

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held on the 1st Floor in the Boardroom, Protea
Assurance Building, Green Market Square, Cape Town,
at 09h00 on Tuesday 08 August 2017.**

1. Opening and Welcome

The Chairperson, Mr Chris Snelling opened the meeting at 09H04 and welcomed everyone present.

2. Attendance

Members

Mr Chris Snelling (CSn)
Mr Frik Vermeulen (FV)
Mr Siphiwo Mavumengwana (left at 16:10)
Mr Guy Thomas (GT)
Prof Lucien le Grange (LLG)
Ms Natasha Higgitt (NH)
Ms Cecilene Muller (CM)
Prof Fabio Todeschini (FT)
Ms Joline Young (JY)

Staff

Mr Zwelibanzi Shiceka (ZS)
Ms Katherine Robinson (KR)
Ms Waseefa Dhansay (WD)
Mr Andrew September (AS)
Ms Heidi Boise (HB)
Mr Olwethu Dlova (OD)
Ms Busisiwe Menzela (BM)
Mr Zethembe Khuluse (ZK)
Ms Colette Scheermeyer (CSc)

Observers

None

Visitors

Ms Robun Pretorius (RP)
Ms Nakita Campell (NC)
Ms Teresa Thomson (TT)
Mr Craig Armstrong (CA)
Dr Nicolas Baumann (NB)
Ms Bridget O'Donoghue (BO'D)
Mr Flavio Manzo (FM)
Ms Elzabe Bezuidenhout (EB)
Mr Andrew Goodwin (AG)
Mr Mike Nixon (MN)
Ms Cindy Postlethwayt (CP)
Ms Ilze Wolff (IW)

Mr Daniel Jullivan (DJ)
Mr Peter De Kock (PD)
Mr Mark Hibbert (MH)
Mr Bruce Plane (BP)
Dr Stephen Townsend (ST)
Ms Bobby Gould-Ratt (BG-R)
Jan van Rensburg (JvR)
Mr Graham Jacobs (GJ)
Mr Paul Truscott (PT)
Prof Walter Peters (WP)
Mr Heinrich Wolff (HW)
Mr Henk Laurens (HL)

3. Apologies

Mr Andrew Hall (AH)
Mr Steven Walker (SW)

4. Approval of the Agenda

- 4.1** The Committee resolved to approve the agenda dated 08 August 2017 with additions.

5. Approval of Minutes of Previous Meeting

- 5.1 The Committee resolved to approve the minutes dated 12 July 2017 with minor amendments, including noting that the reason Joline Young arrived at 12.00midday for this meeting was that this was the time noted on the notification of said meeting.

6. Disclosure of Interest

- FT- Items 13.3 & 16.1
- FV- Item 13.3
- CS- Item 23.3
- GT- Item 13.1

7. Confidential Matters

- 7.1 None

8. Appointments

- 8.1 Item 23.3-09:30
8.1 Item 16.1-12:30
8.2 Item 13.3-13:30

9 Administrative Matters

9.1 Outcome of the Appeals Committee, Tribunal and Court Cases

None

9.2 TRUP

The boundaries for the proposed provisional protection area will be discussed at the TRUP meeting to be held on the 29th August 2017. Interested and Affected Parties (I&AP's) will be notified and invited to comment during the course of that meeting, prior to any formal decision being taken.

9.3 Agenda Items and Applications

The issue of problems with the agenda and the uploading of applications were discussed by the Committee. In particular, the pressure that this placed on staff and members who were left with very limited time to read and consider applications. Certain recommendations were made, which will be submitted to HWC Council.

9.4 R44, Stellenbosch and Mount Prospect, Constantia

The Committee enquired as to whether the requested letters have been sent to DEADP. ZS informed the Committee that letters have been prepared and that a meeting is being set up with DEADP. The Committee were further advised that the SOP with DEADP will be adhered to.

It was also noted that an application has been submitted to the CoCT in respect of Mount Prospect. It is understood that this submission has not made reference to the previous comments that have been issued by HWC. The relevant Case Officer/ HWC management is requested to follow up with the CoCT in this regard as a matter of urgency.

9.5 Proposed Construction of an “ART” Piece, Erf 95164 - Government Avenue, Company’s Gardens

CSn recused himself and left the room.

Ms Robyn Pretorius, Mr Daniel Jullivan, Ms Nikita Campbell and Mr Pieter Dekoar were present and took part in the discussion.

The Committee advised that this was a stand-alone s27 permit application, not part of a greater s38 Heritage Impact Assessment (HIA) and therefore IACom did not have the authority to decide on this matter. The application is to be tabled at the next BELCom meeting.

