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 October 2018.

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1. Opening and Welcome

The Committee noted the recusal of Mr Chris Snelling and nominated Mr Frik Vermeulen as Acting Chairperson for the meeting. He opened the meeting at 09H05 and welcomed everyone present.

2. Attendance

Members
Prof Lucien le Grange (LLG)
Dr Lita Webley (LW)
Mr Frik Vermeulen (FV)
Mr Siphiwo Mavumengwana (SM)
Mr Dave Saunders (DS)
Ms Cecilene Muller (CM)
Mr Graham Jacobs (GJ) (co-opted)
Mr Mike Scurr (MS) (co-opted) (from 12:00)

Staff
Ms Colette Scheermeyer (CSc)
Ms Penelope Meyer (PM)
Ms Waseefa Dhansay (WD)
Mr Andrew September (AS)
Ms Heidi Boise (HB)
Ms Stephanie-Anne Barnardt (SB)
Mr OlwethuDlova (OD)
Mr Thando Zingange (TZ)
Ms NosiphiwoTafeni (NT)
Ms Yolanda Moya (YM)
Ms KhanyisileBonile (KB)

Observers
None

Visitors
Mr Hannes Bouwer (HB)
Ms Sarah Chou (SC)
Mr Chris Snelling (CSn)
Mr Piet Dekker (PD)
Ms Ursula Rigby (UR)
Mr William Rigby (WR)
Ms Lynn Miller (LM)
Mr Tim Hart (TH)
Ms Samantha Dyer (SD)
Ms Susanne Coleman (SC)
Mr Christian Alexander (CA)
Dr Chris Hartnady (CH)
Mr Jason Clark (JC)
Ms Sarah Winter (SW)
Mr Richard Summers (RS)
Mr Richard Eastwick (RE)
Mr James Page-MacDonald (JP-M)
Mr Jason Kombo (JK)
Dr Nicolas Baumann (NB)
Mr Neil Schwartz (NS)
Ms Liesbet Schietekatte (LS)
Mr Nazeer Sonday (NS)
Dr Jayson Orton (JO)

3. Apologies

Mr Chris Snelling (CSn)
Mr Guy Thomas (GT)
Dr Mxolisi Dlamuka (MD)

3.1. Absent

None

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4. Approval of the Agenda

4.1 The Committee resolved to approve the agenda dated 10 October 2018, with the addition of items 9.3 and 9.4.

5. Approval of Minutes of Previous Meeting

5.1 The Committee resolved to approve the minutes dated 12 September 2018 without amendments.

6. Disclosure of Interest

6.1 FV: item 13.1.

7. Confidential Matters

7.1 None

8. Appointments

8.1 None

9 Administrative Matters

9.1 Outcome of the Appeals Committee, Tribunal and Court Cases

PM reported on the following appeals matters:

- Proposed additions and alterations to the existing Pioneer Outbuilding and a new garage on the Provincial Heritage Site (PHS), Farm 709-1, Landskroon Farm, Agter-Paarl
- Proposed replacement of coloured glass with stained glass based on art of the late Peter Clarke in St. Francis Church, Simons Town
- Proposed landscaping and extension of the existing house on Erf 2298, Noordhoek
- Proposed additions and alteration at Portion 6 of Farm 1121, Farm Klein Constantia, Klein Constantia Road, Constantia
- Proposed Total Demolition of 25 Hofmeyer Road, Sea Point East, Erf 156
- Proposed redevelopment of the Tygerberg Hospital Estate on Erf 15350 (Remainder of Erf 14298), Parow
- Proposed Total Demolition on Erf 172877, 199 Main Road, Wynberg

PM reported on the following tribunal rulings:

- Werdmuller Centre, Erf 54472, Main Road, Claremont
- V&A Waterfront Canal District
- Erf 2592, Aandblom Road, Vredehoek
- Erf 325, Bantry Bay Road, Sea Point

9.2 Tribunal Representation

- It was noted that the Committee may be represented at tribunal hearings and may contribute to proceedings, if required.
- The Committee was concerned that in various tribunal matters, expertise was lacking relating to the specifics of the case e.g. spatial heritage, urban design,

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architectural considerations. It is proposed that this is raised at the next meeting of ExCo or Council.

- The Committee noted that it would be prudent to briefly discuss tribunal rulings at the IACom meeting following such rulings, so as to reach a common understanding and consensus on the implications thereof.

9.3 Recording of Minutes

The Committee noted that the current system of issuing comments or decisions to applicants and Interested and Affected Parties (I&AP's) without including the discussion section of the minutes has negative implications, as this contains vital information. It is recommended that consideration be given to the adoption of minutes via email prior to the next meeting.

9.4 Proposed Development, Ptn 27, 29, 48, and 49, Farm 98, Doornriver, Herold Meander, George

Case No: 15060303GT0609M

The applicants had requested clarification of the conditions imposed with the Final Comment of 12 September 2018, pertaining to the extent of the archaeological monitoring required.

The Committee confirmed that archaeological monitoring of all excavation and trenching is required.

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10. Standing Items

10.1 Site Inspections

The Committee conducted the following site inspections:

- Amsterdam Battery on 14 September 2018
- Rondebosch Tennis Courts on 2 October 2018

10.2 Report back from ExCo, Council and other Committees

Nothing to report.

10.3 Discussion of the agenda

None.

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

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13 SECTION 38(4) RECORD OF DECISION

13.1 Proposed Demolition of Farm/Restaurant Buildings, Tree Removal and Development of New Homestead, Stables, Indoor Horse-Riding and Winery on Erven 9795 & 3025, Constantia Uitsig: MA

HM\CAPE TOWN METROPOLITAN\CONSTANTIA\CONSTANTIA UITSIG/ERVEN 9795 & 3025

Case No: 14102165AS1029M

FV recused himself and left the room. GJ was nominated to chair this item.

Revised SDP and comments from project team were tabled.

Mr Andrew September gave a PowerPoint presentation.

Mr Hannes Bouwer was present and took part in the discussion.

Amongst other things, the following was discussed:

- The revised proposals as tabled differ significantly from those previously approved. The proposed revisions include a substantially increased building footprint for the indoor horse training arena.
- Given the substantial changes to the private werf precinct development plan, the Committee requires that the applicant circulate the revised proposals to I&AP's who must be given an opportunity to comment. The standard 30-day comment period shall apply.
- The increased size and relocation of certain of the structures may result, amongst others, in increased visual impacts. The Committee therefore resolved that a further site inspection be conducted.

FURTHER REQUIREMENTS

The Committee resolved to undertake a site inspection (SM, CM, LW, LLG, DS and GJ).

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13.2 Proposed Re-development of the Road Reserve including but not limited to Landscaping, Pedestrian Access and Parking, along the MR 312, Van Der Stel Street, Tulbagh: NM

HM/ CAPE WINELANDS/ WITZENBERG/ TULBAGH/ MR 312-VAN DER STEL STREET

Case No: 17053001WD0605M

Application documents were tabled.

Ms Waseefa Dhansay gave a PowerPoint presentation.

Mr Jason Clark, Ms Sarah Chou and Ms Sarah Winter were present and took part in the discussion.

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Amongst other things, the following was noted in discussion:

- From a heritage perspective, Van Der Stel Street is one of the most important streets in Tulbagh. It not only contains many individual heritage resources, but also has a collective townscape quality. Tulbagh's streets form part of the vernacular of the town. It was felt that insufficient analysis of those townscape elements and the street's contribution was included in the report.
- It was not clear how heritage considerations informed the design proposals. Instead, the transport engineering requirements and the traffic calming objectives, albeit well intended, were at the forefront, whereas it should be the converse. Clear heritage indicators are required in order to evaluate the proposals.
- The proposed central treed median and the amount of hard landscaping interventions were not supported, as it was considered that the proposed response was suburban in nature and not appropriate in the context of a historic rural town. Furthermore, the trees in the median are likely to create a visual barrier, dividing what is a traditional Cape village main road space. Mr Clarke mentioned that the Tulbagh community was also opposed to the central median proposal.
- While the reduction in the roadway was fully supported, the Committee felt that this should rather be achieved through generous sidewalks, planted with trees, as well as embayed street parking. Visual clutter and elaborate surface treatment, with too many different materials, should be avoided.
- The Committee requested the inclusion of relevant precedent images. In addition, the evaluation of similar case studies, where such interventions have been successfully implemented, would be of assistance.

FURTHER REQUIREMENTS

The Committee does not support the proposals in their current form, particularly the proposed central median, and requires the submission of an updated report addressing the issues raised above. Such a report must provide a townscape assessment, heritage indicators, precedent/case studies and the consideration of alternatives.

The Committee does not require the updated report to be subjected to a further 30-day comment period but must be forwarded to I&AP's for information.

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13.3 Proposed Subdivision, Rezoning and Development on Erf 46115, 2 Glen Darrach Road, Rondebosch: MA HM/RONDEBOSCH/ERF 46115

Case No: 171124111ZK1128E

A heritage impact assessment and public comments were tabled.

