

**Approved Minutes of the Meeting of the Impact Assessment Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 21 September 2022**



1. Opening and Welcome

The Chair, Mr David Gibbs, officially opened the meeting at 09:00 and welcomed everyone present.

2. Attendance

Members

Mr David Gibbs (DG) (Chair)
Ms Janine de Waal (JdW)
Mr Siphiso Mavumengwana (SM)
Mr Chris Snelling (CSn)
Mr Dave Saunders (DS)
Ms Emmylou Bailey (EB)
Dr Tessa Campbell (TC)
Ms Sarah Winter (SW)
Mr Mike Scurr (MS)

Staff

Ms Waseefa Dhansay (WD)
Mr Olwethu Dlova (OD)
Ms Stephanie Barnardt (SB)
Ms Muneerah Solomon (MSo)
Ms Sneha Jhupsee (SJh)
Ms Colette Scheermeyer (CSc)
Ms Nosiphiwo Tafeni (NT)
Ms Penelope Meyer (PM)
Ms Ayanda Mdludlu (AM)
Ms Corne Nortje (CN)
Ms Chane Herman (CH)
Ms Cecilene Muller (CM)
Mr Robin George (RG)
Ms Zikhona Sigonya-Ndongeni (ZSN)

Observers

None

Visitors

Mr Henry Aikman
Mr Philip Gardner
Mr John Hesom
Ms Helen May
Ms Claire Abrahamse

Mr Philip Smith
Ms Jenna Lavin
Mr Andrew Ward
Ms Nadine Duncan

3. Apologies

Mr Rashid Fataar (RF)

3.1. Absent

None

4. Approval of the Agenda

4.1 Agenda dated 21 September 2022

The Committee resolved to approve the agenda dated 21 September 2022 with minor changes.

5. Approval of Minutes of Previous Meeting

5.1 Minutes dated 17 August 2022

The Committee reviewed the minutes dated 17 August 2022 and resolved to approve them without amendments.

6. Disclosure of Interest

- CSn: item 13.1
- MS: 10.4.1

7. Confidential Matters

None

8. Appointments

None

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

The Committee noted the following Appeal matter:

- Alterations and Partial Demolition on Erf 3480, 35 Bosman Street, Stellenbosch

The Committee also noted the following Tribunal matter:

- Erf 353, 6 Kloof Road Sea Point, Cape Town

10. Standing Items

10.1 Site Inspections/Virtual Assessments undertaken:

None

10.2 Report back from Council and other Committees

Nothing to report.

10.3 Discussion of the Agenda

10.4 Potential/proposed Site Inspections

- Proposed Housing Development on Erf 3029, Strawberry Lane, Constantia
- Bains Kloof Draft Conservation Management Plan

10.4.1 District Six Phase 4 HIA

The Committee resolved to undertake a site inspection on Thursday, 13 October 2022 at 11:00 (DG, SW, JdW, RF, DS and EB).

MATTERS DISCUSSED

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

11.1 None

13. SECTION 38(4) RECORD OF DECISION (ROD)

13.1 Proposed Development on Erf 19308, Paardevlei, Somerset West, Cape Town: MA HM/CAPE METROPOLITAN/ SOMERSET WEST/ PAARDEVLEI/ERF 19308

Case No: 20110213SB0803E

CSn recused himself and joined the I&APs.

Final drawings and landscape plan prepared by DHK Architects were tabled.

Ms Stephanie Barnardt introduced the case.

No representatives of the applicants, consultants or clients were present for this item.

DISCUSSION:

Amongst other things, the following was discussed:

- Over time, there have been successive incremental changes to the Paardevlei site development plan. A 'tipping point' may now be reached suggesting a more holistic review of the SDP is required.
- There is a stand-alone quality to the site due to the location of the contemporary gate house to the west of the Paardevlei precinct, which could possibly allow for a different architectural response.
- No bulk was previously allocated to the site; and whereas the site could potentially accommodate development, given its 'stand-alone' quality, this would need to be motivated.
- Significance of the green frame and sight-lines towards the primary heritage resources (Crescent Houses).
- The findings of the archaeological assessment included in the HIA were supported.

