

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of the Heritage Western Cape (HWC) held at the 1st Floor Boardroom, Protea
Assurance Building, Green Market Square, Cape Town,
at 09h00 on Wednesday 12 July 2017.**

1. Opening and Welcome

The Chairperson, Mr Chris Snelling opened the meeting at 09H06 and welcomed everyone present.

2. Attendance

Members

Mr Chris Snelling (CSn)
Mr Frik Vermeulen (FV)
Mr Siphiwo Mavumengwana (SM)
Mr Guy Thomas (GT)
Ms Cecilene Muller (CM)
Mr Steven Walker (SW)
Prof Lucien le Grange (LLG)
Mr Andrew Hall (AH)
Ms Natasha Higgitt (NH)
Prof Fabio Todeschini (FT)
Ms Joline Young (JY) (arrived at 12:00)

Staff

Mr Zwelibanzi Shiceka (ZS)
Mr Jonathan Windvogel (JW)
Ms Waseefa Dhansay (WD)
Ms Penelope Meyer (PM)
Ms Colette Scheermeyer (CSc)
Mr Andrew September (AS)
Ms Heidi Boise (HB)
Mr Zethembe Khuluse (ZK)
Mr Olwethu Dlova (OD)

Observers

None

Visitors

Mr Stefan de Kock (SdK)
Mr Henry Aikman (HA)
Ms Ansa Ferreira (AF)
Ms Shameerah Abdurahman (SA)
Mr Bruce Plane (BP)
Ms Cindy Postlethwayt (CP)
Mr Phil Albertus (PA)

3. Apologies

4. Approval of the Agenda

4.1 The Committee resolved to approve the agenda dated 12 July 2017 with additions.

5. Approval of Minutes of Previous Meeting

5.1 The Committee resolved to approve the minutes dated 9 June 2017 with a minor amendment.

6. Disclosure of Interest

- NH: item 16.1
- FT: item 9.2 and 9.3
- CSn: Item 9.2 and 13.2

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 back on the following appeal matter:

- Proposed Total Demolition of Erf 367, 32 Clarens Road, Fresnaye: Section 34
- Proposed Total Demolition of structure Erf 299, 1 Calais Road, Sea Point
- Proposed alterations and additions. Erf 173, 49 Cabriere Street, Franschhoek: Section 34

9.2 R44, Stellenbosch

FT and CSn recused themselves and left the room. AH chaired this item.

The Committee stands by its previous decision that a meeting must be convened by the case officer with DEADP in terms of the SOP and further decided that a letter explaining the situation should be sent to DEADP in advance of that meeting.

AS

9.3 Mount Prospect, Constantia

FT recused himself and left the room.

The Committee stands by its previous decision that a meeting must be convened by the case officer with DEADP in terms of the SOP and further decided that a letter explaining the situation should be sent to DEADP in advance of that meeting.

AS

9.4 V&A Waterfront

Representation was made to the Chair by the urban designers requesting comment in respect of proposed studies for the Phase II. The Committee was informed by Mr Shiceka that applicants must follow due process and submit queries to the relevant officials.

9.5 Klipfontein, Tulbagh

Mr Stefan de Kock was present and took part in the discussion.

In discussion with Mr de Kock, the extent of the Provincial Heritage Site (PHS) and the issue of which sections of the Act applied were clarified.

HB

9.6 Two Rivers Urban Park

Discussion was held by the Committee in respect of a proposed s29 boundary for the TRUP Area.

Discussion included but was not limited to the following:

- Concern was tabled that the entire TRUP area as identified in the Baseline study may be too wide and that a more compact boundary should be investigated. It was further noted that HWC may have capacity problems in respect of investigating a wider s29 protection area and that this must be taken into account.
- Other members of the Committee felt that the boundary should be bigger, given that the intangible heritage relating to the site affected a larger area, and in order to investigate this significance the boundary should be enlarged to include the railway properties to the north of the site which fall in the area of the old Salt River estuary and is a known site of colonial conflict, as well as the Mowbray Golf Course to the south.
- It was recognised that in the past, SAHRA's s29 protections in respect of the Prestwich Area and Winelands areas had led to problems and certain conceptions as a result of mismanagement and process. It was suggested that this could be an opportunity to do the process properly.

