

**MEETING OF HERITAGE WESTERN CAPE,
IMPACT ASSESSMENT COMMITTEE**

**Minutes of the meeting of the Impact Assessment Committee
of Heritage Western Cape that was held on
Wednesday, 14 December 2011,
in the 1st Floor Boardroom, Protea Assurance Building,
Greenmarket Square, Cape Town at 09h00**

1. Opening and Welcome

The Chairperson, Dr Stephen Townsend, opened the meeting at 09:05 and welcomed everyone present.

2. Attendance

Members

Mr David Hart
Ms Sarah Winter
Mr Roger Joshua
Ms Sharon de Gois
Dr Stephen Townsend
Mr Piet Louw
Ms Mary Leslie
Mr Quinton Lawson
Mr Richard Summers

Staff

Mr Andrew Hall
Ms Christina Jikelo
Mr Justin Bradfield
Mr Zwelibanzi Shiceka
Mr Ronny Nyuka
Mr Shaun Dyers
Mr Calvin van Wijk
Mr Olwethu Dlova (TW Sec)
Ms Lithalethu Mshoti: (TE Sec)
Ms Jenna Lavin

Observers

None

Visitors

Cindy Postlethway
Neil Schwartz
Richard Abrahamse
Gavin Willton
Kathy Dumbrell
Marithnvo Potgieter
Henry Aikman
Paul Truscott
Keith Brackwell
Almin Bester

Lize Malan
Nicolas Baumann
Justin Betts
Graham Jacobs
Stephan De Kock
Gustar Gouws
Andrew Pentz
Anne-Marie Fick
Crown Helfenstein

3. Apologies

Mr David Halkett

4. Approval of minutes of previous meeting held on 2 November 2011

The Committee agreed to approve the minutes

5 CONFIDENTIAL MATTERS

5.1 None

6. Appointments

7 Administrative Matters

7.1. Grade I gradings by SAHRA

Decision

The Committee resolved that the CEO should, with assistance of Committee members and Council members, draft HWC's position on these matters: and approach the CEO of SAHRA with the intention of jointly seeking senior counsel advice in order to resolve the competing interpretations of the Act and "Arniston Judgement". This should be done as soon as possible.

7.2 Site Inspections

The Committee resolved that the chairperson should respond to the Council chair's e-mail of 8.30 am 14 December 2011 and explain the range of formality in making site inspections and ask her advice. The suggestion to meet regarding site inspections generally is agreed to and a date requested.

7.3 Process with respect to IAP's comments in respect of the Casa Maris project

The Committee resolved, given that only one copy of the first^t set of comments had been received and given that the most recent comments had only been received on the afternoon of the 13 December 2011, that HWC's final comment could not be concluded on in this meeting.

The Committee will receive reports back from the members and officials who have visited the site only; and all parties will be invited to the next IACom meeting and the matter considered then.

8. Matters arising from previous meeting

8.1 None

FIRST SESSION: TEAM EAST PRESENTATION

E 9 SECTION 38(2) RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

E 9.1 None

E 10 SECTION 38(1) INTERIM COMMENT

E 10.1 None

E 11 SECTION 38(4) RECORD OF DECISION

E 11.1 Clock Tower Precinct

Case No: 110524SD12

A Revised Heritage Impact Assessment prepared by Nicolas Baumann, dated November 2011 was tabled.

The documents had been delivered to and read by ST, SW and DH

Mr Zwelibanzi Shiceka made a power-point presentation

FINAL DECISION

The Committee resolved that the precinct plan shown on the two drawings labelled Public Space and Sections shall be approved as the precinct plan and, further, that:

- All future site development plans shall be submitted to and approved by HWC;
- That the statement of heritage significance and the heritage indicators in Dr Baumann's report of November 2011 be endorsed to enable design development to proceed; and
- That the findings and recommendations of the archaeological sensitivity study be endorsed and a site monitoring report must be submitted to HWC.

Furthermore, as identified in the archaeological sensitivity study, during bulk excavation the following would need to be observed:

- - The full-time monitoring of all excavation work by an archaeologist with maritime experience or access to maritime experience;
- - He/she would need to collect any significant artefactual material that may be contained in the fill or lie on the historic sea bed; and
- - He/she would need to alert the developer, SAHRA, and Construction Company to any finds of shipwreck material. In the event of such a find, machinery will have to be diverted and the find site excavated under the guidance of a maritime archaeologist with a SAHRA issued permit to do the work. Decisions with regard to the future conservation of such a wreck will need to be made in consultation with I&AP's once the significance of the wreck is established.

