

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

**Minutes of the meeting of the Impact Assessment Review Committee
of Heritage Western Cape that was held on
Wednesday, 6 July 2011,
on the 7th Floor Boardroom, Protea Assurance Building,
Greenmarket Square, Cape Town at 09h00**

1 Opening and Welcome

The Chairperson, Dr Stephen Townsend, opened the meeting at 09h20 and he welcomed everyone present.

2 Attendance

Members

Dr Stephen Townsend (Chairman)	ST
Ms Sarah Winter	SW
Mr Roger Joshua	RJ
Ms Sharon de Gois	SdG
Ms Mary Leslie	ML
Mr David Hart	DHAR
Mr David Halkett	DHAL

Staff

Ms Tamar Grover	TG
Ms Christina Jikelo	CJ
Ms Jenna Lavin	JL
Mr Zwelibanzi Shiceka	ZS
Mr Ronny Nyuka	RN
Mr Shaun Dyers	SD
Mr Jonathan Windvogel	JW
Ms Lithalethu Mshoti (Sec)	LM
Mr Olwethu Dlova (Sec)	OD

Observers

None

Visitors

Anna Goldman	AG
Simon van Witt	SvW
Bridget O'Donoghue	BO'D
Lita Webley	LW

3. Apologies

Mr Andrew Hall	AH
Dr John Almond	JA
Mr Piet Louw	PL

4. Approval of minutes of previous meetings

4.1 IARCOM Minutes dated 15 & 20 June 2011

The Committee resolved to approve the minutes with amendments

5 Confidential Matters

5.1 None

6. Appointments

6.1 None

7 Administrative Matters

7.1 Details of Payment to Committee members

It was noted that:

- The Committee members are still not receiving the detailed payment document. The CEO Mr Andrew Hall is requested to take this matter further up and deal with it as matter of urgency.

7.2 Address Details in the agendas and the minutes

The Committee resolved that:

- The address and details of each application must be indicated in the agendas and the minutes e.g. (Farm Town, Farm number, Street name and number etc.)

8. Matters arising from previous meeting

8.1 Pending/ awaiting submissions.

FIRST SESSION: TEAM EAST PRESENTATION

E. 9. SECTION 38(2): RESPONSES TO NOTIFICATIONS OF INTENT TO DEVELOP

E .9.1 Proposed Redevelopment of Kings Road/Tafelberg Primary School, Erven 90,91,92,93,94,95,96,98,1092: Section 38(2): NM HM/TAFELBERG PRIMARY SCHOOL/ERVEN 90/91/92/93/94/95/96/98/1092

A Heritage Impact Assessment prepared by Bridget O' Donoghue dated June 2011 was tabled.

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

Mr Zwelibanzi Shiceka made a power-point presentation

In discussion it was noted that:

- The building is recommended as grade IIIC
- There is no Archaeological and Palaeontological impact on the site

DECISION

- The Committee noted that the HIA omits heritage indicators that would describe recommended development envelopes and siting of any new buildings (this will be dealt with in the Phase two HIA);
- The Committee agrees that the oldest (1930s) section of the building is a Grade IIIC that needs to be protected in the development.
- The Committee agrees to the indicator which requires retention of the palm tree.

ZS

E. 10 SECTION 38(2) DECISIONS

E.10.1 None

E 11 SECTION 38 (4) RECORDS OF DECISION

E.11.1 None

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

E.12.1 None

E.13 SECTION 38(8) NEMA COMMENT

E.13.1 None

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

E.14.1 Proposed Development Ptn 5 of Farm Compagnes Drift 436, Bot River Caledon Magisterial District: Section 38(8): MA HM/CALEDON/FARM 436

A Heritage Impact Assessment prepared by Ron Martin Heritage Consultancy was tabled.

The documents had been delivered to and read by SW.

Dr Townsend noted that comments signed by his brother had been received. He advised that he had not discussed them with his brother and that he was not aware of any issue that could compromise his objectivity as a member of the committee.

Mr Shaun Dyers made a power-point presentation.

In discussion it was noted that:

- The registered conservation body has no objection to the proposal.
- The density is low.
- The Visual Impact Assessment has not been addressed.
- No identification of historic core.
- The development is not responding to the morphology of the town.
- The architectural guidelines had not been submitted.
- No significant an archaeological impacts.
- Clarity regarding the impact of the development on the abutting farmstead must be submitted.

INTERIM COMMENT

NOTED: The registered conservation body's comments were taken into account by the Committee.

NOTED: Recommendations made in respect of memorialisation will only be supported by HWC when there is good and clear reason for such memorialisation.

