

**Approved Minutes of the Meeting of the Impact Assessment Committee  
of the Heritage Western Cape held at the 1<sup>st</sup> Floor Boardroom, Protea Assurance  
Building, Green Market Square, Cape Town,  
at 09h00 on Wednesday 8 March 2017.**

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**1. Opening and Welcome**

The Chairperson, Mr Chris Snelling opened the meeting at 09H15 and welcomed everyone present.

**2. Attendance**

**Members**

Mr Chris Snelling (CSn)  
Mr Frik Vermeulen (FV)  
Mr Sipiwo Mavumengwana (SM)  
Mr Guy Thomas (GT)  
Ms Cecilene Muller (CM)  
Ms Natasha Higgitt (NH)  
Prof Fabio Todeschini (FT)  
Mr Andrew Hall (AH)  
Prof Lucien le Grange (LLG)

**Staff**

Ms Colette Scheermeyer (CSc)  
Mr Jonathan Windvogel (JW)  
Ms Waseefa Dhansay (WD)  
Ms Penelope Meyer (PM)  
Ms Katherine Robinson (KR)  
Mr Andrew September (AS)  
Ms Heidi Boise (HB)  
Ms Lithalethu Mshoti (LM)  
Mr Zwelibanzi Shiceka (ZS)

**Observers**

Dr Antonia Malan

**Visitors**

Mr G Slingsby	Mr G Jacobs	Mr C Laubscher
Ms K Browne	Ms Y Leibman	Mr M Turok
Dr S Townsend	Dr N Baumann	Mr A Beukes
Mr S Nyoni	Ms C Postlethwayt	Ms S Winter
Mr A Joles	Dr J Orton	Mr H Marais
Mr C Schilgen	Ms M Potgieter	Mr D Talbot
Mr J Aufrichtig	Mr M Law	Ms B O'Donoghue
Ms Mary Leslie		

**3. Apologies**

Ms Joline Young (JY)

**Absent**

Mr Steven Walker (SW)

**4. Approval of the Agenda**

**4.1 Dated 8 March 2017**

The Committee resolved to approve the agenda dated 8 March 2017 with three additional items.

## **5. Approval of Minutes of Previous Meeting**

### **5.1 Dated 8 February 2017**

The Committee agreed to adopt the minutes with no changes.

## **6 Disclosure of Interest**

- CSn: item 13.4
- FV: item 13.4
- NH: item 16.8
- FT: item 16.2
- SM: item 16.2
- GT: item 15.1

## **7. Confidential Matters**

7.1 None

## **8. Appointments**

8.1 No appointments

## **9 Administrative Matters**

### **9.1 Outcome of the Appeals, Tribunal Committees and Court Cases**

PM reported back on the following appeal and tribunal matters:

- 106 and 108 Kloof Street, Oranjezicht.
- Philippi Horticultural Area

**PM/JW**

### **9.2 Old George to Knysna Road.**

WD gave some background information on this matter.

It was noted that:

- There will be a site inspection by HWC officials who will report back to the CEO in respect of the unauthorised work and whether portions of the stop works order can be lifted from a heritage point of view.
- The site inspection has been requested by the CEO.

**WD**

### **9.4 Mount Prospect, Erven 2641 and 2643, Contantia**

FT recused himself for this item and left the room.

AS gave some background information on this matter.

There was some discussion around the issue of the SOP with DEADP and clarification sought from the legal adviser.

**AS**

#### **9.5 Agenda and Blog**

It was decided that the final blog uploads are to be effected by 12H00 noon on the Friday before an IACom meeting and that a follow up e-mail will be sent to members of the Committee confirming the agenda by 12H00 noon on Monday.

#### **9.6 Gees Judgements**

HWC legal adviser is to circulate an e-mail in this regard.

**PM**

#### **10 Standing Items**

##### **10.1 Site Inspections**

The following site inspections undertaken by Committee members and staff were noted:

##### **Robberg Quarry on Portion 10 of Remainder Farm 443, Brakkloof, Knysna.**

Dr Antonia Malan was present as an observer.