ZS

**E 11.2 Proposed Development on a site of more than Erven situated on Erven 11043, 10944, 10945, 10946, 10947, 10948, 10949, 10950, 10951, 10952, 10959, 10960 and 10961, Victoria Road, Woodstock
HM/WOODSTOCK/11043/10944/ 10945/ 10946/10947/ 10948/ 10949/ 10950/
10951/ 10952/ 10959/ 10960 and 10961.**

Case No: 111201SD01

A Heritage Impact Assessment Report prepared by Claire Abrahamse, dated November 2011 was tabled.

The documents had been delivered to and read by RJ, SW and ST

Mr Shaun Dyers made a power-point presentation.

INTERIM COMMENT

HWC resolved that the report satisfies the requirements of the Act and the development is supported subject to the first four mitigations referring to the shape and form of the building on page 115 in the report by Ms Abrahamse being adhered to. The possibility of a mid-block pedestrian route through the super-block to improve urban permeability should be explored. The standard requirement regarding archaeological monitoring and studies will apply.

SD

**E 11.3 Proposed Upgrading of Trunk Road 25 Main Road Malmesbury
HM/MALMESBURY/TRUNK ROAD**

Case No: X111129ZS31

A Response from Deviation prepared by Kathy Dumbrell, dated 28 November 2011 was tabled

The documents had been delivered to and read by PL, SW and SdG

Mr Zwelibanzi Shiceka made a power-point presentation.

COMMENT

The Committee, recognising its previous conclusion that section 38 is not triggered, notes that it has no jurisdiction in this matter and recommends that the recommendations made by the heritage practitioner, Ms Dumbrell, be adhered to.

ZS

E 12 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

E 12.1 None

E 13 SECTION 38(8) NEMA INTERIM COMMENT

E 13.1 None

E 14 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

**E 14.1 Proposed Construction of a Dam: Portion 1 of farm 1159 Waterval: l' Ormarins, Franschoek
HM/FRANSCHOEK/FARM 1159**

Case No: X111130JL23

A Heritage Impact Assessment Report prepared by Cindy Postlethwayt, dated October 2011 was tabled

The documents had been delivered to and read by DH, SW and ST

Ms Jenna Lavin made a power-point presentation.

FINAL COMMENT

The Committee resolved that the HIA report from Ms Cindy Postlethwayt satisfies the requirements of the Act and that HWC has no objection to the development.

JL

**E 14.2 Proposed Photovoltaic Park: Kuilspoort 161/9, Lemoensfontein South 162/Rem & Bulskop 163/1, District Beaufort West
HM/BEAUFORT WEST/FARM 161/9/162/163/1**

Case No: 110607JL07

A Final Heritage Impact Assessment prepared by Stefan De Kock, dated November 2011 was tabled.

Ms Jenna Lavin made a power-point presentation

FINAL COMMENT

The committee resolved that:

- Alternative 3 is preferred;
- A buffer zone of 20m is required around each of the 14 archaeological occurrences and an ACMP developed for their conservation;
- Once the final layout has been established, an archaeologist must inspect the PV footprints for archaeological material;
- The ECO should monitor for further archaeological and palaeontological material during construction; and
- A 250m buffer is required along the N1

JL

**E 14.3 Proposed GAP and Low Cost Housing, Erf 301 Abbotsdale, Malmesbury
HM/MALMESBURY/ERF 301**

Case No: 110824ZS31

A Heritage Impact Assessment prepared by Arcon Architects, dated November 2011 was tabled

The documents had been delivered to and read by RJ, SW and PL

Mr Zwelibanzi Shiceka made a power-point presentation.

FINAL COMMENT

HWC endorses the report as satisfying the requirements of the Act and supports the proposal subject to the implementation of the design informants in Section 5 of the report on pages 6-8 and that such mitigation should include the design of appropriate boundary fencing along the N7 and the inclusion of "buffer-planting".