DECISION

Discussion will be ongoing.

GT will investigate and identify sites within the wider area that would either not already be formally or generally protected in terms of the Act should a development be proposed and circulate these to the Committee.

9.7 Access Cards for Members

Mr Windvogel explained process to be followed.

10 Standing Items

10.1 Site Inspections

- Proposed Commercial Development on Erven 55668, 559 and 55670 (Unregistered Erf 177502) on the Corner of Main and Draper Street, Claremont
- Proposed Redevelopment on the Remainder of Erf 9209, Paarl

10.2 Report back from ExCo, Council and Other committees

Nothing to 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 Proposed Commercial Development on Erven 55668, 559 and 55670 (Unregistered Erf 177502) on the Corner of Main and Draper Street, Claremont: MA HM/ CAPE TOWN METROPOLITAN/ CLAREMONT/ ERVEN 55668, 55669 AND 55670 (UNREGISTERED ERF 177502)

Case No: 16083102WD0915M

CM, SM, AH, and FT report back from site inspection.

Ms Waseefa Dhansay gave a PowerPoint presentation.

Mr Bruce Plane and Mr Henry Aikman were present and took part in the discussion

Discussion included, but was not limited to the following:

AH gave a verbal report on the site visit that was held. The written site inspection report is attached as Annexure SI1

It was noted that there was very little surviving historic fabric within any of the properties affected by the development, and that furthermore the façade that was earmarked for retention in the proposed development was actually reconstructed in the 1970's.

The Committee noted and endorsed the additional information provided for in the report conducted by Mr Tim Hart.

It was accepted that there would be no known heritage resources affected by the proposed development.

The Committee was of the opinion that retaining the 1970's façade was meaningless from a heritage point of view, and if anything, would be detrimental to good conservation practice. The Committee understood that the applicant's motivation for the retention of the facade was largely the 5m Proclaimed Main Road setback that would apply to a new building. The Committee would support the applicants making application to have the road widening waived in this instance. Alternately the façade could be treated in a different manner in order for the architectural treatment of the development to be consistent. This however is a view of the Committee and having recognised that the façade is not a heritage resource, this is a choice for the applicant to make.

RECORD OF DECISION

In light of the site visit conducted and additional information received, the Committee endorsed the HIA as having met the requirements of Section 38(3) of the NHRA and resolved to approve the proposed development.

- It is a strong recommendation of the Committee that the token façade of the "Victorianised" corner building is not incorporated into the development.
- It was recommended that a meaningful memorialisation of the Draper-Hemlock Community is provided for on site.

**13.2 Proposed Aerodrome Road linking Forest Drive extension (Pinelands) to Voortrekker Road (Maitland): NM
HM/ CAPE TOWN METROPOLITAN/ THORNTON/ THORNTON-
MAITLAND/CORRIDOR– ODIN DRIVE TO VOORTREKKER ROAD**

Case No: 16081107WD1019M

A Heritage Impact Assessment Report by Cindy Postlethway was tabled.

CSn recused himself and left the room and returned to the meeting after the decision was taken.

Ms Waseefa Dhansay gave a PowerPoint presentation.

Ms Postlethway was present and took part in the discussion.

The Committee asked for clarification concerning the width of the road.

RECORD OF DECISION

The Committee endorsed the HIA as complying with Section 38(3) of the NHRA and supported the proposal for Alternative 2 or 3, as these alternatives have a low impact on heritage resources.

The Committee endorsed the recommendations of the heritage consultant, as per page 69 of the HIA dated June 2017, namely:

1. The implementation in full, and in all important respects, of the relevant mitigation measures described in the Visual Impact Assessment appended to the report.
2. The detailed design of the mitigation measures along Meadow Road should be implemented to the satisfaction of, and in consultation with, the CCT Recreation and Parks, Cemetery Section. Hard and soft landscaping should separate the road and parking from the burial areas.
3. The detailed design of the Forest Drive Extension improvements, the ramp and the mitigation measures, in so far as they affect the Jewish Cemeteries directly, should be implemented to the satisfaction of, and in consultation with, the Cape Town Jewish Cemeteries Board.
4. In the event of any graves or human bone being encountered the find-site must be cordoned off immediately and Heritage Western Cape and SA Police Services informed. If it is determined that foul play is involved, the remains will be moved by SAPS. If the remains are deemed to be archaeological, and an archaeologist must apply for an emergency permit and complete the removal.
5. Other finds of archaeological material are not expected, however in the event of an un-anticipated find, Heritage Western Cape and/or an archaeologist must be informed in order to inspect and mitigate the find.

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 redevelopment of the Tygerberg Hospital Estate on Erf 15350 (Remainder of Erf 14298), Parow:

NM

HM/PAROW/TYGERBERG HOSPITAL PRECINCT REDEVELOPMENT

Case No: 16060607AS0606M

A Phase 1 Heritage Impact Assessment by Stefan de Kock was tabled.

Mr Andrew September gave a PowerPoint presentation.

Mr Stefan de Kock, Ms Ansa Ferreira, Mr Phil Albertus and Ms Shameerah Abdurahman were present and took part in the discussion.

Amongst other things, the following were discussed:

- Although it was noted that DOCOMOMO had supported the demolition of the buildings on the site, it was felt that the report lacked a proper architectural assessment of the structures located on the site, particularly given that they were designed by a firm of noted modernist architects, Andrews and Niegeman. As such it is not possible for the committee to take an informed decision on the practitioner's recommendations to demolish at this stage.
- The applicants accepted this, but responded that such studies could be part of the Phase 2 Heritage Impact Assessments, which were to follow. The Committee resolved to agree with this approach, but advised the applicant of the risk that a more detailed assessment of the buildings, resulting in a better understanding of the significance of individual structures, could result in demolition being refused in the future.
- The Committee noted that the socio-historic aspects of the report had been well covered.

INTERIM RESPONSE

The Committee agreed to endorse the findings of the Phase 1 HIA in principle and is in broad agreement with the recommendations of the report. The Committee decided that development planning may proceed to the next phase, with the clear understanding that separate phase 2 HIAs be submitted for each precinct, and these must include a more detailed assessment of the significance of the existing individual buildings on the site.

AS

15.2 Proposed Redevelopment on the Remainder of Erf 9209, Paarl: MA HM/PAARL/ERF 9209

Case No: 16081003AS0524M

A site inspection report was tabled and is annexed as "SI2"

Mr Andrew September gave a PowerPoint presentation.

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

The following was discussed:

- Mr Aikman informed the Committee that following receipt of the previous interim comment of the Committee, the development team would be formally meeting to investigate incorporating comment received into the proposal, and as such requested that the Committee does not take a final decision at this stage.
- CSn read out the findings of the site inspection which was undertaken on 3rd July and a hard copy was handed to Mr Aikman. The committee, recommended that the concerns raised previously and those in the Site Inspection Report be incorporated into the planning design work when taken further by the planning team. The site inspection report is annexed as "SI2"

INTERIM RESPONSE

The Committee resolved not to support the proposed development in its current form, as it will negatively impact on identified heritage resources.

AS

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

16.1 Proposed Construction of a Substation and 132 Kv Distribution Line to Support the Proposed Rietrug Wef, Sutherland: NM HM/ LAINGSBERG/ FARM 280, PTN 1 AND 2 OF FARM RHEEBOOKKENFONTEI N 4, PORTION 2 OF FARM DE MOLEN 5, PORTION 6 AND 7 OF FARM HAMEL KRAAL

Case No: 17020607AS0207M

A Heritage Impact Assessment by ASHA Consulting was tabled.

Mr Andrew September gave a PowerPoint presentation.

NH recused herself from the Committee, however remained in the room to provide clarification on certain aspects from SAHRA's point of view.

Amongst other things, the following were discussed:

- The findings of the HIA were generally endorsed, however the following was noted:
- Although in this instance it was not considered an issue, as the structures identified in the report were not impacted upon, it was noted that archaeologists should not be assessing heritage resources that they are not qualified to. These include cultural landscapes and architectural assessments.

