

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)  
of Heritage Western Cape (HWC) held via Microsoft Teams,  
at 09H05 on Wednesday, 23 June 2021**



**1. Opening and Welcome**

The Chairperson, Mr David Gibbs, opened the meeting at 09:05 and welcomed everyone present via Microsoft Teams.

**2. Attendance**

**Members**

Mr David Gibbs (DG)  
Mr Dave Saunders (DS)  
Mr Siphiso Mavumengwana (SM)  
Mr Mike Scurr (MS)  
Ms Cecilene Muller (CM)  
Ms Sarah Winter (SW)

**Staff**

Ms Nuraan Vallie (NV)  
Ms Waseefa Dhansay (WD)  
Ms Penelope Meyer (PM)  
Ms Stephanie Barnardt (SB)  
Ms Khanyisile Bonile (KB)  
Ms Cathy-Ann Potgieter (CAP)  
Ms Ayanda Mdludlu (AM)  
Ms Muneerah Solomon (MS)

**Observers**

None

**Visitors**

Dr Nicolas Baumann  
Prof Walter Peters  
Mr Barend Kellerman  
Mr Nicholas Arnott  
Mr Philip Smith  
Ms Claire Abrahamse  
Dr Luyanda Mpahlwa  
Ms Carol Procter  
Mr Marias Geldenhuys

Ms Louise van Riet  
Mr David Peerutin  
Dr Jayson Orton  
Mr Lance Blane  
Mr Stefan de Kock  
Dr Mariagrazia Galimberti  
Mr Graham Jacobs  
Mr Gerhard Swart  
Mr Henry Aikman

**3. Apologies**

Mr Rashiq Fataar (RF)  
Mr Gaarith Williams (GW)  
Mr Jason Knight (JK)

**3.1. Absent**

None

**4. Approval of the Agenda**

**4.1 Agenda dated 23 June 2021**

The Committee resolved to approve the agenda dated 23 June 2021 with three additional items.

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

### **5.1 Minutes dated 19 May 2021**

The Committee reviewed the minutes dated 19 May 2021 and resolved to approve them with no amendments.

## **6. Disclosure of Interest**

- DG: 15.9 (16.1) – SW nominated MS to chair, seconded by CM, and MS accepted.
- MS: Item 13.3 and 25.1

## **7. Confidential Matters**

### **7.1** None

## **8. Appointments**

### **8.1** None

## **9 Administrative Matters**

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

CAP provided the Committee with a reported back on the outcomes of the following Appeals:

- Proposed Alterations and Additions, Erf 768, Clydebank Road, Green Point. CT. S 34, A&A
- Proposed Alterations and Additions, Erf 1444, 24 Davenport Road, Vredehoek, CI 34, A&A
- Letter Issued In terms of Section 51(1)(C) of the National Heritage Resources Act (NHRA) regarding illegal work on Erf 3083, 226 Buitengracht Street, Bo-Kaap
- Proposed Alterations and Additions, Erf 55, 850 Church Street, Elim. S27
- Notification of Intent to Develop (NID): Proposed Rezoning on Erf 7614, Knysna. S38(11)

## **10. Standing Items**

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

- None

### **10.2 Report back from Council and other Committees**

- De-proclamation - Clifton (portion of property now in private ownership)
- Council approved Conservation Management Plans for Erf 174483, Muizenberg Lime Works Ruins, Muizenberg and Erf 7779, Kronendal, 140 Main Road, Hout Bay.

### **10.3 Discussion of the Agenda**

- 13.2 Erf 177476, Main Road, St. James – clarification of the item requested.
- 25.1 Bloemendal Draft Maintenance Management Plan (MMP)– clarification of the item requested.

### **10.4 Potential/proposed Site Inspections**

- Proposed residential Development Ptn 8 of Farm Ronwe 851, Paarl

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

Nothing to report.