ZS

**E 14.4 Proposed Rezoning and Subdivision, Erf 1897 with the aim of Developing Iris
Park, Off Hindle Road, Blue Downs
HM/CAPE TOWN METROPOLITAN/BLUE DOWNS/ERF 1897/HINDLE ROAD**

Case No: 110818JL12

A Heritage Impact Assessment prepared by Lita Webley and Graham Avery, dated October 2011 was tabled

The documents had been delivered to and read by ML, SdG and RJ

Ms Jenna Lavin made a power-point presentation.

FINAL COMMENT

HWC has no objection to the proposed development. Monitoring is required by a palaeontologist and a monitoring report submitted to HWC

JL

**E 14.5 Proposed Photovoltaic facility on a site Northwest of Vredendal
HM/WEST COAST/MATZIKAMA/VREDENDAL/FARM
277/SEEKOIGAT/VREDENDAL PHOTOVOLTAIC FACILITY**

Case No: 110517JL04

An Environmental Impact Assessment Process, Draft EIA Report prepared by Savannah Environmental, dated November 2011 was tabled

The documents had been delivered to and read by ST, RS and SdG

Ms Jenna Lavin made a power-point presentation.

FINAL COMMENT

- The Committee resolved that: The ECO must monitor all substantial excavations for palaeontological material
- Archaeological excavation and sampling of sites is required as identified in the report (i.e. the sites situated between the "heuweltjies")
- A buffer of 100m of intact natural vegetation should be retained along the perimeter of the development site.
- Natural vegetation in all areas outside of the development footprint should be retained.
- The recommendations of the EIA report are supported.

JL

**E 14.6 Amended Development Proposal, Portion of Remainder of Farm 948,
Kommetjie, Lighthouse road, Kommetjie
HM/KOMMETJIE/FARM 948**

Case No: X111129ZS32

An amended development Proposal prepared by Lize Malan, dated November 2011 was tabled

The documents had been delivered to and read by ST, SW and ML

Mr Zwelibanzi Shiceka made a power-point presentation.

FINAL COMMENT

- HWC resolved that the report satisfies the requirements of the Act and that the development is supported subject to the following:
- That a CMP for the management of the archaeological site be incorporated into the home-owners association's rules or equivalent;
- That the remainder erf not be gated or fenced and that the group of seven houses not be gated;
- And that the mitigation measures listed on pages 13-16 of the VIA are endorsed.

ZS

**E 14.7 Proposed Extension, Erf 5144, Kommetjie, Ocean View.
HM/KOMMETJIE/ERF 5144**

A Heritage Impact Assessment prepared by Lize Malan, dated November 2011 was tabled.

The documents has been delivered to and read by PL, SdG and RS

Mr Shaun Dyers made a power-point presentation.

COMMENT

The Committee concluded that it was unable to consider the report until it has an adequate visualization of the proposal; and the Committee requested that two or three photomontages be supplied.

SD

**E 14.8 Proposed Development of Richmond Park at the Intersection of Plattekloof Road and the N7, City of Cape Town
HM/PLATTEKLOOF**

A Draft Environmental Impact Assessment Report prepared by CCA Environmental, dated November 2011 and Palaeontological Impact Assessment prepared by John Pether, dated 7 September 2011 were tabled

The documents has been delivered to and read by PL, DH and SW

Mr Zwelibanzi Shiceka made a power-point presentation

FINAL COMMENT

The Committee resolved that the report satisfies the requirements of the Act and that the development is supported subject to:

- Monitoring for fossil material by the ECO is required and that a monitoring report be submitted.

ZS

**E 14.9 Proposed Development of Portion B of Erf 14275 "Klein Parys" Paarl
HM/PAARL/ERF 14275**

A Heritage Impact Assessment Report Phase 1 prepared by Cindy Postlethwayt, dated November 2011 was tabled

The documents had been delivered to and read by PL, RS and RJ

Mr Zwelibanzi Shiceka made a power-point presentation

INTERIM COMMENT

The Committee resolved that this report be endorsed as satisfying the requirements of Sections 38(3)(a) and (b) of the NHRA only and that it provides a basis for meeting the remaining requirements of section 38(3) of the NHRA

ZS

E 15 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

E 15.1 None

E 16 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT

E 16.1 None

E 17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

E 17.1 None

E 18 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

E 18.1 None

E 19 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

E 19.1 None

E 20 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

E 20.1 None

W 9 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W 9.1 None

W 10 SECTION 38(1) INTERIM COMMENT

W 10.1None

W 11 SECTION 38(4) RECORD OF DECISION

W 11.1Proposed Re-Development, Erf 174156, Corner Bree and Pepper Streets,
Cape Town: NM
HM/CAPE TOWN/ERF 174156

Case No: 110830TG21

A Heritage Impact Assessment Report prepared by Aikman Associates, dated November 2011 was tabled

The documents had been delivered to and read by ML, PL and DH

The matter will be considered at the next meeting once committee members have visited the site.