Ms Mary Leslie, Mr Guy Thomas and Ms Heidi Boise gave a report back on the site inspection that was conducted on 6 March 2017.

##### **Clara Anna Fontein**

Ms Waseefa Dhansay reported back on the site inspection.

##### **10.2 Report back from ExCo, Council and any Other Committees**

There was nothing to report.

**CSn**

#### **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 RE OF PORTION 12 OF THE VERGENOEGD FARM NO 653 - PROPOSED DEVELOPMENT:MA  
HM/ CAPE TOWN METROPOLITAN/ SOMERSET WEST/ RE OF PORTION 12 OF THE VERGENOEGD FARM NO 653**

**Case No:** 16012507WD0210M

Endorsed HIA, Residence Design and IACom ROD dated Sep 2016 were tabled.

Ms Waseefa Dhansay made a power-point presentation  
Ms Marise Potgeiter, Mr Henk Marais, and Mr C Schilgen were present and took part in the discussion.

In the discussion it was noted that:

- The proposed new residence had gone some way into recognising previous concerns as was raised by the Committee, and in this regard the sighting and location within the broader landscape was commended.
- There were, however, concerns raised about the language of the proposal within the significant cultural landscape.
- Not all of the heritage indicators had been complied with.
- It was felt that appropriate 3D representation of the proposal within the wider landscape would assist the committee in better understanding the proposal.
- It was suggested that the applicants take into account the comments raised by CoCT in respect of the response of the building to the landscape.
- The Committee is however aware and supportive of the applicant's living requirements but believe that these could be accommodated within the endorsed heritage informants.

**DECISION**

The Committee resolved not to approve the proposal in its current form and requested that revised proposals are submitted.

**WD**

**13.2 Erf 1, Farm Uitkamp 189, Clara Anna Fontein Werf - Vissershok Road, Durbanville:MA  
HM/ CAPE TOWN METROPOLITAN/ DURBANVILLE/ CLARA ANNA FONTEIN, FARM UITKAMP PORTION 18 (PORTION OF PORTION 17) OF FARM UITKAMP NO 189**

**Case No:** 16101705WD1025M

Endorsed HIA; Stop Works Order, Landscaping Plan and IACom ROD were tabled.

Ms Waseefa Dhansay gave a power-point presentation.  
Mr Graham Jacobs, Mr Guy Slingsby were present and took part in the discussions.

In the discussion it was noted that:

- Unauthorised work that had taken place included the parking area and various service trenches. Previously unknown archaeological features and artefacts were discovered in one of the trenches.
- A new timber deck is proposed to the front of the manor house.

- The Committee agreed that the new deck is inappropriate and will not be supported and that some more appropriate manner of treating this area should be considered.
- The Committee noted that the as built parking area did not detract from heritage resources

#### **DECISION**

- The Committee resolved not to approve the proposed new deck to the front of the manor house.
- The unauthorised work is noted.
- There are no objections to the balance of the proposed landscaping as indicated.
- A work plan must be submitted for approval to HWC detailing the methodology investigating the archaeological features.
- A revised landscaping plan must be submitted to HWC for approval once the work plan has been agreed to.
- No work may proceed until the Stop Works order is lifted.

**WD**

#### **13.3 RE of Erf 144264, 1566015 and 17233, Newlands Cricket Ground - Revised Sketch Plans: MA HM/ CAPE TOWN METROPOLITAN/NEULANDS/ RE OF ERF 144264, 166015 AND 172333**

**Case No:** 14092208GT0825E

Revised Sketch Plans and previously approved Sketch Plans were tabled.

Ms Waseefa Dhansay made a power-point presentation.

Dr Townsend was present and participated in the discussions.

In discussion it was noted that:

- The revised sketch plans do not depart from the previously identified heritage resource indicators and are in accordance with the previously approved proposal.