## **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 Nautica Development on Erf 1942, Beach Road, Mouille Point, Cape Town: MA HM/CAPE TOWN METROPOLITAN/MOUILLE POINT/ERF 1942**

**Case No:** 20032622SB0615E

The Heritage Impact Assessment (HIA) and associated documentation prepared by Dr Nicolas Baumann were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Nicolas Baumann (heritage consultant) was present and took part in the discussion.

#### **DISCUSSION:**

Amongst other things, the following was discussed:

- The Applicant has confirmed that the application is not within a NEMA process.
- The public participation process was followed.
- I&AP's were invited to attend IACom but have not attended.
- The documentation is acknowledged as being clear, comprehensive and thorough.
- The reduction of the height of the proposed building has resolved previous concerns with respect to retaining the continuity of the horizon line of the ocean around Robben Island as viewed from Fort Wynyard.

#### **RECORD OF DECISION:**

The revised Heritage Impact Assessment (HIA) prepared by Dr Nicolas Baumann as dated June 2021 is endorsed as meeting the requirements of Section 38(3) with the following recommendations:

1. The conditions underpinning the agreement were endorsed by the Ministerial Tribunal related to the Beach Road/Granger Bay HIA in 2015. The sole purpose of this assessment is to ensure adherence to the conditions stipulated.
2. It is concluded that the revised proposal, Revision 6, has addressed the primary heritage indicator, the retention of the view cone from Ford Wynyard to Robben Island.
3. By maintaining the horizon line, the primary concerns raised at the IACOM meeting of 13 January 2021 have been addressed.
4. It is further recommended that should any archaeological resources (shipwrecks) be encountered during the excavation process the work should be suspended and HWC notified to advise on any further requirements.

5. in addition, final building plans to be submitted to HWC for final endorsement incorporating the recommendations as per the HIA.

Final building plans are to be submitted to HWC for final endorsement incorporating the recommendations as per the HIA.

SB

### **13.2 Proposed Redevelopment Erf 46732, RE 22 Rouwkoop Road, Rondebosch: MA HM/CAPE TOWN METROPOLITAN/RONDEBOSCH/ERF 46732**

**Case No:** 19112802LB0129E

MS recused himself and left the meeting.

Additional information was tabled.

Ms Stephanie Barnardt introduced the case.

Ms Claire Abrahamse (heritage practitioner), Dr Luyanda Mpahlwa (architect) and Ms Carol Procter (Communicare development manager) were present and took part in the discussion.

#### **DISCUSSION:**

Amongst other things, the following was discussed:

- The response has met previous requirements in terms of the provision of a green courtyard space within the landscape plan, the activation and articulation of the short building-ends facing the Rouwkoop corner.
- The possibility of the reduction in the massing to include 4 storey walk-ups with the three storey blocks.
- A mix of unit sizes will still be available.

#### **RECORD OF DECISION:**

The Committee resolved to approve the Heritage Impact Assessment prepared by Ms Claire Abrahamse dated 11 June 2021 as meeting the provisions of Section 38(3) of the NHRA.

The Committee resolved to support the landscape plan prepared by Viridian, dated 9 June 2021 as submitted with the following recommendations:

- 1 Given the large extent of the site and its established landscaping, it is recommended that the building retain a landscaped area between the proposed buildings and the site boundaries, including the retention of all mature trees
- 2 In addition, final building plans and SDP to be submitted to HWC for final endorsement incorporating the recommendations as per the HIA.

Final building plans and Spatial Development Plan (SDP) must be submitted to HWC for final endorsement incorporating the recommendations as per the HIA.

SB

**13.4 Proposed redevelopment on Erven 10892-10869, 21 Albert Road, Woodstock: NM HM/CAPE METROPOLITAN/WOODSTOCK/ERVEN 10892-10869**

**Case No:** 20121401KB0113E

The Heritage Impact Assessment prepared by Ms Louise van Riet was tabled.

Ms Khanyisile Bonile introduced the case.

