

**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, Greenmarket Square, Cape Town,
at 09H00 on Wednesday, 10 April 2019**

1. Opening and Welcome

The Chairperson, Mr Chris Snelling (CSn), opened the meeting at 09H00 and welcomed everyone present.

2. Attendance

Members

Mr Chris Snelling (CSn)
Mr Siphiwo Mavumengwana (SM)
Mr Guy Thomas (GT)
Mr Frik Vermeulen (FV)
Ms Cecilene Muller (CM)
Mr Dave Saunders (DS)
Dr Lita Webley (LW)
Mr Mike Scurr (MS)
Mr Mokena Makeka (MM)

Staff

Ms Penelope Meyer (PM)
Ms Waseefa Dhansay (WD)
Mr Andrew September (AS)
Mr Lwazi Bhengu (LB)
Mr Olwethu Dlova (OD)
Ms Heidi Boise (HB)

Observers

Visitors

Dr Stephen Townsend	Mr Andrew Berman
Mr William Whitaker	Ms Melissa Groenink
Mr Simon Birch	Mr Neil Franks
Mr Zane De Decker	Mr Sian Crouwer
Ms Marilyn Crawford	Mr Martin Crawford
Ms Gill Lanham	Mr Marcus Hounsell
Ms Fiona Caira	Mr Nino Caira
Mr Mark Callaghan	Mr Henry Aikman
Ms Cindy Postlethwayt	Ms Kate Bateman
Ms Robyn Campbell	Ms Ariella Caira
Ms Mary Hann	Mr Charl Bruwer
Mr Tim Reddel	Mr Leon Smith
Mr Andre Vercueil	Ms Jeanneke Malan
Mr Andries Samuel	

3. Apologies

Dr Mxolisi Dlamuka (MD)
Ms Colette Scheermeyer (CSc)
Ms Stephanie-Anne Barnardt (SB)

3.1. Absent

None

4. Approval of the Agenda

4.1 The Committee resolved to approve the agenda dated 10 April 2019 with additional items.

5. Approval of Minutes of Previous Meeting

5.1 The Committee resolved to approve the minutes dated 6 March 2019 with a minor correction.

6. Disclosure of Interest

- CSn: item 13.6
- FV: item 13.6
- DS: item 13.6

7. Confidential Matters

7.1 None

8. Appointments

8.1 The Committee noted appointment for item 21.1 set for 11:00.

9 Administrative Matters

9.1 Outcome of the Appeals Committee, Tribunal and Court Cases

9.1.1 PM reported back on the following Appeals matters:

- Proposed Alteration & Additions of Erf 88327, 56 Main Road, St James: Section 49 (34)
- Proposed Total Demolition of the Maitland Swimming Pool, Erf 174308, 21A Royal Road, Maitland: Section 49 (34)
- Proposed Partial Demolition and Multi-Storey Addition on Erf 2657, 62-66 Wale Street, City Centre CBD: Section 49 (34)
- Stellenbosch University-For Noting
- Proposed New Mixed-Development for site B & C, Erf 173716, Portwood Road, V&A Waterfront: Section 49 (38(4))
- Proposed Consolidation and Redevelopment of Erven 9282, 1398 & 206069, Berg River Boulevard, Swartvlei & Synagogue, Paarl: Section 49(38(1))-For Noting
- Proposed Additions and Alterations, Erf 9096, 6 Mill Street, Paarl: Section 49 (34)

9.1.2 PM reported back on the following tribunal matters:

- Lady Hamilton Hotel
- Erf 156, Sea Point East

9.2 Appointments of new IACom members

The appointments of Mr Scurr and Mr Makeka were noted, and both were welcomed by the Committee.

10. Standing Items

10.1 Site Inspections

None

10.2 Report back from ExCo, Council and other Committees

10.3 Discussion of the agenda

Noted.