FURTHER REQUIREMENTS:

1. Contextual information is required, including an outline of the incremental changes that have occurred to the initially approved SDP, explaining why no bulk had been allocated to this site previously and motivating for the development on the site.
2. Revised architectural and landscape proposals to be submitted to reflect the HIA recommendations, including the removal of the top deck (as per HIA Recommendations) and appropriate scaling.
3. A photomontage from De Beers Avenue indicating the visual impact on views towards the Crescent Houses is also required.

SB

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

14.1 Proposed Housing Development on Erf 3029, Strawberry Lane, Constantia: MA HM/ CAPE TOWN METROPOLITAN/ CONSTANTIA/ ERF 3029

Case No: 21070812RG0411E

Application documents were tabled.

Mr Robin George introduced the case.

Mr Henry Aikman (heritage consultant) and Mr Philip Smith (CoCT) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Constantia Greenbelt system and the various studies undertaken including the latest heritage studies undertaken by Todeschini et al identifying a portion of the subject erf as Grade IIIA.
- CoCT grading of Greenbelt IIIA
- Forced removals in the Constantia valley clarifying whether the subject site was subject to forced removals and land claims.
- The full AIA for the proposed development was not available for review.

FURTHER REQUIREMENTS:

1. The Committee resolved to undertake a site inspection; but noted that contextual information was required to address the various heritage studies and the CoCT's grading to establish the role of the site and its significance in contributing to the Constantia Greenbelt system.
2. The Committee requested contextual information on the history of forced removals affecting Strawberry Lane and the relationship of the development site to this history.

RG

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 on Portion 29 of the Farm Klip Heuvel 410, Caledon: MA HM/ OVERBERG/THEEWATERSKLOOF/CALEDON/PTN 29 OF THE FARM KLIPHEUVEL 410

Case No: 21030908SB0309E

Revised Heritage Impact Assessment prepared by CTS Heritage was tabled.

Ms Stephanie Barnardt introduced the case.

Ms Jenna Lavin (heritage consultant), Ms Nadine Duncan (Environment Assessment Practitioner) and Ms Claire Abrahamse (heritage consultant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The committee noted that its previous comments had been positively addressed and that heritage concerns had been taken on board.
- Whereas the mitigated high-level site development plan shows the intent with respect to heritage, (refer to 12.5 on pg.53 of the HIA) the Committee believes that appropriate conditions need be imposed by the consenting authority in order to ensure that this is implemented in detail design down the line.
- The timeframes were discussed and given that between 5 and 15 years may elapse for the implementation of the entire development, concern around potential incremental change to the endorsed SDP, was raised.

FINAL COMMENT:

The Committee endorsed the revised HIA prepared by CTS Heritage and supported the recommendations of the HIA on pg. 61 and 62 as follows:

1. The Mitigation Alternative as per figure 12.5 (Section 5.2) is preferred as this alternative recognises the following significant site elements:
 - a. The agricultural foreground to the site, which is central to the foreground experience of the valley from the N2, and preserves the agricultural character of the site;
 - b. Important views from the site, out into the landscape;
 - c. The historic cluster of buildings, and the werf space they create, with good views towards the river and across the valley;
 - d. The existing, mature tree clusters and stand-alone mature trees;
 - e. The gateway moments along Cemetery Road, as one moves through the site. These are historic intersection points, and the layering of these sites as threshold spaces has occurred over centuries.
2. The detailed architectural guidelines developed by Schoonraad Architects (July 2022, Appendix 7) must be implemented;
3. The creation of a landscape plan for the entire development proposal is recommended for approval by the Local Authority, which should collate the various visual mitigation, urban design and road-engineering mitigation measures identified;
4. The recommendations included in the VIA (2022) must be implemented;