FINAL COMMENT

The Committee resolved to support the findings of the HIA as far as the Western Cape component was concerned, subject to the following conditions:

- Any areas not yet surveyed should be examined by both an archaeologist and a palaeontologist in order to identify any areas or sites that should be protected or mitigated prior to commencement of construction. These must be submitted

to Heritage Western Cape via a walk-down report (this includes parts of the assessed alignments or any alterations made after completion of this report);

- The ECO should be trained by a specialist palaeontologist for the identification of potential for fossils to be uncovered during excavations. As many excavations as possible should be monitored by the ECO during construction and if any fossils are uncovered they should be protected *in situ* and immediately reported to a palaeontologist in order to plan a way forward;
- The farm road passing through the kraal complex at waypoint 546 may not be widened towards the east and should preferably not be widened at all;
- Significant palaeontological and archaeological sites as listed in this report should be identified on project maps and regarded as no-go zones with buffers of at least 30 m around all associated features (the exception is the service road diversion which comes within 20 m of the rock art site but uses an existing farm track);
- These no-go sites should be examined periodically by the ECO during the construction phase to ensure that they are being respected and secure and fenced off during the construction phase; and
- If any archaeological material, palaeontological 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 or palaeontologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

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 None

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 – **12H40**

27. DATE OF NEXT MEETING: **8 August 2017**

CHAIRPERSON _____ DATE _____

SECRETARY _____ DATE _____

Annexures:

COMMITTEE SITE INSPECTION REPORT FOR:
HERITAGE WESTERN CAPE'S IMPACT ASSESSEMENT COMMITTEE.

SUBMITTED BY ANDREW HALL. IACOM DEPUTY CHAIR
ON 12TH JULY 2017

ERF/FARM NO: Erven 55668, 559, & 55670, cnr Main and Draper Streets, Claremont

GRADING: IDENTIFIED IN THE HIA AS IIIC WITH HOMESTEAD IDENTIFIED AS IIIB.

NATURE OF APPLICATION: HERITAGE IMPACT ASSESSMENT. SECTION 38(4).

DATE OF SITE VISIT: 4 JULY 2017 AT 10.00AM.

HWC REPRESENTATIVES:

COMMITTEE MEMBERS: ANDREW HALL, SIPHIWO MAVUMENGWANA, CECILINE MULLER & JOLINE YOUNG.

STAFF: WASEEFA DHANSAY.

MET ON SITE BY: THE PROJECT HERITAGE CONSULTANT, ARCHAEOLOGIST AND ARCHITECT.

REASONS FOR SITE INSPECTION: IACOM RESOLUTION OF MEETING 6TH JUNE 2017: TO UNDERTAKE A SITE INSPECTION IN ORDER TO ASSESS THE SIGNIFICANCE OF A FAÇADE THAT IS PROPOSED FOR RETENTION.

FINDINGS OF SITE INSPECTION:

The members of the Committee present took the opportunity to walk through the buildings that make up the site and to view the site from across Main Road. A facade retention project a block further down Main Road was also looked at.

Those present were aware that the principle reason for the site inspection was that the committee had expressed some concerns regarding the manner of the proposed retention of the facade relative to the new development and the importance of its relationship to the mosque across the street. There were also concerns around how the development of the site would impact on the memory of the community that had been removed from the area during the apartheid period.

The fundamental finding of the site inspection was that the apparently historical facade was of fairly recent construction, probably from the 1970s. This was evident from the fact that:

- It is several metres in front of the turn of the 19th Century structure on the property to which it is connected by later construction.
- The cantilevered, concrete canopy over the street is clearly of 1920-30s construction, having an Art Deco form and does not fit with the design motifs of the facade to which it is clearly not a later addition.

- The facade goes across the front of two separate structures, one of which is from the turn of the 19th Century and the other from a later period. This was evident from patches where plaster had been removed to expose under-lying construction material.

Given the above, the committee members present felt that the facade did not reflect a historical period and as such there was no connection with the previous environment around the mosque and the community that had lived in the area.

RECOMMENDED ACTION:

That the IACom expresses n

Approved