It was also pointed out that the comments of the registered conservation bodies, CIBRA and of VASSA, should be sought.

TG

**W.11.2 Proposed Guest House Development, Erven 242, 7468, Falcons View Manor, Thesen's Hill Street, Knysna: MA
HM/KNYSNA/ERF 242 & 7468**

Integrated Heritage Impact Assessment Report prepared by Perception, dated November 2011 was tabled

The documents had been delivered to and read by DH, ST and PL

Ms Tamar Grover made a power-point presentation

DECISION

The Committee resolved to not approve the report or the development. The Committee recommends that any proposal on this site should respond more directly to the characteristics of the site as a heritage resource. Further, that the proposed cottages be concentrated on the periphery of the site and that the layout responds to the geometries of the site and to the relationships between the historical buildings and the garden setting. The committee also questioned the built- form of the proposed cottages.

TG

**W.11.3 Proposed Alterations and Additions, Erf 1520, Touchstone Building, 7 Bree Street, Cape Town: MA
HM/CAPE TOWN/ERF 1520**

Case No: 111123TG01

An application prepared by MD Tottle, dated 22 November 2011, plans and photographs were tabled.

The documents had been delivered to and read by SW, ST and RJ.

Ms Tamar Grover made a power-point presentation

DECISION

The Committee resolved not to approve the plans but required only that the ground and the first floor of the new façade respond to the architecture of the existing and surrounding buildings.

TG

**W.11.4 Proposed Development, Vrede & Lust, Farm 950, Simondium: MA
HM/SIMONDIUM/VRED & LUST/FARM 950**

Case No: 110804TG10

ST, SW and PL had visited the site and gave feed-back to the committee.

DECISION

The Committee supports the indicators contained within the phase I report in a general sense and prefers the site development alternate on page 62 that is a linear extension of the werf.

JB

**W.11.5 Proposed Re-Development, Erf 173682, Corner Bree and Prestwich Streets,
Cape Town: NM
HM/CAPE TOWN/ERF 173682**

Case No: 11115JB24

A Heritage Impact Assessment Report prepared by Aikman Associates, dated November 2011 were tabled

The documents had been delivered to and read by ST, PL and ML

Mr Justin Bradfield made a power-point presentation

DECISION

The Committee resolved that the report satisfied the requirements of the Act and that the development may proceed once final drawings have been approved by HWC. This is, however, subject to two conditions:

- the envelope of the building is approved in principle only and a revised design (which must respond to the comments made) must be submitted for HWC's approval; and
- the demolition may proceed but a professional historical archaeologist must conduct preliminary test excavations (and, if necessary, more complete excavations) before the building excavation is carried out.

JB

**W.11.6 Proposed Development, Erven 794, 795, 796, 797, 798, 799 & 800, Mitchell
Street, Hermanus: NM
HM/HERMANUS/ERVEN 794, 795, 796, 797, 798, 799 & 800**

Case No: 111091JW22

Heritage Impact Assessment prepared by Nicolas Bauman and Sarah Winter, dated November 2011 and Notification of Intent to Develop prepared by Nicolas Bauman and Sarah Winter were tabled

Ms Winter recused herself.

The documents had been delivered to and read by PL, ST and RS

Mr Jonathan Windvogel made a power-point presentation

FINAL COMMENT

The committee resolved that the report satisfies the requirements of the Act and that the development may proceed. It was suggested that the Mitchell Street arm could be cut back to establish an improved definition of the square and that the set back at third floor suggested by the practitioners need not be as great as shown but resolved with their input and, further, but that its architecture could have a different 'lighter' character.