#### **DECISION**

- The Committee approved the revised sketch plans on condition that the conditions of the previous HIA approval must still be complied with, particularly with regard to the trees along the Railway End. These conditions are: that the development be generally in accordance with the, (*revised*), sketch plans attached hereto; and that,
- prior to the approval of building plans by the City Council, a tree-replacement plan indicating all trees to be removed, replaced and added be approved by Heritage Western Cape

**AS**

**13.4 Erf 19506 Somerset West, Paardevlei, Site Development Plan: MA  
HM/SOMERSET WEST/PAARDEVLEI/ERF 19506**

**Case No:** 16052302JW0525M

Site Development Plan was tabled

FV and CSn recused themselves for this item and left the room.

AH chaired this item.

Mr Jonathan Windvogel made a power-point presentation

In the discussion it was noted that:

- The Committee had seen the material previously.

**DECISION**

The committee resolved to approve the drawings No 01-03-050 Revision B dated 02/22/2017 as presented.

**JW**

**13.5 Proposed development of Agripark on Ptn 27, 29, 38, 48 & 49 of Farm 98 ,  
Doornrivier, Herold, George: MA  
HM/ Eden / George / Herold / Doornrivier 98/27, 29, 38, 48 & 49**

**Case no:** 15060303GT0609E

HIA for the Proposed Development - Herold Meander prepared by Andre Vercueil dated 10 February 2017 were tabled.

Ms Heidi Boise made a power-point presentation.

In the discussion it was noted that:

- The Committee is generally supportive of the intent of the proposal, however; it is unclear from the documentation provided as to exactly what is being applied for, and what is proposed.
- Comment from identified I&AP's and the municipality was not included with the submission.
- Given the complexity of the application, it is strongly recommended that the applicant approach a heritage practitioner(s) with experience in S38 applications and consultants with urban design and landscape skills, who can assist with preparing and submitting a revised application that complies with the provisions of S38 (3).

**DECISION**

S38 (3) of the NHRA has not been complied with and the Committee cannot process the application in its current form.

It is required that a revised and integrated HIA is submitted to HWC.

**HB**

**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 Mixed-use development on Erf 151832 Observatory - River Club - HIA Phase 1: NM**

**HM/ CAPE TOWN METROPOLITAN/OBSERVATORY/ ERF 151832**

**Case No:** 15112504WD1217M

A Phase I HIA prepared by Ms Bridget O'Donoghue was tabled

Mr Guy Thomas recused himself for this item and left the room.

Ms Waseefa Dhansay gave a power-point presentation.

Ms Bridget O'Donoghue, Mr Matthew Law representing SRA Consulting, Mr Jody Aufrichtig representing the River Club, Mr Marc Turok representing OCA, and A&H in the consultation process with Province and CoCT were present and took part in the discussion.

In discussion it was noted that:

- A broader baseline heritage study is being prepared for the wider TRUP area and that it includes the subject property.
- The Committee believes that the entire TRUP precinct must be looked at holistically: it is problematic to consider the specifics of this application in isolation from the broader study.
- On several occasions HWC's has been led to believe that development issues for the entire TRUP area would be addressed prior to the development of individual pockets therein.

**INTERIM COMMENT**

The Committee resolved to undertake a site inspection in order to further familiarise themselves with the site and any broader issues that may pertain to it. (AH, LIG, SM, CM, FT, FV and CSn)

**WD**

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

**16.1 REVISED HERITAGE IMPACT ASSESSMENT FOR PROPOSED RESIDENTIAL ESTATE AND ASSOCIATED DEVELOPMENT ON MOUNT PROSPECT, ERVEN 2641 AND 2643, CONSTANTIA**

**Case No:** 16061416KR0615E

SM recused himself and left the room.

FT recused himself and participated in the discussion and left the room when the decision was taken.

Ms O'Donoghue confirmed that there were no objections to Prof Todeschini presenting on behalf of the CRRA.

Mr Andrew September gave a power-point presentation.

Ms Leibman was noted as being an I&AP, Prof Todeschini represented the CRRA. Ms O' Donoghue represented the applicant. All parties took part in the discussion.