- The Committee resolved not to deal with the matter at this time given that the HIA does not identify and locate the heritage resources which could be impacted on by the development. Accordingly the Committee resolved that the HIA should be amended and/or improved and that the potential visual impacts on all heritage resources including the Van der Stel Pass, the Mill and the werf of the Beaumont Wine precinct and the historic core of the town be clearly dealt with and clear recommendations be provided.
- This may include recommendations involving visual mitigation.

- The Committee was concerned that the plan-form of the proposed development does not respond to the current settlement layout.

SD

**E.14.2 Proposed Recreational Facilities Upgrade on Ptn 13 of Farm 264, Bredasdorp:
Section 38(8): NM
HM/BREDASDORP/FARM 264**

A Final Basic Assessment Report prepared by Cape Lowlands Environmental Services, dated May 2011 was tabled.

Mr Zwelibanzi Shiceka made a power-point presentation.

In discussion it was noted that:

- Archaeological monitoring of all excavations will be required.

DECISION

- The Committee resolved not to deal with this matter as it was unclear as to what kind of application it was. Furthermore the committee was not in a position to assess the application or to establish its own view regarding the application itself because the documentation had not been circulated.
- The Committee resolved not to deal with the matter until the officials had resolved what kind of application this is and four copies of the Heritage Impact Assessment had been received and circulated.

ZS

**E.14.3 Proposed Rezoning Application: Wind Energy Facility Portion 99 (a portion of portion 1) of the Farm Bird Field no. 306 and of Remainder of Portion 5 of the farm Klipheuvel (Rossouwkraal), No 390: Section 38(8): NM
HM/KLIPHEUVEL/FARM 390**

A Land Use Planning Ordinance application prepared by Rode Plan was tabled

Ms Jenna Lavin introduced the application

DECISION

- The Committee resolved that Ms Jenna Lavin should respond indicating that HWC has already commented on the EIA for this project. The heritage concerns for the rezoning applications are the same as those already given in the NEMA process. The response from HWC to the EIA's will be attached to Ms Lavin's letter.

JL

**E.14.4 Proposed Rezoning Application: Wind Energy Facility Ptn 14 of Farm Compagnes Drift, no 93 and Ptn 13 of the Farm Kookfontein No 88,
Registration Division Lamberts Bay: Section 38(8): NM
HM/KOOKFONTEIN/FARM 88**

A Land Use Planning Ordinance application prepared by Rode plan was tabled.

Ms Jenna Lavin introduced the application

DECISION

- The Committee resolved that Ms Jenna Lavin should respond indicating that HWC has already commented on the EIA for this project. The heritage concerns for the rezoning applications are the same as those already given in the NEMA process. The response from HWC to the EIA's will be attached to Ms Lavin's letter.

JL

E.14.5 Proposed Rezoning: Solar Energy Facility: Ptn 414 of the Farm Vredendal no. 292, Registration Division Vanrhynsdorp: Section 38(8): NM HM/VREDENDAL/PTN 414 OF THE FARM 292

A Land Use Planning Ordinance application prepared by Rode Plan was tabled

Ms Jenna Lavin introduced the application

DECISION

- The Committee resolved that Ms Jenna Lavin should respond indicating that HWC has already commented on the EIA for this project. The heritage concerns for the rezoning applications are the same as those already given in the NEMA process. The response from HWC to the EIA's will be attached to Ms Lavin's letter.

JL

E.14.6 Proposed Rezoning Application: Wind Energy Facility: Ptn 1 of the Farm Besten Weg, No 150, Rem of the Farm Besten Weg, No 150, Ptn 1 of the Farm Elandskraal, no 269, Rem of the Farm Jantjiesfontein, No 164 and Rem of the Farm Tweedside, 151: Section 38(8): NM HM/LAINGSBURG/FARM BESTEN WEG/FARM ELANDSKRAAL/FARM JANTJIESFONTEIN/FARM TWEEDSIDE

A Land Use Planning Ordinance application prepared by Rode Plan was tabled.

Ms Jenna Lavin introduced the application

DECISION

- The Committee resolved that Ms Jenna Lavin should respond indicating that HWC has already commented on the EIA for this project. The heritage concerns for the rezoning applications are the same as those already given in the NEMA process. The response from HWC to the EIA's will be attached to Ms Lavin's letter.

JL

E.14.7 Proposed Development: Residential Units: Rem of Ptn 6 of the Farm Middel Vlei No. 566, Hermanus: Section 38(8): NM HM/HERMANUS/REM OF PTN 6 OF THE FARM MIDDEL VLEI NO.566

A Notification of Intent to Develop prepared by and Charel Bruwer, dated Sept 2010 and an Archaeological Impact Assessment prepared by Jonathan Kaplan, dated Sept 2010 were tabled.