JW

W 12 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W 12.1 None

W 13 SECTION 38(8) NEMA INTERIM COMMENT

**W 13.1 Proposed De Hoek 66kV Line and Mountain Substation: NM
HM/DE HEOK 66 LINE AND MOUNTAIN SUBSTATION**

Case No: 11110713JB08

Draft Basic Assessment Report prepared by ERM, dated November 2011 was tabled

The documents were delivered to and read by DH, SdG and PL

Mr Justin Bradfield made a power-point presentation

FINAL COMMENT

Alternative 1 and sub-station site A are supported subject to the specific mitigation measures proposed by the heritage consultants. In particular, no power line is to bisect Farm 152/8. If potentially fossiliferous dark mudrocks are exposed, HWC must be notified immediately.

JB

**W.13.2 Proposed Upgrade of Main Road 538, Lamberts Bay: NM
HM/LAMBERTS BAY**

Case No: 110815JB12

Draft Basic Assessment Report prepared by SIVEST, dated 10 November 2011 was tabled

The documents were delivered to and read by ML, DH and PL

Mr Justin Bradfield made a power-point presentation

INTERIM COMMENT

HWC endorses the recommendations of the consultant that the following be part of the EMP:

- The important midden site GFG must be identified using appropriate markers by an archaeologist prior to commencement of construction;
- Resolving the ongoing erosion of the dune embankment containing the archaeological site as part of the road upgrade would be seen as a positive heritage resource management outcome resulting from the project
- The landscaping measure must be the subject of consultation between the road engineer and the archaeologist. Possible measures could include gabions, Loffelstein blocks or similar types of embankment stabilization measures;
- No in situ archaeological material may be disturbed during the stabilization work and appropriate measures to obviate damage must be taken into account;
- If necessary landscape measures are not in place prior to the construction phase of the road upgrade, then the cordoned area must be off limits until they can be effected;

Further:

- An authorization (in this case a section 35 permit) will be required from HWC to undertake the embankment stabilization at the GFG and in order to rescue material that will be disturbed in the process.

JB

**W.13.3 Proposed Development Casa Maris Estate, Ptn 8 & 9 Farm Knorhoek No 830, Rem Farm 839, 843, 862, 1052, 100 and 1369, Somerset West: MA
HM/SOMERSET WEST/PTN 8 & 9 FARM KNORHOEK NO 830, REM FARM 839, 843, 862, 1052, 100 AND 1369**

Case No: X111019JB17

JB, SW, ML and PL had visited the site and reported back to the committee.

INTERIM COMMENT

The matter will be considered at the next meeting of the IACom; all IAPs must be invited to attend.

JB

W 14 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

**W 14.1 Proposed Rezoning, Subdivision and Consolidation of Farm 216/Ptn 1 and Develop a Re-Subdivide into 38 Farms and Construct a 18 Hole Golf Course in Ladismith on Farm 216 Ptn 1: MA
HM/LADISMITH/FARM 216 PTN 1**

Case No: 110508RN07

The documents had been delivered to and read by PL, RS and SdG

Mr Ronny Nyuka made a power-point presentation

INTERIM COMMENT

The committee did not accept the report titled "Integrated Set of Recommendations" as the report is not a defensible basis for evaluation and/or decision-making. HWC recommends that the applicant engage an appropriately skilled and experienced practitioner (approved by HWC) to peer-review the reports submitted and to make understandable and comprehensible recommendations which are spatialised and meaningful in environmental and heritage resource-related terms.

RN

W 15 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W 15.1None

W 16 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT

W 16.1None

W 17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

W 17.1None

W 18 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

W 18.1None

W 19 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

W 19.1None

W 20 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

W 20.1Proposed Amendment to existing approval, Erf 173019, Portside Tower (Previously Erven 9567 & 142228), Corner Bree and Mechau Street, Cape Town:
MA
HM/CAPE TOWN/PORTSIDE TOWER/ERF 173019

Case No: X110922TG11

Revised plans prepared by DHK Architects and Louis Karol Architecture Engineering Interiors, dated 29 November 2011 was tabled

The documents had been delivered to and read by PL, ST and DH

Ms Tamar Grover made a power-point presentation

Minutes of the meeting of the IACom held on 14 December 2011

FINAL COMMENT

The Committee confirms that the proposal is consistent with the proposal previously approved in principle.

TG

W.21. Other

W.21.1 None

22 Adoption of decisions and resolutions

22.1 The Committee agreed to adopt the decisions and resolutions.

23. CLOSURE – 18H00

24. DATE OF NEXT MEETING: 18 January 2012

CHAIRPERSON 

DATE 18/1/2012

SECRETARY 

DATE 18 January 2012