In discussion it was noted that:

- An application for Nomination of the property as a PHS had been tabled at IGIC. IGIC had considered the site as being of IIIA significance.
- Although it is understood that a revised and amplified nomination to declare the property as a PHS will be submitted, the Committee must consider the significance of the property as IIIA.
- The amended application is still generally in accordance with the one that was previously considered by this Committee and that a Final Comment had already been issued in that regard.
- A few changes were, however, noted, which include the removal of two units in the werf area of the homestead, as well as a slight reduction in the overall density of the proposal. It was also noted that the units along the Groot Constantia interface had been pulled away slightly.
- The Committee did not feel that these changes were substantial enough to amend its previous comment.
- The Committee was informed that the project would not be viable from the developer's point of view if the number of units was further reduced.

#### **FINAL COMMENT**

The Committee did not believe that the previous concerns raised in respect of the Final Comment of 21 September 2016 have been adequately addressed by the amended application and, as such, resolved not to support the application.

**AS**

#### **16.2 Proposed extension of the Robberg Quarry on Portion 10 of Remainder Farm 443, Brakkloof, Knysna: MA HM/EDEN/KNYSNA/PTN 10 REMAINDER FARM 443**

**Case No:** 16091910JW0923M

Mr Thomas provided a report back on site visit undertaken 6 March 2017.

Ms Mary Leslie, representing APM, was present and participated in discussion.

A detailed written submission prepared by Ms Leslie was provided which confirmed the high degree of archaeological significance pertaining to the site.

Although not relevant to the specifics of this application it was noted that:

- The artefacts in the section at the at the South-Eastern Hinge of the existing quarry on Portion 10 of the Remainder of Farm 443, Brakkloof, are of significant interest and a Section 35 application from the developer for disturbance of Earlier Stone Age and possible Middle Stone Age archaeological resources

would enable this area to be sampled at the same time as the work being done at the Western Extension.

- In the interests of good heritage management, it is requested that the developer is approached to appoint an archaeologist, approved by HWC, with suitable Stone Age, preferably Earlier Stone Age experience, to apply for a permit to sample the South-Eastern hinge where ESA and MSA 'floors' have been observed. (Such appointment and work could be done simultaneously with the S38 application). Heritage Western Cape and/or the appointed archaeologist should approach the quarry in this regard.

**FINAL COMMENT:**

HWC supports the amendment of the existing mining right to extend the quarry on Portion 10 of the Remainder of Farm 443, Brakkloof, on condition that before development precedes the following is complied with:

- An archaeologist approved by HWC, with suitable Stone Age, preferably Earlier Stone Age experience and "familiar with site formation processes and tool making technologies" must be appointed.
- A series of sample test pits must be excavated to allow the collection of a representative sample of the archaeological material. The sample pits may be mechanically cleared to the level determined by the appointed archaeologist.
- The artefacts must be identified, mapped, collected and analysed. Discussion (via the Workplan) between APM and the Stone Age archaeologist appointed will determine the collection strategy.
- The results of the sampling will determine whether further work is needed. Although unlikely, if any areas are worthy of a no-go zone, a management plan for these would be required.

**HB**

**16.3 Plan Amendments for Manor House and Archaeological Monitoring Report for outbuildings, Farm Ratel River 300, Cape Agulhas, Overberg: MA HM/OVERBERG/CAPE AGULHAS/FARM 300**

**Case No:** 14100604AS1010M

Plans for Restoration Work for Outbuildings, Motivation, Previous HIA and Final Comment were tabled

The item was held over for the officials to conduct a site visit and to report back to the Committee at the next meeting.

**AS**

**16.4 WORKPLAN REPORT FOR PROPOSED HOUSING ESTATE ON THE REMAINDER OF ERF 743, PRINCE ALBERT**

Matter has been removed from the agenda as IACom is *functus officio*.

**AS**

**16.5 Proposed housing development on Portion 1, 22, 32, 72 and 82 of Farm 72, Destiny Farm, Villiersdorp: NM  
HM/VILLIERSDORP/PTN 1, 22, 32, 72 AND 82 OF FARM 72**

**Case No:** 14061903AS0707E

HIA by Cindy Postlethwayt, with associated appendices was tabled.