5. The guidelines included in the Cultural Landscape Assessment (Abrahamse, 2021) completed for this project (Appendix 4) to be implemented including:
 - a. The creation of a public space at the intersection of Cemetery Road and the 45-degree, splayed road behind the commercial site, as per the example at Pniel, to mitigate this suburban road geometry. This may necessitate the imposition of access servitudes over some of the surrounding, adjacent plots;
 - b. The re-alignment of cadastrals through the site to allow for linear consistency between Cemetery Road and the river course, as per the historic allotment plots that are so key to settlement in this area in general;
 - c. The creation of a single internal street in the group housing site, and the notional imposition of garden-allotment type plots over the area (with the shifting of building footprints to adhere to this) and the limitation of double storey structures to the uppermost edge of the site.
 - d. The imposition of a 1.5 storey height limit on structures below the internal street at the group housing site;
 - e. The imposition of a servitude over the last two sites of the easternmost single residential housing pocket, which would allow for the road to connect to Caledon in the future;
 - f. The residential pockets on the steeper slopes, closer to Caledon, show a layout that could easily present as an enclosed, “gated village”-type development. A typical gated village development is not supported here and an alternative approach to security concerns must be considered as described in section 5.2.2 above and included in the recommended Landscaping Plan;
 - g. No third party or billboard advertising to be permitted. Signage must be restricted to directional signage or to indicate the entrances to and the names of farmsteads. Such signage should be restricted in scale and should complement and form part of the architectural language of the gateway.
6. Structure-specific permit applications must be made in terms of section 34 of the National Heritage Resources Act for proposed alterations to the graded structures located within the development area - the Old Barn, the Old homestead and the Old Cottage (CH005, CH006 and CH007 in Table 1). Accordingly these proposed alteration are excluded from the provisions of section 38(10) of the NHRA. Any alterations to these structures must be guided by the recommendations in the Building Catalogue attached in Appendix 5;
7. The HWC Chance Finds Procedure must be implemented for the duration of construction activities;
8. If any unmarked graves or buried archaeological heritage resources are uncovered or exposed during bulk earthworks, these must immediately be reported to Heritage Western Cape (Att: Ms Waseefa Dhansay 021 483 9685).

The Committee recommends approval of the proposal on condition that the final site development plan and landscaping plan, (and any future amendments of the SDP) are submitted to HWC for review and endorsement.

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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

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT
22.1 None

23. SECTION 27 PROVINCIAL HERITAGE SITES
23.1 None

24. ADVICE

**24.1 Proposed New Development for advice, Erf 66 Baboon Point, Elands Bay: NM
HM/ WEST COAST/ CEDERBERG/ ERF 66**

Case No: None

Elands Bay Views proposal was tabled.

Ms Waseefa Dhansay introduced the case.

Mr Philip Gardner and Mr Andrew Ward were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Visual prominence of the ridge line
- The topographical landmark quality of the site
- Provincial heritage site significance
- Significant archaeological sites, including rock art sites, are located on site and along the ridge.
- Developments in support of heritage could possibly be contemplated, but would need to be carefully sited (including due consideration of the proposed use, the buildings and related infrastructure e.g. access roads, services, water, sanitation, etc.)

ADVICE:

The Committee strongly recommends that the “applicants” engage with a heritage practitioner with archaeological, visual, and cultural landscape expertise in order to take the process further.

NK

25 SECTION 42 HERITAGE AGREEMENTS

25.1 None

26. OTHER

**26.1 Bains Kloof Draft Conservation Management Plan: MA
HM / CAPE WINELANDS / DRAKENSTEIN / WELLINGTON / BAINS KLOOF PASS**

Case No: 19050303SB0619E

Draft Conservation Management Plan was tabled.

Ms Stephanie Barnardt introduced the case.

Mr Henry Aikman (heritage consultant) and Ms Jenna Lavin (I&AP) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The public consultation component to be further discussed between HWC and the practitioner (interpretation of the requirements of the legislation).
- Need for CMP to have practical implementation directives assigning responsibilities and time frames and budget accordingly, with respect to heritage requirements over and above the standard / planned road maintenance.
- This provision to apply to all provincial mountain pass roads of heritage significance within the province (where applicable).

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Friday, 14 October 2022. Representatives of WCG DTPW to be invited, as well as APM representatives.

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27 Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions as recorded above.

28. CLOSURE:

The meeting adjourned at 12:15

29. DATE OF NEXT MEETING: 19 October 2022

MINUTES APPROVED AND SIGNED BY:

CHAIR:

DATE:

SECRETARY:

DATE: