Approved Minutes of the Meeting of the Impact Assessment Committee of Heritage Western Cape held on Wednesday, 11 May 2016, at the 1st Floor Boardroom, Protea Assurance Building, Green Market Square, Cape Town, at 09h00

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1. Opening and Welcome

The Chairperson, Ms Cindy Postlethwayt opened the meeting at 09H05 and welcomed everyone present.

2. Attendance

Members	**Staff**
Ms Cindy Postlethwayt (Chairperson) (CP)	Ms Colette Scheermeyer (CS)
Mrs Mary Leslie (ML)	Mr Zwelibanzi Shiceka (ZS)
Dr Lita Webley (LW)	Ms Jenna Lavin (JL)
Mr Tim Hart (TH)	Mr Guy Thomas (GT)
Mr Chris Snelling (CSn)	Ms Katherine Robinson (KR)
Mr Frik Vermeulen (FV)	Mr Andrew September (AS)
Mr Steven Walker (SW)	Ms Heidi Boise (HB)
Dr Piet Claassen (PC)	Ms Waseefa Dhansay (WD)
Mr Siphiwo Mavumengwana (SM)	Mr Olwethu Dlova (OD)
Mr Quinton Lawson (QL)	Ms Lithalethu Mshoti (LM)

Observers

Visitors

Mr Jacques Stofberg (JS)	Ms Anglia Coetzee (AC)
Mr Graham Jacobs (GJ)	Ms Jess Robinson (JR)
Dr Nicolas Baumann (NB)	Prof Fabio Todeschini (FT)
Mrs Yvonne Leibman (YL)	Mr Neil Schwartz (NS)
Mr Pierre Swanepoel (PS)	Mr Jonathan Kaplan (JP)
Ms Bridget O'Donoghue (BO'D)	Ms Marise Potgieter (MP)

3. Apologies

Ms Corlie Smart (CSm)
Ms Quahnita Samie (QS)
Mr Mxolisi Dlamuka (MD)
Ms Penny Meyer (PM)

4. Approval of the Agenda

4.1 Dated 11 May 2016

The Committee resolved to approve the agenda dated 11 May 2016 with minor amendments.

Approved

5. Approval of Minutes of Previous Meeting

5.1 Dated 13 April 2016

The Committee agreed to adopt the minutes without amendments.

6 Disclosure of Interest

- CP: 16.2
- QL:13.5
- TH and LW:16.3
- CSn: 16.2

7. Confidential Matters

7.1 None.

8. Appointments

8.1 None.

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

CS reported on the outcome of the following appeals matters:

- Philippi Horticultural Area.

PM

9.2 Eikestad Mall

It was noted that the applicant was required to submit a close-out report on 27 April 2016. No such report has been submitted. Given the lengthy delay in compliance with HWC instructions in respect of the unauthorised work, the Committee recommends that the CEO initiate legal action.

KR

9.3 Phase 1 HIA's

It was noted that the officials will be preparing draft guidelines in respect of phased heritage impact assessments. This will be presented to Committee for discussion.

9.4 Paardevlei Landscape Plan

The Committee discussed on the 28 April 2016 approval by BELCom of a landscape plan for a portion of the Paardevlei Precinct, Somerset West.

PM to investigate the standing of the decision.

10 Standing Items

10.1 Site Inspections

None. **PM**

Approved

10.2 Report back from ExCo, Council and any other Committees

None.

PC/JL

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 Proposed Rezoning, Subdivision for Residential Development on Erf 15244, Tarryn Close, Paarl: MA
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ERF 15244

Case No: 14061206AS0730E

Revised plans, a supplementary HIA, comments from relevant conservation bodies and the previous HIA were tabled.

Mr Jacobs, Mr Stofberg and Ms Coetzee were present.

Mr Andrew September made a power-point presentation.

In discussion it was noted that:
- The revised recommendations satisfactorily address the concerns of Committee.
- The comments of the registered I & AP's on the revised proposals are noted.

RECORD OF DECISION
The requirements of S38 (3) have been fulfilled. The Committee approves the proposed development subject to:
- Detailed architectural sketch plans of the proposed dwellings on Portion I and II must be submitted to the Drakenstein Municipality for final approval with regard to appearance substantially in accordance with the architectural proposals included in the HIA in this regard.
- Additional trees maturing to a height of 12 or more meters must be planted, particularly on the northern side of the dwelling on portion 2 in order to further reduce visual impacts.

AS

Approved

13.2 Proposed Development, Glen Dirk Farm, Susan's House, Klaassens Road, Constantia: NM
HM/CAPE TOWN METROPOLITAN/CONSTANTIA/ERF 10373

Case No: 15121505KR1218E

Notification of Intent to Develop prepared by ARCON, dated 18 December 2015, a Heritage Impact Assessment prepared by ARCON, dated March 2016, drawings prepared by Rod Gurzynski Architect: 65.00 REV C, 65.01 REV G, 65.02 REV H, 65.03 REV H, 65.04 REV F, 65.05 REV E dated 11/2015 were tabled.

Ms Katherine Robinson made a power-point presentation.

In discussion it was noted that:
- The comments from the CPOA are noted.

RECORD OF DECISION
The HIA satisfies S38 (3) of the NHRA. The Committee approves the proposed dwelling, subject to it being substantially in accordance with the plans submitted as part of the HIA.

KR

13.3 Proposed Microbrewery, Function Venue and Coffee Shop on Portion 5 of Farm 198 Kliprug "Contermanskloof": NM
HM/CAPE TOWN METROPOLITAN/DURBANVILLE/PORTION 5 OF FARM 198

Case No: 15091413KR0916M

Baseline Study document prepared by Aikman Associates dated September 2015, an Archaeological & Historical Research Report prepared by Dr Ute Seemann dated July 2015, a Heritage Impact Assessment prepared by Aikman Associates dated March 2016 and drawings prepared by Jo De Villiers Architects: CMK-9A1_ REV A CMK-12, CMK-13, CMK-7A2 were tabled

Ms Katherine Robinson made a power-point presentation.

In discussion it was noted that:
- A landscaping plan responding to some of the I&AP's concerns was tabled and reviewed by Committee.
- The archaeological report may be accepted given that the earthworks will be minimal, but the consultants should note that the survey report does not meet minimum standards (no map, inadequate background and contextual discussion and inadequate comment on the impact of limitations).

RECORD OF DECISION
The HIA report fulfils the requirements of S38 (3).

The Committee supports the suggested grading of the overall site being IIIA, the Brewery Building being IIIB and the Dairy Building being IIIC.

Approved

The Committee approves the proposed development as indicated in the HIA plan numbers: CMK-9A1_ REV A, CMK- 12, CMK-13, CMK-7A2 and the tabled Landscape Plan.

KR

13.4 Proposed Development, Rem of Portion 12 of Vergenoegd Farm No 653, Somerset West: NM
HM/ CAPE TOWN METROPOLITAN/ SOMERSET WEST/ RE OF PORTION 12 OF THE VERGENOEGD FARM NO 653

Case No: 16012507WD0210M

A Phase 1 Heritage Impact Assessment; Urban Design Framework and CoCT comments were tabled

Ms Waseefa Dhansay made a power-point presentation.

In the discussion it was noted that:

- There is insufficient information in respect of historical archaeology. This may add substantially to the Committee's understanding of the site and the implications for the concept proposals.
- There is insufficient visual information contained within the HIA to give an understanding of the significance of the authenticity of the site as a working farm and the *genius loci* of the place.
- Although there are no local conservation bodies who have registered an interest in this area the Committee is of the view that the comments of the Simon van Der Stel Foundation should be sought.
- The Committee believes that the significance of the site and the complexity of the proposed concepts is such that a site visit is necessary and a presentation should be made on submission of the final phase 1 HIA

It should be noted the Committee cannot make a decision on the Phase 1 HIA since the provisions of S 38 (3) of the NHRA cannot be met at that stage. However Committee can make an interim comment which will provide sufficient guidance for the next phase in the development process.

INTERIM RESPONSE
The Committee requests a revised HIA, which incorporates an historical archaeological statement undertaken by a suitably qualified historical archaeologist, and which furthermore addresses additional concerns including visual information and assessment of authenticity in order to provide a greater understanding of the inherent qualities of the site.