Mr Andrew September gave a power-point presentation

**FINAL COMMENT**

The HIA complied with the provisions of S 38 (3) of NHRA and the Committee resolved to support the proposed development and recommendations as contained in the HIA with the following conditions:

- The retention of the farmstead on Portion 1 of Farm 72 and associated mature windbreaks;
- The retention of the mature windbreaks alongside the western boundary of the property that define the urban edge;
- The final development is generally in accordance with the Conceptual Development Framework Plan dated July 2016.

**AS**

**16.6 Proposed Sand Mining on Farm Langberg 188, Vredenburg  
HM/ WEST COAST/ SALDANHA BAY/ VREDENBURG/ FARM LANGBERG 188**

**Case No:** 16112305WD1125M

HIA, HWC NID Response and additional information were tabled.

Dr Jayson Orton was present and participated in the discussion.

Ms Waseefa Dhansay gave a power-point presentation

In the discussion it was noted that:

- The impacts to heritage resources are manageable and effective mitigation is readily accomplishable.

**FINAL COMMENT**

The Committee resolved to support the consultant's recommendations with conditions as follows:

- The archaeological site LGB2016/1 should be mitigated under a workplan approved by HWC;
- A professional palaeontologist should be appointed to inspect the mine pit at appropriate intervals. A workplan application should be submitted for approval prior to commencement of mining in order to streamline any mitigatory actions that may become necessary; and
- If any archaeological material, fossils 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 as relevant. Such heritage is the property of the state and may require excavation and curation in an approved institution.

**16.7 Proposed Helios-Juno 765KV Powerline & Substations, Matzikama District:NM  
HM/MATZIKAMA/JUNO-HELIOS**

**Case No:** 16081014AS081E

NH recused herself for this item and left the room

Mr Andrew September gave a power-point presentation

Dr Jayson Orton was present and participated in the discussion.

In the discussion it was noted that:

- The proposed line traverses the Western Cape and Northern Cape Provinces. This comment relates to the Western Cape section only.

**FINAL COMMENT**

The Committee resolved to support Alternative 1 as its preferred alternative, however it endorses the recommendations of the consultant in regard to ranking alternatives.

The project may proceed subject to the following conditions which must be complied with prior to commencement of construction:

- An archaeologist must be contracted to walk the entire length of the final chosen alignment to locate and record all archaeological sites and occurrences and any other heritage resources that may lie within the proposed route. The archaeologist must make recommendations to HWC as to whether any mitigation work is required and advise on the extent of such work;
- A palaeontologist with field experience in the relevant areas should be contracted to comment on the final chosen alignment with a view towards establishing whether any sections may require monitoring or not. The extent and frequency of such monitoring must be approved by HWC.
- Construction camps and laydown areas should be placed away from scenic areas and preferably located adjacent to settlements so as to avoid disturbance of pristine environments; and
- If any archaeological 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. Such heritage is the property of the state and may require excavation and curation in an approved institution.

AS

**16.8 Proposed Sand Mine on Farm Brakkekuyl 38 & 39, Blaauweberg  
HM/BLAAUWBERG/FARM BRAKKEKUYL 38 &39**

**Case No:** 16051905AS0815E

Mr Andrew September gave a power-point presentation

Dr Jayson Orton was present representing APM

In the discussion it was noted that:

- Additional information was presented to the Committee that indicated that the extent of potential significant archaeological resources may be more extensive than that as established by the consultant.

**INTERIM COMMENT**

The Committee resolved that in order to establish the extent of the deposit a series of test pits must be excavated. A work plan detailing the methodology must be submitted to HWC for approval.

**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 –

16H45

27. DATE OF NEXT MEETING:

12 April 2017

CHAIRPERSON \_\_\_\_\_

DATE \_\_\_\_\_

SECRETARY \_\_\_\_\_

DATE \_\_\_\_\_

Approved