10 Standing Items

10.1 Site Inspections

10.1.1 Farm Klipfontein, Tulbagh

HB informed the Committee that the site inspection had taken place. A Stop Works order had been issued and the project manager gave HWC assurance that no further work would be undertaken. An HIA will be submitted to HWC in due course.

10.1.2 The Wermuller Centre

Members of the Committee conducted a site inspection to familiarise themselves with the building. No discussion or recommendations were made.

10.2 Report back from ExCo, Council and Other committees

CSn gave a verbal report

MATTERS TO BE DISCUSSED

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

11.1 None

12 SECTION 38(1) INTERIM COMMENT

12.1 None

13 SECTION 38(4) RECORD OF DECISION

13.1 HIA: Proposed mixed use development on Erven 9333, 1451-1455 and 1466-1469, Cape Town: MA HM\CASES\CAPE TOWN METROPOLITAN\CITY CENTRE CBD\ERF 9333, 1451-1455 AND 1466-1469

Case No: 17072534WD0726M

GT recused himself and left the room.

Ms Waseefa Dhansay introduced the application with a PowerPoint presentation.

Mr Cornelius, Mr Bruce Plane, represented the applicants. Dr Stephen Townsend represented adjoining owners who had objected to the proposed development. The applicants and objectors took part in the discussion which followed.

Amongst other things, the following was discussed:

- Two options were submitted; one which entailed the relocation of the chimney to Prestwich Street and the other keeping the chimney in situ.
- It was noted that IACom had previously advised that the relocation of the chimney would not be supported. The applicant contended that in retaining the chimney in situ it would be dominated by a new building and thus loses its significance. The Committee noted that it should be the heritage significance that informs the development response and not vice versa.
- Concern was also expressed about the tower bridging over the warehouse building. The warehouse is considered to serve as a break / 'gasket' between the proposed tower and the approved tower at 16 Bree Street. It also provides context to the chimney.
- It was noted, and the heritage practitioner agreed, that the proposed development had not been assessed in respect of its impact on the broader environment, including streetscape and townscape.
- It was noted that Option 2, as presented, was a late addition and had not yet been assessed by the practitioner; nor has the identified I&APs had an opportunity to provide comment on this option.

INTERIM RESPONSE

For reasons as discussed previously and at this meeting, Option 1 is not supported by the Committee. It is recommended that the HIA is expanded to include an assessment of the scale and size of the building in its environment. This HIA should explore the impact on the streetscape/townscape as well as the impact of the proposed building on the identified heritage resources, in particular the Warehouse and Chimney remaining in situ.

The HIA and any revised proposals resulting from it must include comments from all I&AP's.

WD

**13.2 HIA - Erven 117665, 9745, 4347 and 4339, Cape Town CBD, Zero2One:
MA
HM/ CAPE TOWN METROPOLITAN/ CAPE TOWN CBD/ ERVEN 117665, 9745,
4347 AND 4339, CAPE TOWN CBD**

Case No: 16083103WD0919M

A Heritage Impact Assessment Report was tabled.

Mr Bruce Plane, Ms Bridget O'Donoghue, Ms Bobby Gould-Pratt, and Mr Flavio Manzo represented the applicants. Dr Stephen Townsend represented the Cape Institute for Architecture. Both parties took part in the discussion that followed the PowerPoint presentation given by Mr Flavio Manzo.

Amongst other things, the following was discussed:

- The site of the proposed development is recognized as being located at a core position in the Central City Heritage Protection Overlay Zone.

- It was noted that the height proposed for the development must respond to the buildings located in the immediate locale, these being the Golden Acre building and Southern Sun. In this regard, and as per previous discussion held, in order to contribute to a more unified city skyline, the height of these buildings (noted as approximately 115m above base level) should not be exceeded.
- The applicant's heritage practitioner had also noted certain concerns as having not yet been addressed. These included the architectural language of the building, as well as the design of the podium. The Committee concurred with these findings and recommended that these be addressed.
- The Committee emphasised that in terms of materiality, the podium should form part of the tower and historicist / neoclassical architecture was not supported.
- The Committee did, however, note that the majority of the previous concerns raised had been addressed by the applicants, who were commended in this regard. However, a remaining concern is the proposed height and treatment of the podium in relation to the rest of the building.

INTERIM RESPONSE

The Committee resolved not to support the current proposal. The Committee reiterated its previous comment in respect of the height of the building as well as the overall architectural treatment of the podium and its relationship to the rest of the building.

WD

13.3 Erf 54472, Werdmuller Centre, Claremont Impact Assessment Report Phase Two: MA HM/CAPE TOWN METROPOLITAN/CLAREMONT/ERF 54472

Case No: 15022403KR0302M

Ms Katherine Robinson gave a PowerPoint presentation.