10.4 Potential Site Inspections

- Proposed mixed-use development on Erven 884, 889, 895 and 5856, Reitz Street, Masonic Lodge Hotel Precinct, Robertson
- Proposed redevelopment, Erven 3189, 3200-3203 (former Madame Zingara complex), Cape Town
- Proposed redevelopment of Portion 2 of Farm 481(Klein Welmoed), Stellenbosch
- Proposed deviations to existing Site Development Plan (SDP) for mixed-use development on Longkloof Studios, Erf 152678, Kloof Street, Gardens
- Blouvillei, Wellington

MATTERS TO BE DISCUSSED

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

11.1 None

12 SECTION 38(4), INTERIM COMMENT

12.1 None

13 SECTION 38(4) RECORD OF DECISION

13.1 Proposed Total Demolition of 3 Buildings, Consolidation and Redevelopment, Erven 31751; Erven 31752; Erven 150019, Rosebank: MA HM/ CAPE TOWN METROPOLITAN/ROSEBANK/ERVEN 31751; ERVEN 31752; ERVEN 150019

Case No: 17111605ZK1122E

Section 38(4) application documents and revised proposals, dated 17 March 2019 were tabled.

Dr Stephen Townsend, Mr Andrew Berman, Mr William Whitaker, Ms Melissa Groenink, Mr Simon Birch, Mr Neil Franks, Mr Zane De Decker and Mr Sian Crouwer were present and took part in the discussions.

DISCUSSION

Amongst other things, the following was discussed:

- The Committee noted that additional drawings, dated 30 March 2019, were submitted by the applicant after the three-week deadline and had not been seen by all Interested and Affected Parties (I&AP's).
- The Committee also noted that RAMPAC had submitted a letter of objection on the day of the meeting. The Committee held a closed session in order to consider these and resolved as follows:
 - The drawings submitted by the applicant were in further response to interaction with I&AP's, with the only material change being to the roof form, and indicated a proposal of lesser impact than that submitted to HWC three

weeks prior to the meeting. It was agreed that I&APs would not be prejudiced by the acceptance of the drawings into the record.

- Given the RAMPAC letter was provided in response to the updated drawings it was agreed that this too should be entered into the record.
- The applicant and I&AP's were informed accordingly.

Mr Birch, on behalf of RAMPAC, Mr Franks, Dr Townsend and Ms Groenink, on behalf of Mr Whittaker made submissions to the Committee.

Comment provided included, but was not limited to, the following:

- The structure will replace two Grade IIIC buildings and it will be to the degradation of the locale and the surrounds.
- There is too much bulk on the site, notwithstanding it complies with Municipal Planning By-law requirements.
- Dr Townsend observed that there is confusion between 'bulk' and 'bulkiness'. In this regard the proposal has not gone far enough to reduce the overall bulkiness and that there has been no real effort to match the roofscape, and the general greenness of the environment.
- If the Committee resolves to approve the development, it should fix the eaves height of the building to 7m above ground level.
- There should be a greater set-back from the Liesbeek River edge.

The applicant's response included the following:

- The new roof form takes direct reference from sketches provided by Dr Townsend.
- The proposed development is in accordance with the existing pattern and build-to-lines along the existing street edges.
- To reduce the bulkiness of the development, the buildings have been broken up into domestic scaled modules. This too reflects input and sketches provided for by I&APs.
- The eaves of the building have been dropped. This has resulted in an overall reduction from 8m as per the parapet flat roofed version, through to an average eaves height of 7.25m along York road, and average 6.3m along Alma Road.

The Committee noted that:

- In general, the proposed development is a considerable improvement on the effective four storey development first submitted and subsequent submissions. This has been a reiterative process and the revisions have been guided by interaction with I&APs, and comment provided by the IACom at its previous meetings.
- The applicants have addressed all the concerns previously raised by the Committee.
- The Committee is satisfied that the proposal now reflects an appropriate densification model, and design response, within its heritage context.
- The introduction of balconies is noted as being a very important scaling device, and the proposed roof form is appropriate within its context.

The Committee is satisfied that the proposed development, as tabled, will not impact negatively on the identified heritage context, being the proposed HPOZ, in which it is located.

RECORD OF DECISION:

The Committee resolved to endorse the Heritage Impact Assessment as having met the requirements of s38 (3) of the National Heritage Resources Act (NHRA).

The Committee supports the demolition of the three existing structures located on the properties.

The Committee supports the proposed development as dated 30 March 2019 on condition that:

1. A Landscape Plan must be submitted to HWC for endorsement by IACom.
2. Building Plans must be submitted to HWC for endorsement by IACom prior to final building plan submission to City of Cape Town.

SB

**13.2 Proposed Redevelopment of Erven 143, 144, 145, 155,156,157,158,166,167,168,169,170, Rem 185, 4683 & 5957, Dennisig& Paul Kruger Streets, Stellenbosch: MA
HM/CAPE WINELANDS/STELLENBOSCH/ ERVEN 143, 144, 145, 155,156,157,158,166,167,168,169,170, Rem 185, 4683 & 5957**

Case No: 18062502HB0627E

Final Heritage Impact Assessment was tabled.

Ms Heidi Boise introduced the item by way of a PowerPoint presentation.

Ms Cindy Postlethwayt and Ms Jeanneke Malan were present and took part in the discussions.

DISCUSSION

Amongst other things, the following was discussed:

- Ms Boise confirmed that the advertising process had been complied with.
- Ms Malan introduced herself as being a representative of both the St Nicolas Church and Mr Hamman and noted that:
 - Mr Hamman had requested that his property be included within the 'heritage area curtilage' as recommended by the IACom in respect of its previous comment provided in the Phase II development intended for the properties opposite the Kromme Rivier complex.
 - Objectors believe that 3-4 stories would be appropriate on the site, and that the 5-6 stories of the proposed development is excessive, and will impact on the Kromme Rivier complex.
- Ms Postlethwayt noted that the proposed development was the same as the one tabled before IACom previously, and reiterated that heritage resources would not be impacted on by the proposal. This was confirmed at the site inspection, which the Committee had undertaken on 14 January 2019.
- The Committee endorsed its previous observation that the context in which the structure is located is not a heritage context, that the proposed development is generally consistent with other development in the area, and that final built form and architectural detailing, (which in its current form is not supported by the Committee), is not a heritage matter and is something that needs be dealt with by the Municipality.
- The Committee noted concerns raised in respect of the impact of the development on the functioning of the Church, however this is also an aspect that needs be dealt with by the Municipality.
- The Committee clarified that the previous request for additional information was to ensure that the proposal would not impact on the significance of the Kromme Rivier complex, and that it was satisfied in this regard.

- The Committee noted that no heritage resources will be impacted on by the proposed development.

RECORD OF DECISION:

The HIA compiles with the provisions of s38 (3) of the NHRA.

The Committee resolved that the proposed development, which includes demolition of the identified structures, may proceed.

HB

**13.3 Proposed Redevelopment, Erven 3189, 3200-3203, 192-198 Loop Street, Cape Town: MA
HM/CAPE TOWN METROPOLITAN/ERVEN 3189, 3200-3203**

Case No: 17111314KR1115M; 16061504KR0728M; 130117ZS11M

Heritage Impact Assessment prepared by Aikman Associates dated March 2019 was tabled.

Ms Heidi Boise introduced the item by way of a PowerPoint presentation.

Mr Henry Aikman and Mr Andries Samuel were present and took part in the discussions.

DISCUSSION

Amongst other things, the following was discussed:

- The comments received from CIBRA and the City of Cape Town was noted.
- The Committee noted that HWC had previously endorsed a development on this site in July 2013, and that the HIA, prepared by Clare Abrahamse, was endorsed by HWC as having met the requirements of s38(3) of the NHRA. It was further noted, that the development as approved at the time, could theoretically still be built, and in this regard consideration of the new HIA and proposed development, must take the previously approved development into account.
- The Committee noted that the new HIA only made brief reference to the previous HIA and proposed development, and it had not interrogated the findings in respect of significance, (the Madame Zingara complex was noted at the time as being an IIIB heritage resource). This would be particularly useful as it was understood that considerable fabric has been lost / damaged in the intervening six years, and that previous gradings of significance, and heritage indicators, afforded the complex may well have changed.
- The Committee also noted that CIFA had provided a very considered response in respect of the previous HIA, and given this, the Committee was of the opinion that the comment of CIFA must be obtained in respect of the new HIA and proposal
- The Committee observed that the new proposal represents a very different approach than the previous proposal which was approved by HWC, and that in this instance it could be argued that the attempt to retain the walls only would amount to little more than facadism.
- Indeed, given the findings of the Engineers report provided, it was noted that as existing walls could collapse and would require reconstructing, the issue of facadism may actually be a likely 'best case scenario', in that there would be no meaningful integration of the proposal with historic fabric at all.

- The issue of facadism, authenticity, good building and place making, must be interrogated further in the HIA. It is an important debate that should be meaningfully unpacked
- It was also suggested that the applicant investigates how the form and significance of the existing complex informs the development, through a massing strategy that informs what happens above the complex; how the building meets the sky, as well as how it meets the ground.
- The Committee also noted that the proposal as presented was very site specific and had not placed the proposal within its context in the Central City HPOZ in which it is located. Street elevations, and meaningful sections through the site, and surrounding blocks, should be provided.
- The Committee agreed that it would need to conduct a site inspection in order to understand first-hand the extent of existing fabric remaining within the site and become more acquainted with the issues at hand.
- It was recommended that in the meantime, the architect and applicant begin attending to the issues as raised and consult with CIFA.

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 23 April 2019 (CSn, FV, MM, GT, MS, CM, and DS).

HB

**13.4 Proposed Redevelopment of Portion 2 of Farm 481, Stellenbosch: NM
HM/CAPE WINELANDS/STELLENBSOCH/ PTN 2 FARM 481**

Case No: 18081303HB0903M

Heritage Impact Assessment prepared by Louis van Riet dated 19 March 2019 was tabled.

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 6 May 2019 (CSn, FV, MM, MS, SM, LW, and DS).

HB

**13.5 Proposed mixed-use development on Erven 884, 889, 895 and 5856, Reitz Street, Masonic Lodge Hotel Precinct, Robertson: NM
HM/ROBERTSON/ERVEN 884, 889, 895 AND 5856**

Case No: 181002306AS1101M

Heritage Impact Assessment prepared by Johan Cornelius Architects and addendum were tabled.

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection 6 May 2019 (CSn, FV, MM, MS, SM, LW, and DS).

AS

**13.6 Proposed deviations to existing SDP for mixed-use development on Longkloof Studios, Erf 152678, Kloof Street, Gardens: MA
HM/GARDENS/ERF 152678**

Case No: 110727TG34

CSn, FV and DG recused themselves and left the room. The Committee nominated MS to chair this item.

Deviations to original approved plans and motivation prepared by Aikman and Associates were tabled.

Mr Andrew September gave a PowerPoint presentation.

Mr Henry Aikman was present and took part in the discussions.

DISCUSSION

Amongst other things, the following was discussed:

- The change in usage to include a hotel was previously tabled and was the reason for a range of deviations to approved plans.
- The structural engineer's statement suggests reconstruction of the MLT House façade is necessary due to basement construction, and recommends retaining only the plinth and central portion (with the corbelled doorway) of the MLT House facade and reconstructing the remainder each side.
- The committee noted that this facade showed evidence of earlier modifications and successive changes which would be lost in a reconstruction.
- The Committee endorsed the reduction in height of the new structure.

INTERIM COMMENT.

1. The Committee endorses the reduction in height of the new structure.
2. Given that the proposed demolition and reconstruction of a major part of the east façade raises a range of questions regarding authenticity and architectural approach, the Committee resolved to undertake a site inspection to specifically to review this aspect on site on 23 April 2019 at 10:00 (SM, MM, GT, MS and CM).

AS

**13.7 Proposed New Additions and Structures for Old Standard Bank Building, Woodmill Lane Shopping Centre, Erven 711 and 7841, Knysna: MA
HM/KNSYNA/ERVEN 711 AND 7841**

Case No: 18111402AS0712E

Heritage Impact Assessment prepared by Andre Vercueil was tabled.

Mr September provided a brief Power Point introduction to the item.

Mr Henry Aikman, Mr Leon Smith and Mr Andre Vercueil were present and took part in the discussion.

DISCUSSION

Amongst other things, the following was discussed:

- It was noted that the HIA had been advertised.
- There was no comment received from the Knysna Municipality.