When the revised Phase I HIA is provided, the Committee requests the case officer to circulate the report to the Committee and arrange a site visit, following which the matter can be tabled for presentation at the next IACom (FV, TH, ML, CSn and CP to attend the site visit).

WD

Approved

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

14.1 None.

15 SECTION 38(8) NEMA INTERIM COMMENTS

15.1 Proposed Subdivision, Rezoning and Retirement Village on Erven 2641 and 2643, Mount Prospect, Pagasvlei Road, Constantia: NM HM/CAPE TOWN METROPOLITAN/CONSTANTIA/ERVEN 2641 & 2643

Case No: 15031706AS0422M

A Heritage Impact Assessment, Visual Impact Assessment, plans, Title Deeds & public participation documents were tabled.

QL recused himself.

Ms Bridget O'Donoghue, Prof Fabio Todeschini and Ms Yvonne Leibman were present.

Mr Andrew September made a power-point presentation.

In the discussion it was noted that this submission forms part of the pre-submission phase in terms of the HWC/DEA&DP Memorandum of Understanding.

INTERIM COMMENT

- The comments submitted by the CPOA and other I & AP's are noted.
- It would appear from the detailed comments provided by the COCT's ERM department that E&HM Branch does not support the proposal.
- The Committee is of the view that the development proposal is not an appropriate response, given the significance of the broader landscape setting. This includes Groot Constantia, the Greenbelt and the larger erven to the west, which form a buffer to the rural landscape.
- The Committee believes that there may be an older building contained within the Victorianised homestead. Further archaeological investigation in this regard is necessary.
- A general archaeological survey of the site is necessary.
- It should be noted that whilst a Visual Impact Assessment, including mitigation proposals, is a necessary part of the impact assessment process, it would not necessarily be able to address the fundamental principle of inappropriate development within the broader cultural landscape context.

AS

16 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

Approved

16.1 Proposed Development of Weskusfleur Substation on Farm 34, Duynefontein, Cape Town: MA
HM\CAPE TOWN METROPOLITAN\KOEBERG\WESKUSFLEUR SUBSTATION DUYNEFONTEIN 34

Case No: 14072909GT0826E

A Heritage Impact Assessment with Archaeology and Palaeontology Specialist Studies dated July 2015, Workplan dated 21 November 2015, and Work Plan Report dated March 2016 were tabled.

Mr J Kaplan was present and took part in the discussion.

Mr Guy Thomas made a power-point presentation.

In discussion it was noted that:

- The palaeontological and archaeological resources on the site indicated as Alternative 1 are of such significance that this alternative in its current form cannot be supported by Committee. Alternative 1 is known to include archaeological remains and palaeontological remains in the Springfontein and earlier Varswater Formations.
- Current information indicates that locating the sub-station on the Alternative 4 area would not impact significantly on palaeontological or archaeological remains. Nevertheless, should this Alternative go ahead, monitoring of excavations and collection of any finds must be undertaken.

FINAL COMMENT
The Committee endorses the results of the archaeological and palaeontological work plan report.

The Committee supports Alternative 4 subject to archaeological and paleontological monitoring.

It is noted that given concerns in relation to the potential for extensive impacts to the heritage resources in Alternative 1, should a DEA&DP decision be contrary to the HWC preferred Alternative 4, consultation must occur with HWC. In this regard it is very likely that a Section 35 permit in terms of the NHRA will be required.

GT

16.2 Proposed Rezoning, Subdivision and Residential Development On Portion 6 & 7 of Farm Waterfall 1159 Franschhoek: NM
HM/CAPE WINELANDS/STELLENBOSCH/FRANSCHHOEK/PORTION 6 & 7 OF FARM WATERFALL 1159

Case No: 16041510AS0418M

A Heritage Impact Assessment, Visual Impact Assessment, Botanical Reports, Architectural Guidelines and comments were tabled.

CP and CSn recused themselves and FV took the chair for this item. Ms C Postlethwayt was present.

Approved

Mr Andrew September made a power-point presentation.