FT and FV recused themselves, but FT remained as auditor to discussion, leaving the room prior to the committee considering a decision.

Mr Andrew Goodwin, Mr Paul Truscott, Mr Mike Nixon, Prof Walter Peters, Ms Cindy Postlethwayt, Mr Heinrich Wolff, Ms Ilze Wolff, Dr Stephen Townsend, Mr Henk Lourens, Mr Piet Louw and Mr Martin Kruger were present and took part in the discussion.

For the Record:

The Committee requested that the public leave the room when the discussion and decision was being formulated/recorded by the Committee. At the request of the heritage practitioner it was agreed, in the interest of transparency, that the discussion would be recorded. It was, however, pointed out that HWC does not as yet have appropriate recording equipment, and that recording would be done by CSc and would be made available through the correct channels. CSc recorded the discussion that took place via her cell phone. She reported her battery running out and recording was halted, (discussion marked with asterisk).

Amongst other things, the following was discussed:

- The Committee recognises that both the Phase 1 and Phase 2 impact assessments have been particularly well executed with the analysis of the Werdmuller Centre being exemplary.
- The Committee recognises the concerns and comments of the I&AP's as having been well considered and set out.
- Concern was raised by DOCOMOMO in respect of Ms Postlethwayt being the heritage practitioner. In discussion, the Committee put on record that it does not believe that the HIA having been conducted by the previous chair of this Committee will impact on its decision-making and consideration of the application. It was also noted that Ms Postlethwayt had no involvement in the previous application and was only engaged to complete the Phase II HIA some months after she had vacated her position as Chair.
- Notwithstanding any previous decisions taken by this Committee in respect of the significance of the Werdmuller Centre, notably that LHC1 and LHC2 are of different degrees of significance; the Committee agrees with the IGICom that the architectural significance of the centre is also the sum of its whole.
- The proposal as tabled, whilst generally in accordance with the previously endorsed heritage indicators, is not felt to have respected the significance of the Werdmuller Centre as a whole, with the proposed hollowing out of almost the entire LHC1 along with the scale and height of the proposed new building. *** It is the scale, height, treatment and bulk of the proposed new building that serves to significantly lessen the significance of the LHC2 structure being retained. It effectively reads as an isolated remnant with a compromised surviving value. The Committee acknowledges that in accordance with the provisions of s38(3)(d) of the Act, an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development must be taken into account when considering the application. In this instance it was felt that the overall impact of the proposed development in its current form, on what is acknowledged as an internationally recognized and significant modernist building, in addressing this aspect was excessive.

RECORD OF DECISION

The Committee resolved not to support the proposed development as has been tabled (in its current form) as it was felt that the scale, bulk and proposed interventions impacted negatively on the identified heritage resource as a whole and in particular the highly significant LHC2 building and the interstitial space.

KR

13.4 Confirmation that the building plans satisfy HWC conditions and approval on Erven 3226-3231 & Erven 3237-3240, 160 Bree Street, Cape Town:

NM

HM/CAPE TOWN METROPOLITAN/CAPE TOWN

Case No: 17071921KR0719E

Ms Katherine Robinson gave a PowerPoint presentation.

Dr Stephen Townsend was present and took part in the discussion.

Amongst other things, the following was discussed:

- It was noted that electronic copies of the revision must still be submitted to HWC

RECORD OF DECISION

The Committee confirmed that the revised proposal, reflected as per Gabriël Fagan Architects, Drawing Numbers: 0703/001 Rev: A; 0703/002 Rev: A; 0703/003 Rev: A; 0703/004 Rev: A; 0703/005 Rev: A; 0703/006 Rev: A & 0703/007 Rev: A. Dated: 26/02/2009 is substantially in accordance with previous approvals.

The drawings were stamped and signed accordingly.

The Committee requests that a digital copy be submitted to HWC.

KR

13.5 Proposed consolidation of Erven 3370, 3381 & 3382, 16, 18 & 20 Main Road, Paarl:

NM

HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ERVEN 3370, 3381 & 3382

Case No: 16110809KR1116E

Ms Katherine Robinson gave a PowerPoint presentation.

Amongst other things, the following was discussed:

- The Committee noted that the concerns previously expressed had been addressed in the revised proposal.
- Some concern was expressed in respect of the architectural treatment of the Main Road facades of the new buildings, however, it was accepted that these are still in sketch form and are not final.

RECORD OF DECISION

The Committee endorsed the HIA report as having met the requirements of S38(3) of the NHRA. The Committee resolved to approve the proposed new development on condition that final building plans, addressing the concerns of the Committee relating to the Main Road façade of the buildings are submitted to IACom for final approval.

KR

14 SECTION 38(8) NEMA RESPONSE 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 Proposed Mixed Use Development - Vredenheim Farm, Stellenbosch:
NM
HM/ CAPE WINELANDS/ DRAKENSTEIN/ STELLENBOSCH/ VREDENHEIM FARM**

Case No: 17072534WD0726M

FT recused himself and left the room.

Ms Waseefa Dhansay gave a PowerPoint presentation.

Mr Graham Jacobs, Mr Jan van Rensburg and Ms Elzabe Bezuidenhout were present and took part in the discussion.

Amongst other things, the following were discussed:

- General concern was raised in respect of the nature of the proposed development and the introduction of what reads as an exclusive, non-integrative, low density suburban model into an agricultural landscape. This model was deemed inappropriate.
- It was suggested that the 'heritage' of the poorer communities living in the area also be included in the HIA. This is an area of our heritage often overlooked and opportunity exists for a more meaningful and inclusive approach to heritage resource management.
- The Committee agreed that the proposed development is of such an extent that it would be appropriate to conduct a site visit in order to gain a better understanding of the nature of the site(s) and surrounds.

RECOMMENDATION

The Committee resolved to conduct a site visit. JY, NH, LLG, GT, CSn, FV will undertake the site visit.

WD

**16.2 HIA: Proposed redevelopment of the East Quay Precinct, Erven 149294 and 176352, V&A Waterfront, Cape Town:
NM
HM/CAPE TOWN METROPOLITAN/WATERFRONT/ERVEN 149294 AND 9588**

Case No: 17020905WD0210M

Ms Waseefa Dhansay gave a PowerPoint presentation.

The item was removed from the Agenda.

WD

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 Proposed Workplan for Proposed Sand Mine on Farms 38 and 39 Brakke Kuyl, Cape Farms:

MA

HM/BLAAUWBERG/FARM BRAKKEKUYL 38 &39

Case No: 16051905AS0815M

Mr Andrew September gave a PowerPoint presentation.

Amongst other things, the following was discussed:

FINAL COMMENT

The Committee endorses Archaeology Palaeontology and Meteorites (APM) Committee's recommendation, which reads as follows:

- The Committee endorsed the following recommendations of the report, dated 2 June 2017: A fence must be constructed around the visible edge of the BK Later Stone Age (LSA) scatter as detailed in Figure 5 of the report. No mining will be allowed within the enclosed area. A Section 42 heritage agreement and management plan for the site must be put in place for the ongoing conservation of the site. The heritage agreement and management plan would include provisions for archaeological monitoring during sand mining.

23 SECTION 42 – HERITAGE AGREEMENT

23.1 None

24. OTHER

24.1 Walk down as part of the condition for the Proposed 132KV Powerline from Juno to Helios Substation, Matzikama:

MA

HM/MATZIKAMA/JUNO-HELIOS

Case No: 17060703AS0626E

Mr Andrew September gave a PowerPoint presentation.

Amongst other things, the following was discussed:

FINAL COMMENT

The Committee resolved to endorse the consultant's recommendations, as set out in the report.

AS

24.2 Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A Waterfront:

MA

HM/WATERFRONT/ERVEN 149294 AND 9588

Case No: 15110515GT1110E

Mr Andrew September gave a PowerPoint presentation.

Amongst other things, the following were discussed:

INTERIM COMMENT

- With regard to Archaeology, the Committee shares the concern of the APM Committee regarding the delays and constraints around completing the required archaeological investigations especially since the preliminary results of archaeological work indicate the survival of extensive sub-surface material.
- The Committee is in agreement with APM Committee that a joint site visit be conducted as a matter of urgency. CM, GT, NH, Dr Malan, Mr Hart, Dr Baumann and the project manager to attend. Case Officer to arrange.
- With regard to the updated interpretation plan, the Committee was supportive in principle. It was, however, noted that further archaeological investigations would contribute to this interpretation plan and should be integrated in the final report to be submitted to APM Committee and IACom for approval.
- With regard to the heritage indicators, the Committee was supportive of the indicators submitted. The Committee emphasized that landscaping should be minimalist in order to retain the 'stark' character and archaeological integrity of this former fortification. The insertion of any hard and soft landscaping, which would infringe on the legibility of the primary heritage resource and the remaining physical fragments of the Battery, should be avoided.
- The Committee requires the final landscape plan, responding to the heritage indicators, to be submitted to IACom for approval.

AS

25 Adoption of decisions and resolutions

25.1 The Committee agreed to adopt the decisions and resolutions.

26. CLOSURE – 16H50

27. DATE OF NEXT MEETING: 13 September 2017

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____

Approved