Ms Louise van Riet (heritage practitioner) and Mr David Peerutin (architect) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The reference to the approval and construction status of the “WEX 2” development within the HIA is inaccurate and should be corrected.
- The need for clarity on the townscape assessment to the rear of the development facing the railway yards.
- The site lies in close proximity to the Cape Town Central Business District (CBD) which would allow for higher scaled development.
- Remaining historic fabric must be sympathetically conserved and utilized within the redevelopment to ensure authenticity of the existing structures.
- A landscaping plan is to be approved within the City of Cape Town approval processes.

**RECORD OF DECISION:**

The Committee resolved to approve the Heritage Impact Assessment prepared by Ms Louise van Riet dated 01 June 2021 (with corrections as stated above) as meeting the provisions of Section 38(3) of the NHRA, noting that the development as assessed therein may proceed, subject to the following conditions:

1. Incorporates the mitigation measures as noted in the heritage-related design indicators.
2. HWC to request detail drawings for the renovation of the existing Albert Road terrace building including the extension and new corner building.
3. Final building plans demonstrating the incorporation of the recommendations as per the HIA are to be submitted to HWC for final endorsement.
4. Any further demolition to parts of the structures, as per the drawings to be supplied, can only proceed once construction of said development commences.

**KB**

**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 Wind Farm along with associated Infrastructure on Farm 18 REM\_181\_182, Beaufort West: NM HM/CENTRAL KAROO/BEAUFORT WEST/18REM\_181\_182

**Case No:** 19090607SB1017E

The Heritage Impact Assessment and associated documentation prepared by ASHA Consulting were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton (heritage consultant) and Lance Blane (developer) were present and took part in the discussion.

#### **DISCUSSION:**

Amongst other things, the following was discussed:

- Agenda items 15.1, 15.3 15, 15.7 were noted as one discussion.
- The matter was tabled before APM and the following noted:
  - The APM Committee noted the archaeological resources in the area including Stone Age scatters, rock engravings and historical archaeological remains such as homesteads and kraals.
  - The Committee noted that although the TEEKLOOF formation is of high palaeo-sensitivity, much of an underlying Karoo dolerite which is not fossiliferous.
  - A few graves have been recorded around farm complexes.
  - The recommendations for mitigation included 30m buffer around archaeological sites, 200m buffer around rock art sites and 30m buffer for graves.
  - Very few heritage resources are on site as recorded during the walk down conducted.

#### **FINAL COMMENT:**

The Committee endorsed the APM comments and resolved to approve the Heritage Impact Assessment prepared by ASHA Consulting dated May 2021 as meeting the provisions of Section 38(3) of the NHRA, noting that the development as assessed therein may proceed, subject to the following conditions:

1. The final layout of the wind farm and bypass road must be subjected to a pre-construction archaeological survey. This would be to determine whether any micro-siting of infrastructure is required to ensure in situ protection of heritage resources or, if this is not possible, whether any mitigation should be implemented.
2. Where required, sensitive portions of the final layout of the wind farm must be subjected to a pre-construction palaeontological survey. This must determine whether:
  - a. Any recording and/or collection of fossils might be required;
  - b. Certain areas may require monitoring;
  - c. Any areas should be avoided and protected.
3. A palaeontological chance finds procedure must be incorporated into the EMPr.
4. Care must be taken to minimize landscape scarring during construction and undertake rehabilitation of areas not required during operation, to the satisfaction of the Environmental Control Officer (ECO);

5. If road surfacing is required then low contrast materials such as concrete with brown exposed aggregate should be used, where possible;
6. If the wind farm is approved and the final layout does not need all approved turbine locations to ensure a maximum of 35 turbines, then where a choice exists between turbines to be dropped, and all other factors are equal, priority should be given to dropping outlier turbines that extend the zone of visual influence, and detract from the visual cohesion of the wind farm (from a heritage point of view turbines 001 & 002 which overlook the R381 and to a lesser degree turbines 092 & 101 which appear somewhat isolated are candidates).
7. 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.
8. The Committee emphasizes the importance of the pre-construction survey by the archaeologist and palaeontologist.

SB

**15.2 Proposed Vortum Solar Park Project of The Remainder of Portion 4, Portion 9 And Portion 11 of the Farm Langeberg 187 and the Remainder of Portion 1 of the Farm Uyekraal: NM HM/WEST COAST/SWARTLAND/VREDENBURG/RE OF PTN 7 OF FARM 187**

**Case No:** 20092301SB1215E

The Heritage Impact Assessment and associated documentation prepared by Mr Nelius Kruger were tabled.

Ms Stephanie Barnardt introduced the case.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The applicants were invited to partake in the discussion but have not responded and were not present to be able to respond or to provide clarity.
- The application was tabled at APM who had concerns relating to the lack of assessment to the cultural landscape and paleontological concerns.
- The HIA lacks an assessment of the cultural landscape and overall heritage resources within close proximity of the development, including lack of historical and architectural information pertaining to the Kleinberg farmhouse.

**INTERIM COMMENT:**

The Heritage Impact Assessment prepared by Exigo Sustainability Neels Kruger dated 2 March 2021 does not fulfill the requirements of Section 38 (3) of the NHRA.

A revised HIA is to be submitted to comply with Section 38(3) and to address the Committee's concerns, including the following:

1. A cultural landscape assessment, including the built environs but not limited to the Kleinberg farmhouse.
2. A paleontological assessment.

**15.3 Proposed Wind Farm along with associated infrastructure on Farm 13\_ 21REM\_43, Beaufort West: NM**  
**HM/CENTRAL KAROO/BEAUFORT WEST/FARM 13 21 REM 43**

**Case No:** 19090609SB1017E

The Heritage Impact Assessment and associated documentation prepared by ASHA Consulting were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton (heritage consultant) and Mr Lance Blane (developer) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- Agenda items 15.1, 15.3 15, 15.7 were noted as one development.
- The matter was tabled before APM and the following noted:
  - The APM Committee noted the archaeological resources in the area including Stone Age scatters, rock engravings and historical archaeological remains such as homesteads and kraals.
  - The Committee noted that although the TEEKLOOF formation is of high palaeo-sensitivity, much of an underlying Karoo dolerite which is not fossiliferous.
  - A few graves have been recorded around farm complexes.
  - The recommendations for mitigation included 30m buffer around archaeological sites, 200m buffer around rock art sites and 30m buffer for graves.
  - Very few heritage resources are on site as recorded during the walk down conducted.

**FINAL COMMENT:**

The Committee endorsed the APM comments and resolved to approve the Heritage Impact Assessment prepared by ASHA Consulting dated May 2021 as meeting the provisions of Section 38(3) of the NHRA, and therefore the development as assessed therein may proceed subject to the following conditions:

1. The final layout of the wind farm and bypass road must be subjected to a pre-construction archaeological survey. This would be to determine whether any micro-siting of infrastructure is required to ensure in situ protection of heritage resources or, if this is not possible, whether any mitigation should be implemented.
2. Where required, sensitive portions of the final layout of the wind farm must be subjected to a pre-construction palaeontological survey. This must determine whether any recording and/or collection of fossils might be required or if any areas should be avoided
3. A palaeontological chance finds procedure must be incorporated into the EMPr.
4. South-eastern edge of the archaeological site between turbines 178 and 179 must be demarcated as a no-go area during construction.
5. Care must be taken to minimize landscape scarring during construction and rehabilitation of areas are not required during operation, to the satisfaction of the ECO.
6. If road surfacing is required then low contrast materials such as concrete with brown exposed aggregate should be used, where possible.

7. If the wind farm is approved and the final layout does not need all approved turbine locations to ensure a maximum of 35 turbines, then where a choice exists between turbines to be dropped, and all other factors are equal, priority should be given to dropping turbines in the high visual sensitivity areas (from a heritage point of view turbines 147 & 149 which overlook the R381 and turbine 168 which overlooks an important archaeological site with engravings and graves are candidates).
8. If any archaeological material or human burials are uncovered during 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.
9. The Committee emphasizes the importance of the pre-construction survey by the archaeologist and palaeontologist.

SB

**15.4 Proposed Consolidation for a Proposed Hotel Boutique Hotel, Erven 19324, 19325 AND 19326 Pinnacle Point: NM  
HM/EDEN/MOSSEL BAY/PINNACLE POINT/ERVEN 19324, 19325 AND 19326**

**Case No:** 19060606AS0726E

The Heritage Impact Assessment and associated documentation prepared by Perception Planning were tabled.

Ms Stephanie Barnardt introduced the case.

Mr Stefan de Kock (heritage consultant) and Dr Mariagrazia Galimberti (DCAS) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The HIA was tabled at APM and no archeological concerns were raised.
- The landscape context is valued in relation to the highly significant archaeological site with which it is associated.
- The development of a hotel in close proximity to the heritage resource must have the potential to highlight and respect the heritage resource and not be seen as an intrusive development eroding the sense of place.
- The architectural design of the hotel must be informed by heritage indicators which would guide the development.

**INTERIM COMMENT:**

The Committee supports the principle of a Boutique Hotel within these environs, however, given the significant landscape context, a far more site-specific and nuanced design needs to be developed (*in response to cultural and natural landscape parameters*).

The Heritage Impact Assessment as submitted does not fulfill the requirements of Section 38 (3) of the NHRA.

A revised HIA addressing the Committee's concerns and complying with Section 38(3), is to be submitted, specifically addressing the following:

1. Further design development in response to a set of parameters which draw reference from the overall cultural and natural landscape context. These parameters are to be developed by suitably qualified professional(s) with experience in cultural landscape heritage assessments.

SB

**15.5 Proposed Wind Farm along with associated infrastructure on Farm 12\_13\_14, Beaufort West: NM  
HM/CENTRAL KAROO/BEAUFORT WEST/FARM 12 13 14**

**Case No:** 19090608SB1017E

The Heritage Impact Assessment and associated documentation prepared by ASHA Consulting were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton (heritage consultant) and Mr Lance Blane (developer) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- Agenda items 15.1, 15.3 15, 15.7 were noted as one development.
- The matter was tabled before APM and the following noted:
  - The APM Committee noted the archaeological resources in the area including Stone Age scatters, rock engravings and historical archaeological remains such as homesteads and kraals.
  - The Committee noted that although the TEEKLOOF formation is of high palaeo-sensitivity, much of an underlying Karoo dolerite which is not fossiliferous.
  - A few graves have been recorded around farm complexes
  - The recommendations for mitigation included 30m buffer around archaeological sites, 200m buffer around rock art sites and 30m buffer for graves.
  - Very few heritage resources are on site as recorded during the walk down conducted.

**FINAL COMMENT:**

The Committee endorsed the APM comments and resolved to approve the Heritage Impact Assessment prepared by ASHA Consulting dated May 2021 as meeting the provisions of Section 38(3) of the NHRA, the development as assessed therein may proceed subject to the following conditions:

1. The final layout of the wind farm and bypass road must be subjected to a pre-construction archaeological survey. This would be to determine whether any micro-siting of infrastructure is required to ensure in situ protection of heritage resources or, if this is not possible, whether any mitigation should be implemented.
2. Where required, sensitive portions of the final layout of the wind farm must be subjected to a pre-construction palaeontological survey. This must determine whether:
  - a. Any recording and/or collection of fossils might be required;

