

**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, 5 October 2011,
on 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 09h15 as several members were late; and he welcomed everyone present.

2 Attendance

Members

Mr Richard Summers
Ms Sarah Winter
Dr Stephen Townsend
Ms Sharon de Gois
Mr Piet Louw
Ms Mary Leslie
David Halkett

Staff

Mr Andrew Hall
Ms Christina Jikelo
Ms Jenna Lavin
Mr Zwelibanzi Shiceka
Mr Ronny Nyuka
Ms Tamar Grover
Mr Olwethu Dlova (TW Sec)
Mr Justin Bradfield

Observers

None

Visitors

Ashley Lillie
Nicolas Baumann
Mark Noble
Justin Snell

Luigi Marrai
Neil Schwartz
Claire Abrahamse
Kalian Hagemann

3. Apologies

Mr Roger Joshua
Mr David Hart
Mr Jonathan Windvogel
Ms Lithalethu Mshoti

4. Approval of minutes of the previous meetings

4.1 IACom Minutes dated 7 September 2011

The Committee resolved to approve the minutes without amendments

5 Confidential Matters

5.1 None

6. Appointments

6.1 None

7 Administrative Matters

7.1 Appointment of the IACom member to replacement of Dr Almond

- The Committee noted that Dr Almond tendered his resignation
- The Committee discussed the matter briefly and agreed that an expert in visual impact assessments would be an ideal new member; the Chairperson undertook to speak to Bernie Oberholzer and/or Quinton Lawson about their availability.

It was agreed that:

- The Committee would communicate via email and suggest alternate candidates that could replace Dr Almond.
- Matter to be tabled at the next Heritage Western Cape Council meeting to be held on 09 November 2011 to replace Dr Almond on the IACom.

8. Matters arising from previous meeting

8.1 Nothing was submitted by the applicants

FIRST SESSION: TEAM EAST PRESENTATION

E.9.1 None

E.10.1 None

E.11.1 Proposed Development of Office Buildings, Clock Tower Precinct, V & A Waterfront: MA HM/WATERFRONT/V&A

Case No: 110524SD12

A letter prepared by Nicolas Baumann, dated 14 September 2011 was tabled.

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

Mr Shaun Dyers made a power-point presentation

DECISION

The committee confirms that this version of the proposal dated 23 August 2011 satisfies the conditions of the original approval dated 26 October 2010 and that the decision on the archaeology dated 02 December 2010 be complied with as below;

- 1. The findings and recommendations of the archaeological sensitivity study were endorsed and a site monitoring report must be submitted to HWC.
- 2. As identified in the archaeological sensitivity study, during bulk excavation the following must be observed:
 - The full monitoring of all excavation work by an archaeologist with maritime experience or access to maritime experience.
 - Artefactual material that may be contained in the fill or lie on the historic sea bed must be collected.
 - The developer, SAHRA, and Construction Company must be alerted 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. A permit from SAHRA will be required. Decisions with regard to

- the future conservation of such a wreck will need to be made in consultation with I&APs once the significance of the wreck is established.
- The proponent will, in the event of a find, have to handle construction delays.

SD

E.11.2 Proposed Development on a site of more than three Erven situated on Erven 11043, 10944, 10945, 10946, 10947-10952, 10960, 10961, Victoria Road, Woodstock: NM HM/WOODSTOCK/11043, 10944, 10945, 10946, 10947-10952, 10960, 10961

Case No: 110815SD22

A Heritage Impact Assessment Reported prepared by Claire Abrahamse, dated September 2011 was tabled

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

Mr Shaun Dyers made a power-point presentation

DISCUSSION

- The mitigation measures that are proposed seemed not to be adequate
- The site is significant with an interesting social and political history
- The urban design indicators have not been sufficiently articulated.

INTERIM COMMENT

- Comments from the City, SAHRA (if in District Six Grade 1 area) and I&APs are required.
- Heritage related design indicators must be articulated and the impact of the proposal on all heritage resources assessed with these in mind.
- An account of the zoning scheme- related rights and the City's wider planning strategies must be given in addition to some analysis of the conflicts between such rights and policies and the heritage-related indicators.
- As there is a likelihood of impacting on marine sediments during deep sub-surface excavation, SAHRA and HWC must be consulted about the necessity for an archaeological testing permit.

SD

E.11.3 Proposed Imizamo Yethu Sports Ground on Erf 673, Hout Bay, Cape Town: NM HM/HOUTBAY/ERF673

Case No: x110915ZS16

A Heritage Impact Assessment Report prepared by Cobus Hendriksz, dated 14 September 2011 was tabled.

Mr Zwelibanzi Shiceka made a power-point presentation

FINAL COMMENT

- The committee approved the new layout plan subject to the basketball court at the NE corner being lined up with the edge of field A and so to enable the proposed band of trees along the eastern boundary to be continuous.
- The case officer to receive amended drawing and to confirm approval before issuing RoD.

ZS

E.12.1 None

E.13.1 None

**E.14.1 Proposed Renewable Energy Facilities, Land Parcel Nooitgedacht.
Nooitgedacht Farm Ptn 4, 7, 10, 15, 16 and 19, Nooitgedacht farm 42, Ptn 4 of
Nooitgedacht Farm 61 and Rem ptns 87, 88, 89, 94 and 95, West Coast: MA
HM/CENTRAL KAROO/VARIOUS FARMS/REBNEWABLE ENERGY
FACILITIES/NOOITGEDACHT**

Case No: X110922JL18

Environmental Impact Report prepared by ERM, dated January 2011 and Scoping Heritage Impact Assessment, prepared by Mary Patrick, dated September 2011 were tabled.

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

Ms Jenna Lavin made a power-point presentation

INTERIM COMMENT

- Further information and/or specialist reports are required from the applicant in order to illustrate and/or motivate cogently the recommendations in the HIA report for addressing the potentially visual impacts, particularly in light of the finding in the HIA report that the visual impact of the site "from a cultural perspective is therefore considered **VERY HIGH**". Such information should include and appropriately address concerns regarding cumulative impacts.
- This should include an assessment of the impact on the wider archaeological and visual cultural landscape.
- Archaeological and palaeontological concerns regarding monitoring during all excavations/ earth moving activities and buffering of sites during construction were noted.

Actions by Staff:

AH will interact with Eskom and DEA regarding the carrying capacity of different parts of the W. Cape to accept alternative energy.

Once these interactions have taken place, HWC will develop a guideline document for alternative energy facilities.

JL

**E.14.2 Proposed Witberg Wind Farm: MA
HM/CENTRAL KAROO/LAINGSBURG/WITBERG WIND FARM**

Case No: 110520JL19

A letter prepared by Tim Hart, dated 2 September 2011 was tabled

Ms Jenna Lavin made a power-point presentation

NOTE: Mr Halkett and Mr Summers recused themselves.

FINAL COMMENT

- Given that we understand that only one of the two proposed WEFs of Witberg and Konstabel will be approved, the committee has no objection to the proposed development noting that the Konstabel WEF development is preferred to this proposal.
- Mr Louw noted his objections based on the negative impact on the totality of the landscape. Mrs Leslie abstained, not having visited the site. Ms De Gois abstained in the absence of a HWC policy on alternative energy developments.

JL

E.14.3 Proposed Archaeological Monitoring Plan Construction of the St Helena bay-Schoongesig Powerline and Substation: MA HM/WEST COAST/SALDANHA BAY/ST HELENA/ST BRITANIA BAY/SCHOONGESIG POWERLINES

Case No: 110902JL01

A letter prepared by Jonathan Kaplan, dated 24 August 2011 was tabled.

Ms Jenna Lavin made a power-point presentation

FINAL COMMENT

- The monitoring plan is accepted. A monitoring report must be submitted to HWC within 3 months of the completion of the development.

JL

E.14.4 Application for Sand Mining Permit, Farm 422/15 Plettenberg Bay, Knysna District: MA HM/PLETTENBERG BAY/FARM 422/15

Case No: 110711JL8

The Revised Notification of Intent to Develop and Heritage Statement prepared by Stefan De Kock, dated August 2011 were tabled.

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

Ms Jenna Lavin made a power-point presentation

FINAL COMMENT

- No further heritage studies are required however; the general Fossil Find Procedures and monitoring by mine personnel must be adhered to.

JL

E.14.5 Proposed Development (what kind of development???) on Die Trek, Voortrekker and Station Street, Erf 354, Piketberg: NM HMWEST COAST/BERG RIVER/PITBERG/ERF 354

Case No: 110822JL16

Report on a Heritage Impact Assessment prepared by Dr A.C van Vollenhoven, dated May 2011 was tabled.

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

Ms Jenna Lavin made a power-point presentation

FINAL COMMENT

- HWC has no objection to the proposed development of the Botanical Gardens in Piketberg in principle, however monitoring of all earthworks by a professional archaeologist is required due to the likelihood of human remains existing on Erf 354 and a monitoring report is to be submitted to HWC and to SAHRA BGG.

JL

**E.14.6 Proposed Development (what kind???) on Extension 1 Skilpaddorp, farm 619, Algeria, Clanwilliam : NM
HM/CLANWILLIAM/FARM 619**

Case No: 110622SD33

An HIA by Quahnita Samie and an Archaeological Impact Assessment prepared by Tim Hart and Liesbet Schietecatte, dated May 2011 were tabled

The documents had been delivered to and read by DHart

Ms Jenna Lavin made a power-presentation

NOTE: Mr Halkett recused himself

FINAL COMMENT

- No further heritage studies are required
- HWC has no objection to the proposed development

JL

**E.14.7 Proposed upgrade of National Route 7 section 3 between cistrusdal interchange and the Cederberg Interchange for 27 Km within Cederberg: NM
HM/CEDERBERG**

Case No: 110817JL13

An Environmental Impact Assessment /Environmental Management Plan Report prepared Chameleon environmental, dated May 2011 was tabled.

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

Ms Jenna Lavin made a power-point presentation

Matter withdrawn from agenda to go to Team meetings for assessment of the Notification of Intent to Develop

JL

**E.14.8 Proposed Construction of a Boardwalk to provide access to Robberg Bay Beach for Ptn 111 of the Brakkloof 443, Plettenberg Bay: MA
HM/ROBBERG BAY BEACH/PLETTENBERG BAY**

Case No: 110718JL21

A Basic Assessment Report prepared by Eco-Route environmental consultancy, dated 24 August 2011 was tabled.

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

Ms Jenna Lavin made a power-point presentation

FINAL COMMENT

- No further studies are required and HWC has no objection to the proposed development.
- Note: historical wreck in vicinity – watching brief for historical material.

JL

**E.14.9 Proposed Rheboksfontein Wind Energy Facility and Associated Infrastructure on Site near Darling: MA
HM/WEST COAST/SWARTLAND/DARLING/RHEBOKSFONTEIN WIND FARM**

Case No: 110627JL19

The Revised Environmental Impact Assessment Report prepared by Savannah was tabled.

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

Ms Jenna Lavin made a power-point presentation

NOTE: Mr Halkett recused himself

DISCUSSION

- Archaeological requirements as stated in the comment dated 3 November 2010 must be listed in the final comment for example the 100m buffer zone imposed around Rheboksfontein 1 must be adhered to.
- There must be an opportunity for an archaeologist to inspect the final layout of the wind turbines and ensure that impact on archaeological resources is minimised.
- It was noted that this development will have a significant visual impact.

FINAL COMMENT

- The committee has no objection to the wind farm development proposal subject to the mitigation proposals contained in the EIA report dated September 2011, especially with reference to the buffer around the Rheboksfontein farm house and the protection of the tree lines.
- Archaeological requirements as stated in the comment dated 3 November 2010 must be addressed and a 100m buffer zone must be imposed around Rheboksfontein 1 and must be adhered to.
- It was noted that the required palaeontological protocol appears in the EMPR.

- There must be an opportunity for an archaeologist to inspect the final layout of the wind turbines and ensure that impact on archaeological resources is minimised.

JL

**E14.10 Proposed development of Agricultural Lands on Ptn 19 of Farm 100 De Goree,
Robertson: MA
HM/ROBERTSON/FARM 100**

Case No: x110826JL21

A letter prepared by Jonathan Kaplan, dated 14 June 2011 was tabled

Ms Jenna Lavin made a power-point presentation

FINAL COMMENT

- The monitoring plan is accepted. A monitoring report must be submitted to Heritage Western Cape within 3 months after the completion of the development.

JL

**E14.11 Proposed rezoning, subdivision, construction and Establishment on a
retirement Village on Erf 2883 in De Zoete Inval, Paarl: MA
HM/PAARL/ERF 2883**

Case No: x110921ZS20

Plans prepared by Guillaune Nel, dated 15 September 2011 was tabled

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

Mr Zwelibanzi Shiceka made a power-point presentation

FINAL COMMENT

That the proposed development be approved as it will not impact on any heritage resource.

ZS

**E14.12 Proposed Development, Erf 14796, Monquini Beach Hotel, Heide Road, Mossel
Bay: MA
HM/MOSSEL BAY/ERF 14796**

Case No: X110908ZS07

Amendment of the Revised Basic Assessment Report prepared by Cape Environmental Assessment Practitioners, dated 28 May 2010 was tabled

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

Mr Zwelibanzi Shiceka made a power-point presentation

COMMENT

Given the current rights and the current subdivisions surrounding the property, the committee has no objection from a heritage perspective excepting that it supports the position of DEA&DP in respect of view corridors which in our view should be greater and in that the development form should be of a finer grain than is proposed.

ZS

E.15.1 None

E.16.1 None

E.17.1 None

E.18.1 None

E.19.1 None

E.20.1 None

SECOND SESSION: TEAM WEST PRESENTATION

W.9.1 None

W.10.1 none

**W11.1 Proposed Residential Development, Erven 14168, 14131 & 14134 (Erf 20528), Mossel Bay: NM
HM/MOSSEL BAY/ERVEN 14168, 14131 & 14134(ERF 20528)**

Case No: 110912JB08

Notification of Intent to Develop prepared by Stefan De Kock, dated 8 September 2011 was tabled

Mr Justin Bradfield made a power-point presentation

DISCUSSION

- This matter is a NID and the decision required is in terms of Section 38(2)
- It was noted that there are no heritage resources affected by the proposal.

DECISION

No further heritage studies are required.

JB

**W11.2 Proposed Development and Rezoning of Consolidated Erf 11057, Corner Main, Realigned Lord Roberts Road and Mitchel Street, Hermanus: MA
HM/HERMANUS/ERF 11057**

Case No: 110727JW32

A letter prepared by Chris Snelling, dated 24 August 2011 and Phase II Heritage Impact Assessment prepared by Chris Snelling, dated July 2011 were tabled

This matter has been discussed at great detail in earlier meetings.

Mr Jonathan Windvogel made a power-point presentation

DECISION

The Committee resolved to approve the application subject to properly amended plans for stamping by case officer. Such plans should not include so called future amendments (like dormers).

JW

W12.1 None

W13.1 None

**W14.1 Proposed Development, Erven 1549, 1552 & 2812, Corner of Hoog and Voortrekker Streets, Oudtshoorn: MA
HM/OUTSHOORN/ERVEN 1549, 1552 & 2812**

Case No: 110726RN10

Notification of Intent to Develop prepared by Ron Martin, dated 11 June 2011 and Archaeological Assessment Report prepared by Jayson Orton, dated 1 September were tabled

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

Mr Ronny Nyuka made a power-point presentation

NOTE: Mr David Halkett recused himself

FINAL COMMENT

The Committee resolved that the HIA is incomplete and requires that further work be done under the following headings and the Impact Assessor must develop heritage-related design indicators at least in respect of the following:

- The access axis leading to the position of old house must be analysed and discussed as a heritage resource
- The stone building at the centre of the site should be conserved in its entirety and integrated into the development
- The environs and the appropriateness of the street-facing frontage

The Committee points out that the circa 1968 Dersoll Building is not Art Deco and is not conservation- worthy

RN

W15.1 None

W16.1 None

**W17.1 Proposed Maskam Limestone Mine, Near Vanrhynsdorp, Ptn Rem Welverdien 511, Matzikama Municipality: MA
HM/MATZIKAMA/VANRYNSDORP/PTN REM WELVERDIEND 511**

Case No: 110907JB04

A Palaeontological Specialist Study: Desktop Assessment Report prepared by John E. Almond, dated August 2011 was tabled

Mr Justin Bradfield made a power-point presentation

DESCUSSION

- The palaeontological impact assessment is acceptable, but Heritage Western Cape has received correspondence from an I&AP regarding concern with the visual impacts associated with the proposal.
- The Scoping Report dated May 2011 contained an assessment of the visual impact of the proposed development it appears that this report was not made available to all I&APs.

INTERIM COMMENT

- The Committee resolved that it should scrutinise the VIA and the objection received and deal with this matter at the next meeting (SW and RS to receive the VIA and objection from case officer).
- The PIA is accepted.
- The case officer to check the committee's previous view in respect of the AIA.

JB

**W17.2 Proposed Gypsum Mine, Ptn of Rem of Farm 251, Vanrhynsdorp: NM
HM/VANRHYNSDORP/PTN OF REM OF FARM 251**

Case No: 110902JB01

A Palaeontological Specialist Study: Desktop Assessment Report prepared by John E. Almond, dated August 2011 and Environmental Management Programme prepared by Site Plan Consulting, dated August 2011 were tabled

Mr Justin Bradfield made a power-point presentation

DISCUSSION

- The palaeontological impact assessment acceptable, HWC has received correspondence from an I&AP regarding concern with the visual impacts associated with the proposal.
- It is not clear to HWC why the I&AP in question has not seen of the Scoping Report dated March 2011 or, for that matter, why the Scoping Report was tabled before IACom without comments received from I&APs.

DECISION

The Committee resolved to write to the applicant and inform him/her that an objection to the visual impact has been received and that a visual impact statement should be submitted.

JB

W18.1 None

**W19.1 Proposed Amendment to existing approval, Erf 173019, Portside, Cape Town:
MA
HM/CAPE TOWN/PORTSIDE/ERF 17019**

Case No: 110922TG11

The revised design proposal prepared by Ashley Lillie, dated June 2011 was tabled

The documents had been delivered and read by ST, SW, RJ and PL
Ms Tamar Grover made a power-point presentation

DISCUSSION

- It was noted that the HWC Council had resolved that LUPO and the Zoning scheme are not "other legislation" ito S38(8)
- Discussion held with Mr Lillie and Mr Marrai; Mr Lillie arguing that his legal advice was that HWC had been dealing with this application as though LUPO is "other legislation" and that HWC could not change its stance in this respect in this case now.
- Senior Counsel Legal opinion will be sought by applicant which will set out the legal grounds for the applicant's contention that HWC could only comment on the matter as another stage in the processing of an application long under way. This must be received before HWC will issue its comment (or decision).
- Such comment or decision will be confirmed by email with committee members
- The applicant agreed that S.T. could chair the meeting during this discussion despite previous involvement at the first phases of the development proposal
- Mr Halkett indicated his interest in the matter – monitoring for archaeological resources during bulk earthworks
- The law firm for which Mr Summers works has provided legal opinion to the applicant in the past.

The applicants were represented by Lillie (heritage practitioner), Marrai (IPS), Gardener (Old Mutual), Blackwell (Louis Karol Inc), Shell (DHK)

DECISION/COMMENT

- The committee resolved that the proposal did not affect the nearby heritage resources (the ICS Building, the Fabers Building and the environs as a whole) in any way different from the way they are affected by the extant approval.
- The urban conservation area is not a heritage resource but a planning designation
- HWC has no objection to the amended proposal
- HWC presumes that the City Council will not remove the condition requiring their comment before building plan approval.
- The archaeological monitoring previously required will be adhered to.

TG

**W20.1 Proposed Construction of a Dam on the Farm Sparrenburg No. 364, Ceres: MA
HM/CERES/FARM SPARRENBURG NO.364**

Case No: 110912JB11

Recommended Exemption from further Palaeontological Studies prepared by John E. Almond, dated August 2011 was tabled

Mr Justin Bradfield made a power-point presentation

DISCUSSION

- There appears to have been confusion over the exact placement of the proposed dam which led to the request for a palaeontological study

FINAL COMMENT

The Committee has resolved that a PIA is not required

JB

**W21.1 Proposed Alterations and Additions, Little & Intimate Theatre, Hidding
Campus, UCT: NM
HM/UCT/HIDDING CAMPUS/LITTLE & INTIMATE THEATRE**

Case No: 110930TG12

Conceptual Design Proposal prepared by Rennie Scurr Adendorff, dated September 2011 was tabled

Ms Tamar Grover made a power-point presentation

DECISION

The application must be submitted in terms of section 34 and will go to the BELCom.

TG

**W21.2 Proposed Development, Rustenburg High School for Girls, Campground Road,
Rondebosch: NM
HM/RONDEBOSCH/RUSTENBURG HIGH SCHOOL**

Case No: 110930TG13

Campus Development Plan prepared by Rennie Scurr Adendorff, dated September 2011 was tabled.

Ms Tamar Grover made a power-point presentation

DECISION

The application must be submitted in terms of section 34 and will go to the BELCom.

TG

22. Adoption of decisions and resolutions

The Committee adopted all decisions and resolutions

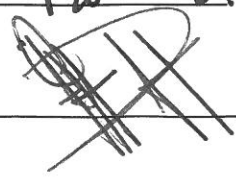
23. CLOSURE – 16H30

24. DATE OF NEXT MEETING:

2 November 2011

CHAIRPERSON 

DATE 2/1/2011

SECRETARY 

DATE 2/1/2011

REVISED