FINAL COMMENT
The report satisfies the requirements of Section 38(3) of the NHRA. The Committee has no objection to the proposed development; subject to the following conditions:

- The development shall be substantially in accordance with the layout shown on Final Layout Plan HS 365- 4 dated January 2014 by Jan Hanekom Partnership.
- Mitigation measures described in the Architectural Guidelines for the Waterfall Nature Estate dated 26 May 2015, prepared by Jan Hanekom Partnership are implemented.

AS

16.3 Proposed Redevelopment of Gateway Precinct, Dock Road, Erven 149294 And 9588, V&A Waterfront, Cape Town: NM
HM/CAPE TOWN METROPOLITAN/WATERFRONT/ERVEN 149294 AND 9588

Case No: 15110515GT1110E

An SDP set of drawings for the Battery Park and Garage, a Landscape Master Plan by Planning Partners, dated March 2016, a Workplan by ACO Associates, dated 12 February 2016 and a Heritage Impact Assessment prepared by Nicolas Baumann and ACO Associates, dated February 2016were tabled.

Dr Nicolas Baumann, Mr Neil Schwartz and Mr Pierre Swanepoel were present.

LW and TH recused themselves.

In discussion it was noted that:

- The Committee accepts the submission of the SDP prior to the archaeological excavation work having been undertaken.
- The Committee supports the current design of the reconstructed front façade of the Battery being more contemporary in style than the previous proposal, which was more historicists in style and entailed substantial reconstruction.

FINAL COMMENT
The Committee supports the SDP 7G set of drawings, on condition that:

- A Conservation Management Plan (CMP) must address the socio-historical significance of the site and provide mechanisms for the interpretation of the many facets of related significance. This must be included in a Closure Report related to the submission of final building plans which must be required as part of the Municipal approval process.
- Archaeological monitoring must take place when the concrete is removed. If archaeological material, for example, the remains of the front wall of the Amsterdam Battery are discovered, this must be reported to HWC immediately so that a discussion can be entered into regarding the preservation or conservation of these features which may necessitate a change of design.
- HWC must be informed in good time of when the excavations will begin and will inspect the site weekly or when informed of finds by the consultant archaeologist.
- The results of the archaeological, monitoring and excavation must be included in a report.

GT

Approved

16.4 Proposed Residential Development, Portion 10, 11, 12 and 14 of Farm Hartebeeste Kraal No 844 Paarl, And Portion 2 of Farm Hartebeeste Kraal No 845, Paarl: NA
HM/PAARL/PTN 10, 11, 12 AND 14 OF FARM HARTEBEESTE KRAAL NO 844 AND PTN 2 OF FARM HARTEBEESTEKRAAL NO 845

Case No: 15060803WD0522

A Heritage Impact Assessment, previous Golf Course Environmental Approval and a new Fraaigelegen Village Spatial Development Framework were tabled.

Ms B O'Donoghue was present and took part in the discussion.

In discussion it was noted that:
Concern was expressed that an archaeological assessment had not been required in response to the NID. The officials will initiate a discussion with members of APM to address this matter satisfactorily.

FINAL COMMENT
The report meets the requirements of NHRA Section 38(3).

The Committee supports the proposed development.

WD

16.5 Proposed Subdivision for Residential Units on Erf 1156, Witsand Duine Park, Witsand: NM
HM/WITSAND/ERF 1156/WITSAND DUINE PARK

Case No: 16042003AS0421M

A Heritage Impact Assessment, AIA, plans, Title Deeds and CEMP were tabled.

Mr J Kaplan was present and took part in the discussion.

INTERIM COMMENT
The Committee requires additional information in order to assess the extent of archaeological resources impacted.

Archaeological testing must be undertaken. A workplan will be required to be submitted to HWC for approval prior to the testing.

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

Approved

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

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

22.1 None

23 SECTION 42 – HERITAGE AGREEMENT

23.1 None

24. OTHER

24.1 None

25 Adoption of decisions and resolutions

25.1 The Committee agreed to adopt the decisions and resolutions**.**

26. CLOSURE – 15H00

27. DATE OF NEXT MEETING: 8 June 2016

CHAIRPERSON_____ **DATE**_____

SECRETARY_____ **DATE**_____

Approved