- The Committee generally supported the work to and around the Standard Bank and corner buildings.
- The Committee noted that it supported the notion of enclosing the open mall into a 'Galleria' in principle, and supported the indicators provided in the HIA. Good international precedent images were also enclosed in the submission. The Committee did however not believe that the indicators had been complied with, and concerns were expressed by the Committee as to how the proposed shopping mall is being realized.
- The warehouse buildings were noted as being fine examples of early 20th C industrial architecture which have been identified as grade IIIA heritage resources. It is considered that there is too much visual clutter that detracts from the significance of these IIIA structures.
- Currently the proposal dominates the significant buildings, and it is felt that the proposed use of materials, such as timber beams and decorated glass, contribute to an 'architectural noise', with no strong distinction between foreground and background buildings, or between old and new buildings.
- The Committee was of the opinion that simple glass and steel structures would be a far more appropriate material to employ in this instance.
- It should be the warehouses, industrial qualities, and their heritage significance, that should be the dominant elements of the scheme, and not the addition.
- The large opening to the Gable End of the one structure to provide parking is not supported. Furthermore, consideration should also be given as to how the buildings are used. Parking for example, is not considered as being compatible with the traditional use, and related significance of structures.
- The large timber-clad entrance was not considered appropriate and the adjacent timber-clad building obstructed views towards the end gable of the saw-mill building. Development in this location, if any, should be more recessive or transparent.
- In conclusion, the Committee noted that, whilst it is supportive of the concept, it is not in support of its current resolution.
- The applicants took the Committee's comments on board and agreed that the issues raised would be looked at.

INTERIM COMMENT

The Committee awaits a revised submission, addressing the concerns raised by the Committee in discussion.

AS

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 Tooverberg Wind Energy Facility on Remainder & Portion 1 of Farm 244, Witzenberg: NM
HM/WITZENBERG/TOOVERBERG**

Case No: 18102909AS1108M

Tooverberg WEF Heritage Impact Assessment prepared by PGS Consulting was tabled.

Mr Andrew gave a PowerPoint presentation.

DISCUSSION

The committee had several concerns relating to the Archaeological aspects of the development and noted that the HIA had not been seen by the APM.

Concerns which were raised include:

- HWC Guide for minimum standards for Archaeology and Palaeontology reports must be adhered to, especially sections 4.5, 4.7, 4.8 and 4.10 in this instance.
- The report does not consider the Grading guidelines of HWC and therefore mitigation recommendations, such as a 100m buffer around “sites” of low significance are inappropriate. The Committee is therefore of the opinion that heritage significance had not been properly assessed.
- The Committee also noted that the VIA requested in the Notification of Intent to Develop (NID) had not been supplied;
- There is no record of comment from registered I&APs. Further, the comments of I&AP’s were not integrated into the HIA report.

Currently the HIA does not comply with the provisions of s38 (3) of the NHRA. It is the opinion of the committee that the current set of documents does not represent an integrated HIA.

An integrated HIA, which includes evidence of public participation, is required.

COMMENT:

The HIA does not comply with provisions of s 38(3) of the NHRA.

AS

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 **Proposed Construction of Two Wind Energy Turbines on The Buffeljags Abalone Farm, Farm 357 (Bredasdorp) near Pearly Beach: NM HM / BREDASDORP / BUFFELJAGS ABALONE FARM 357**

Case No: 18030515SB0308E

IACom reported back on the site visit undertaken on 28 March 2019. Site visit report prepared by LW dated 28 March 2019 attached (annexure SI1).

Mr Charl Bruwer and Mr Tim Reddell were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee was satisfied with the site inspection report, and noted its findings
- The Committee agreed that the cease works order can be lifted.

FINAL COMMENT:

The HIA complies with the provisions of s38 (3) of the NHR Act.

APM graded the site which had been partially destroyed by the WTG1 as Grade IIIC. The development may proceed, with conditions, however no new areas of the site should be encroached.

Any additional new development on site that triggers the NHRA must be submitted to HWC and be dealt with by the appropriate committee.

No further archaeological work is required on condition that there is no further construction in the vicinity of the archaeological site, and that the remaining in-situ midden material must be stabilised with netting, plant growth and a fence to minimise pedestrian movement across the site, as well as to limit further encroachment on the heritage resource.

SB

22 **SECTION 38(8) OTHER LEGISLATION FINAL COMMENT**

22.1 None

23. **SECTION 27 PROVINCIAL HERITAGE SITES**

23.1 None

24 **SECTION 42 – HERITAGE AGREEMENT**

24.1 None

25. OTHER/ ADVICE

25.1 None

26 Adoption of decisions and resolutions

26.1 The Committee agreed to adopt the decisions and resolutions.

27. CLOSURE: 14:40

28. DATE OF NEXT MEETING: 15 May 2019

CHAIRPERSON_____

DATE_____

SECRETARY_____

DATE_____

APPROVED