- b. Certain areas may require monitoring;
  - c. Any areas should be avoided and protected.
3. A palaeontological chance finds procedure must be incorporated into the EMPr.
  4. Care must be taken to minimize landscape scarring during construction and undertake rehabilitation of areas not required during operation, to the satisfaction of the Environmental Control Officer (ECO).
  5. If road surfacing is required then low contrast materials such as concrete with brown exposed aggregate should be used, where possible.
  6. If the wind farm is approved and the final layout does not need all approved turbine locations to ensure a maximum of 35 turbines, then where a choice exists between turbines to be dropped, and all other factors are equal, priority should be given to dropping turbines in the high visual sensitivity areas.
  7. 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.
  8. The Committee emphasizes the importance of the pre-construction survey by the archaeologist and palaeontologist.

**SB**

**15.6 Proposed residential development on a 23d/ha land, consisting of a variety of residential Typologies of varying heights within a gated precinct with single access on Ptn 8 of Farm Ronwe 851 Paarl: NM  
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL /PTN 8 OF FARM 851**

**Case No:** 17062709HB0804E

**FURTHER REQUIREMENTS:**

The Committee resolved to undertake a site inspection on 16 July 2021 at 10:30 (DG, SW and MS) and report back will be provided at the meeting of the IACom on 21 July 2021.

**AM**

**15.7 Proposed 120km Long Powerline for the Nuweveld Wind Farms Grid: NM HM/CENTRAL KAROO/BEAUFORT WEST/POWERLINE NUWEVELD WEG**

**Case No:** 19090610SB1017E

The Heritage Impact Assessment and associated documentation prepared by ASHA Consulting were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton (heritage consultant) and Mr Lance Blane (developer) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- Agenda items 15.1, 15.3, 15.7 were noted as one development.
- The matter was tabled before APM and the following noted:
  - The application is for a 120km long 132kV or 400kV powerline.
  - A wide range of archaeological resources were identified in the targeted survey – these include archaeological stone tool scatters, rock engravings and historical archaeological sites such as ruined farm complexes, kraals and stone walling.
  - Although the Teekloof Formation is of high palaeontological sensitivity, the impacts of the pylons will be limited.
  - The Committee noted the value of collecting any fossil material discovered during the palaeontological walk down of the powerline grid route.
  - Very few heritage resources are on site as recorded during the walk down conducted.

**FINAL COMMENT:**

The Committee endorsed the APM comments and resolved to approve the Heritage Impact Assessment prepared by ASHA Consulting dated May 2021 as meeting the provisions of Section 38(3) of the NHRA, the development as assessed therein may proceed subject to the following conditions:

1. The final alignment of the gridline must be subjected to a pre-construction archaeological survey. This would be to determine whether any micro-siting of infrastructure is required to ensure in situ protection of heritage resources or, if this is not possible, whether any mitigation should be implemented.
2. In areas where palaeontological sensitivity is inferred to be high, the final alignment of the powerline must be subjected to a pre-construction palaeontological survey. This must determine whether any recording and/or collection of fossils might be required or if any areas should be avoided.
3. A palaeontological chance finds procedure must be incorporated into the EMPr.
4. The final alignment must be determined in consultation with a visual specialist to ensure that:
  - a. the final escarpment crossing minimizes visual impacts, especially as seen from De Jager's Pass; and
  - b. visual impact to scenic valleys and ridgelines along the final route are minimized as far as practical.
5. Pre-construction planning must allow for buffers around archaeological and palaeontological sites and graves of at least 30 m and of 200 m for Grade IIIB and up

structures and 100 m for Grade IIIC structures. Alternatively, the implementation of mitigation measures may be required, and these would be determined as part of the pre-construction survey.

6. 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.
7. The Committee emphasizes the importance of the pre-construction survey by the archaeologist and palaeontologist.

SB

**15.8 Proposed Residential Development on Portion 175 (A Portion of Portion 168) of the Farm Vyf Brakke Fontein 220 (Erf 21244) In Mossel Bay: NM HM/EDEN/MOSSEL BAY/PTN 220/178**

**Case No:** 20081209SB0818E

The Heritage Impact Assessment and associated documentation prepared by APAC were tabled.

