canal District Parcel I Annexure C as meeting condition 2 of the Record of Decision issued by IACOM dated 2 March 2018.

SJ

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.

28. CLOSURE:

The meeting adjourned at 11:15

29. DATE OF NEXT MEETING:

15 February 2023

MINUTES APPROVED AND SIGNED BY:

CHAIR:

DATE:

SECRETARY:

DATE:

APPROVED