Mr Chris Snelling, Mr Richard Summers, Mr Piet Dekker, Mr Richard Eastwick and Ms Ursula Rigby were present and took part in the discussion.

FV reported back on the site inspection, undertaken on 2 October 2018 and tabled a site inspection report.

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Amongst other things, the following was discussed:

- Ms Rigby mentioned that the foremost concern of the I&APs was the proposed density, both in terms of the figure-ground and the number of persons per hectare. It was felt that insufficient recognition was given to the fine-grained character of the neighbourhood.
- The applicant's heritage consultant acknowledged that densification is a sensitive issue, but pointed out that only its implications for the built form and landscape are heritage issues, while that of the proposed population density is a town planning issue, to be assessed by the City of Cape Town. He added that the proposal, particularly the street-facing edge was informed by the surrounding fine-grained environment. It was also noted that the Heritage Protection Overlay Zone is not uniform in character throughout.
- The Committee noted its support for appropriate densification in principle, as it counters urban sprawl, which has its own detrimental impact on heritage resources. The Committee was of the view that the subject site could accommodate infill development and even though it has some social significance in relation to the history of tennis in Cape Town, it possessed insufficient intrinsic significance to be considered conservation-worthy. The overall quality of the area is its fine-grained, treed, suburban townscape and this is the primary heritage resource. Any proposal should respond in terms of its 'figure-ground' and 'figure-green' quality.
- The HIA report was considered to have adequately assessed the urban environment and it provided clear heritage indicators. In general, the proposed built form, with pitched roofs, was considered a sensitive design response.
- The Committee noted that the topography of the neighbourhood enables some elevated views (public and private) towards the site, and that it was not only views from the immediately adjacent streets that should be considered. In addition to the massing of buildings, the foremost two aspects for consideration were the roofscape and the overall tree canopy quality. In this regard, it was felt that the proposed Block 3, particularly its continuous roofscape, is too monolithic and that the current landscape plan contains insufficient detail on how trees with stature would be accommodated to break up the massing, particularly between the first (northern) row and the second row of development. The tree canopy should be a dominant element, not an afterthought. It was noted that the bank and existing trees on the corner of Glen Darrach Road and Lovers Walk would be retained.
- The Committee supported the heritage consultant's proposal for further roof articulation of Blocks 1 and 3, contained in the HIA report. Meaningful articulation of the façades of Block 3 will also assist in breaking up its massing.
- Mr Snelling recused himself and left the room prior to the Committee reaching a resolution.

FURTHER REQUIREMENTS

The Committee supports the proposal (Option 4 Rev. A), with the consultant's roofscape mitigation proposal on page 91 of the HIA report, in principle.

The Committee has no objection to the town planning process, based on this conceptual layout, proceeding, subject to more detailed plans, including a landscape plan, being submitted to IACom for approval. Such plans must address the concerns raised above, particularly in relation to the articulation of Block 3 and enhanced greening of the entire site through a substantial tree canopy.

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13.4 Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A Waterfront: MA
HM/WATERFRONT/ERVEN 149294 AND 9588

Case No: 15110515GT1110E

Dr Nicolas Baumann, Mr Tim Hart, Ms Liesbet Schietekatte, Mr Neil Schwartz and Ms Samantha Dyer were present and took part in the discussion.

FV reported back on the site inspection, which was undertaken on 14 September 2018 and tabled a site inspection report.

Amongst other things, the following was discussed:

- It was noted that subsequent to the previous IACom meeting, the sequence of events and the status of previous approvals have been confirmed. On numerous occasions during the previous two years, both IACom and APM Committee have required a final landscape plan, responding to the heritage indicators, to be submitted for approval. This required landscape plan was not submitted and, as ascertained at the site inspection, the landscaping work is now nearly complete.
- Based on what has been approved to date, it is clear that the basketball court, the skateboard park and the children's playground all constitute unauthorised work, irrespective of whether two football fields were shown in one of the quadrants of the site on an Indicative Landscape Plan of March 2016.
- The Committee was in agreement with the applicant's heritage practitioner that components of the latest landscape plan are at variance with the indicators, that a number of hard landscape features constitute 'visual clutter' and that one particular vertical concrete element in the skateboard park (the 2m high start ramp) protrudes into the visual cone towards the battery wall.
- A revised, more detailed landscape plan must be submitted to IACom for assessment.
    a. If retained, the skateboard park should not contain structures higher than 1,2m and the colour of surfaces should be muted;
    b. If retained, the basketball court should be predominantly green, not blue, in colour, so as to minimise its visual obtrusiveness;
    c. The nature and height of fencing, if any, must be specified on the landscape plan, and,
    d. The number of trees in proximity to the back wall must be minimised, so as to allow views. Roots must not affect the integrity of the historic structure.
- The Committee endorsed the Archaeological Monitoring Report by ACO Associates, dated July 2018. A final report must be submitted to HWC once all site works and landscaping is complete.
- The undated Statement of Intent relating to the Interpretation of Historical Themes by Henry Matthys, was supported in principle. The Committee emphasised the importance of viewing the Amsterdam Battery in the context of a network of historic coastal fortifications and that there was scope for this theme to be augmented. In addition, the archaeological excavation process itself warranted adequate attention in the interpretation material.
- The structure of the future Conservation Management Plan (CMP) was supported. It is the Committee's understanding that the CMP will pull all the components of this project together, including archaeology, architecture, landscaping, interpretation displays and future management. A close-out report is also required, confirming the completion of all work in accordance with the approvals obtained.

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- It was noted that the remaining archaeological work in and around the sally port walls and berms needs to be concluded as a matter of urgency, so as to protect the heritage resources in situ. The applicants requested that the existing cease-works order be amended to allow for this work to be completed.

FURTHER REQUIREMENTS

The Committee recommended that the existing cease-works order should remain in place until the following requirements have been met:

1. The submission of a motivation by the heritage practitioner relating to the possible amendment of the scope of the existing cease works order, so as to allow for the completion of the archaeological work. This motivation can be circulated via e-mail to IACom members for assessment.
2. Thereafter, the submission of a heritage agreement by the heritage practitioner, describing mitigation measures and how significance can be recovered, should take place. The heritage agreement must include a revised landscape plan, which addresses the concerns raised by the Committee, together with comment by the heritage practitioner. Such a heritage agreement will be tabled at the earliest possible IACom meeting for assessment.

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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 Pipelines Proposed for Farm 815/Re, Philippi: NM HM/ CAPE TOWN METROPOLITAN/ PHILIPPI/ FARM 815

Case No: 18023002WD0607M

Application documents were tabled.

Ms Waseefa Dhansay gave a PowerPoint presentation.

Ms Susanne Coleman, Mr Nazeer Sonday, Mr Christian Alexander, Dr Jayson Orton and Dr Chris Hartnady were present and took part in the discussion.

Amongst other things, the following was discussed:

- It was noted that the City of Cape Town (CoCT) has been granted a Water Use Licence by the Department of Water and Sanitation in December 2017 for abstraction of water from the Cape Flats Aquifer and recharge into the aquifer. One of the conditions was that a monitoring committee be established within six months from the date of issue of the license. To the Committee's knowledge, this has however not taken place to date.
- Various high-level strategies and assurances were provided by the CoCT, but in the absence of clarity on the exact amount of abstraction that will take place and

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confirmation of monitoring, the Committee was concerned that excessive drawdown of the water table could result in the small-scale farmers losing access to groundwater, which would impact on the viability of farming in the Philippi Horticultural Area (PHA). The PHA is considered a heritage resource of high significance – Grade IIIA or even Grade II.

- The PHA Food and Farming Campaign provided photographic evidence of very large above ground reservoirs that have recently been constructed in the area. The Committee was concerned that such infrastructure is being constructed without any heritage scrutiny and needs to form part of the heritage assessment.

FURTHER REQUIREMENTS:

1. As far as the current application is concerned, the Committee considers the HIA report as incomplete, as the full nature of the proposal and impacts on the heritage resource (the PHA) are not known at this stage.
2. The Committee noted that a selective approach has been taken by the CoCT as to the applicability of s38(1) of the NHRA. The Committee was of the view that it is not only the pipeline that triggers the requirement for impact assessment, but also the groundwater extraction project as a whole, together with related infrastructure (including above-ground infrastructure), which has the potential to impact on a significant heritage resource, being the PHA, and should be the subject of heritage impact assessment.
3. The Committee noted that infrastructure, for example reservoirs and water treatment plants, have an indisputable visual impact on the cultural landscape. In light of the above concerns, the CoCT must cease the construction of infrastructure related to this project until the required application in terms of s38 of the NHRA have been submitted for consideration by HWC.

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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

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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 – 16:20

28. DATE OF NEXT MEETING: 7 November 2018

CHAIRPERSON_____ **DATE**_____

SECRETARY_____ **DATE**_____

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