Ms Stephanie Barnardt introduced the case.

**DISCUSSION:**

Amongst other things, the following was discussed:

- I&APs were invited to attend but were not in attendance.
- The matter was tabled before APM and the following noted:
  - The reference to a Phase 2 archaeological assessment was not clear to the Committee.
  - The report does not include the executive summary as per the guidelines.
  - The visual impacts are not integrated into the HIA.
  - There is no comment on the palaeontological sensitivity of the area.
  - There is no map with track logs or a map of the archaeological survey indicating the distribution of artefacts.
  - The Committee raised questions regarding the reasoning behind the requirement for an HIA to be undertaken, given the apparent lack of heritage resources.

**INTERIM COMMENT:**

Notwithstanding the above, the Committee concurred with the APM concerns and noted that the HIA does not comply with the requirements of Section 38(3) of the NHRA. A revised HIA is to be submitted clarifying the heritage resources, if any, and addressing all other requirements of Section 38(3) of the NHRA.

SB

**15.9 Proposed Development of a Fuel Station on Ptn 14, Farm 786, Phillipi: NM HM/CITY OF CAPE TOWN METROPOLITAN/PHILLIPI/PTN 14 OF FARM 786**

**Case No:** 19022708AS0305E

Heritage Impact Assessment and associated documentation prepared by ASHA Consulting were tabled.

Ms Stephanie Barnardt introduced the case.

Dr Jayson Orton (heritage consultant) was present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The Committee previously required comment from the PHA Food and Farming Campaign. Comment has been obtained for the revised proposal and they have given support to the revised proposal.
- The proposal constitutes a significant change in use to the site.
- The development proposal has been scaled down to limit the footprint with additional green spaces.
- The Cape aquifer concerns have been addressed.

**FINAL COMMENT:**

The Committee resolve to approve the Heritage Impact Assessment prepared by ASHA Consulting dated 25 May 2021 as meeting the provisions of Section 38(3) of the NHRA, the development as assessed therein may proceed, with the following conditions:

1. Should the development proposal as contained within the HIA change, the revised proposal is to be submitted for review and endorsement - which would entail a new application process.
2. A palaeontologist is to monitor excavations.
3. It is recommended that the project be authorized in full, but subject to the following mitigation measures:
  - a. Lighting should be designed to avoid light spillage and minimize light pollution.
  - b. Neon/flashing lights and signs may not be used.
  - c. The detailed design for lighting and signage must be submitted to HWC for approval prior to the commencement of construction (it is recommended that guidance be sought from a visual specialist prior to this submission).
  - d. Once the full depth of the fuel tanks has been excavated in part of the tank farm area, a palaeontologist should be contracted to examine and log the sand profile. Sampling of any significant deposits may then be required.
  - e. All trees within the road reserve along Weltevreden Road are to be retained and protected from harm during the implementation of the project.
  - f. If any archaeological material, palaeontological material or human burials are uncovered during 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 or palaeontologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

**SB**

**15.10 Proposed Blouville Development on Erf 4722, Wellington: MA  
HM/CAPE WINELANDS/ WELLINGTON/ERF 4722**

**Case No:** 17080109ZK0122M

DG recused himself and MS chaired the matter.

The Heritage Impact Assessment and associated documentation prepared by ARCON were tabled.

Ms Khanyisile Bonile introduced the case.

Mr Graham Jacobs (heritage consultant) and Mr Gerhard Swart (urban planner) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- I&APs had requested the matter to be withheld given their inability to attend the meeting, however it was agreed that the nature of the submission before IACom at this meeting would not require further input. Furthermore, the outstanding requirements relating to one specific land use issue were made clear at previous IACom meetings.
- The Committee required further refinement of the development of the south east portion which has now been submitted.

**FINAL COMMENT:**

The previous concerns expressed by the Committee have been addressed.

The Committee resolved to approve the Heritage Impact Assessment prepared by ARCON dated January 2019 as meeting the provisions of Section 38(3) of the NHRA, and further endorses Option 2 (plan 6) of the SDP prepared by Urban Dynamics Western Cape, dated 17 June 2021 (including the split-zoning on portion 56), and therefore the development as assessed therein may proceed.

**KB**

**15.11 Proposed Subdivision for Prospective Residential Units on Erf 177476, Main Road, St. James:  
MA  
HM/CAPE TOWN METROPOLITAN/ST JAMES/ERF 177476**

**Case No:** 17090415AS0914M

Additional information was tabled.

Ms Stephanie Barnardt introduced the case.

Prof Walter Peters (heritage consultant), Mr Barend Kellerman (legal advisor), Mr Nicholas Arnott (environmental practitioner), Philip Smith (City of Cape Town) were present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The heritage issues related to carrying capacity, height, scale and massing.
- The existing development rights (zoning) were noted.
- A more definitive design development is required, given the nuance nature of the site and it is carrying capacity to accommodate development.
- The rationale of the different typologies for the various portions needs to be clarified.
- The parameters within which the impacts of the development must be assessed.
- There is a need for clarity around portions 2 and 3 (prior to the NID application).

**INTERIM COMMENT:**

The Committee is unable to make an assessment of the heritage impact of the development as heritage indicators have not been articulated sufficiently enough to identify the nature of the development or the appropriate mitigation measures to be applied to the development. Therefore, the HIA does not comply with Section 38(3) (c) of the NHRA.

**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. ADVICE**

**24.1** None

**25 SECTION 42 HERITAGE AGREEMENTS**

**25.1** None

**26. OTHER**

**26.1 Bloemendal Spillway Draft Maintenance Management Plan (MMP): NM  
HM/CAPE METROPOLITAN/DURBANVILLE/PTN 1 OF FARM 1471**

**Case No:** N/A

MS recused himself and left the meeting for this item.

Draft MMP was tabled.

Ms Stephanie Barnardt introduced the case.

Mr Marais Geldenhuys (environmental practitioner) was present and took part in the discussion.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The matter was tabled before APM and the following noted:
  - The nature of the heritage resources on Bloemendal was not discussed in the MMP.
  - There is no formal Section 38 NID trigger and no application would be required in terms of the NHRA for the spillway.

**COMMENT:**

The proposed spillway contained within the MMP prepared by Jeffery Environmental Consultants as dated 19 May 2021 has no impacts to heritage resources and therefore no further action in terms of the NHRA is required.

**SB**

**26.2 Draft Conservation Management Plan (CMP) for Bains Kloof, Wellington: MA HM/CAPE WINELANDS/DRAKENSTIEN/WELLINGTON/BAINSKLOOF PASS**

**Case No:** 19050303SB0619E

Ms Stephanie Barnardt introduced the case.

Mr Henry Aikman was present for the item.

**DISCUSSION:**

Amongst other things, the following was discussed:

- The terms of reference need to be clearly articulated.
- The Committee raised concerns regarding the lack of integration of former documentation relating to the pass.

**COMMENT:**

A revised draft CMP is to be submitted, including documentation related to the previous Section 27 application and any other submissions, to the Committee. Thereafter the Committee will conduct a site inspection.

**SB**

**27 Adoption of decisions and resolutions**

The Committee agreed to adopt the decisions and resolutions as recorded above. SM moved to endorse and adopt the resolutions and decisions and SW seconded.

**28. CLOSURE:**

The meeting adjourned at 15:45.

The Chair thanked the members of the Committee and HWC staff and guests for their preparedness, presence and meaningful participation in the meeting.

**29. DATE OF NEXT MEETING: 21 July 2021**

**MINUTES APPROVED AND SIGNED BY:**

**CHAIR:**

**DATE:**

**SECRETARY:**

**DATE:**