Ms Jenna Lavin made a power-point present

In discussion it was noted that:

- A NID was submitted to the Built Environments and Landscape Committee in 2008, however no response from HWC was issued
- An Archaeological Impact Assessment was submitted in August 2010. This matter was deferred from the September 2010 IARCom agenda for further information
- The Meerensee Resort development proposes 51 single residential erven, private open space, engineering services and internal streets covering 15ha
- The development area is situated at the mouth of the Bot River
- No Archaeological remains were documented although Archaeological and Palaeontological remains may be exposed in Node 3 during vegetation clearing and bulk earthworks.

FINAL COMMENT

- There are no objections to the proposed development
- However, monitoring of vegetation clearing as well as bulk earthworks and excavations in Node 3 is required for archaeology and palaeontology and a monitoring report must be submitted to HWC.
- This must include monitoring for possible fossil material within the dunes and fossiliferous raised beach strata that may be encountered in deeper excavations. In the event that such material is encountered, the archaeological monitor must inform the developer/owner and liaise with HWC and a contracted Palaeontologist so that the occurrence can be described and sampled.
- HWC requests that its concerns regarding the ad-hoc sprawl into the surrounding environs and the lagoon and the effect that this has on good settlement-making which requires compaction be noted.

JL

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 Proposed Renewable Wind Energy Facility, Land Parcel Paardekraal Ptn 1, Farm 243 & 245, Great Karoo: Section 38(8): MA HM/GREAT KAROO/PARDEKRAAL PTN 1, FARM 243 & 245

A Draft Environmental Impact Assessment was tabled.

Mr David Halkett recused himself

Ms Jenna Lavin made a power-point presentation

In discussion it was noted that:

- The application is for a proposed renewable energy facility 32km north of Touwsriver
- Site Layout Alternative 2 is the preferred and final layout consisting of 100 to 130 turbines
- The land is currently zoned for agriculture
- The development application falls within the scenic mountain wilderness area of the Ceres-Karoo
- **VIA:** The large size and high number of turbines will create a distinct feature in the sparsely vegetated Karoo, and will be visible for a considerable distance
- **Palaeontology:** Field survey is required prior to major construction and selective monitoring may be required
- **Archaeology:** Sites tend to be found on the banks of river beds, discrete scatters of MSA artefacts were identified however these are not of high significance. The micro-siting of turbines and access roads during the EMP phase will avoid significant impacts to archaeology
- **Built Environment:** 2 occupied dwellings were located on Perdekraal and Rietpoort, however these are not threatened by the development and are not significant. Numerous ruins on both farms relating to late 19th and early 20th C farming activities were identified, however these are not significant. The micro-siting of turbines and access roads during the EMP phase will avoid significant impacts
- **Graves:** An unfenced graveyard was identified on Rietpoort which is not directly threatened by the turbine positions. Numerous stone cairns found along dry river beds may represent graves. These cairns are not threatened by the turbines however it must be noted that all graves in the study area may not have been identified. As such, graves may be impacted by access roads and associated infrastructure.
- **Cultural Landscape:** The Renewable Energy Facility will not be visible from N2. The cultural landscape is agricultural in nature.

FINAL COMMENT

- There is no objection to the proposed development, as long as the following mitigation measures are applied;
 - Mitigation of pre-colonial and colonial archaeology must involve micro-siting turbine positions or mitigation during the EMP in consultation with the heritage specialist.
 - Mitigation of the built environment must involve micro-siting turbine positions in the EMP in consultation with the heritage specialist, to avoid placing turbines or infrastructure directly over built environment features
 - Once the exact positions of infrastructure is known, a more detailed assessment of the access and construction roads, laydown areas, substation positions and cable routes needs to be undertaken by the heritage specialist to identify all marked graves. In the case of unmarked graves, there needs to be a protocol in place in order to deal with them on a case-by-case basis.
 - Heritage Western Cape must be notified immediately if any human remains are uncovered during construction.
- A Palaeontological field survey and monitoring will be required at EMP stage. The report must be submitted to the APM Committee for review
- If Palaeontological resources are identified, mitigation may be required

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

SECOND SESSION: TEAM WEST PRESENTATION

W.9. SECTION 38(2): RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

W.9.1 None

W.10 SECTION 38(1): INTERIM COMMENT

W.10.1None

W11 SECTION 38(4): RECORD OF DECISION

W.11.1None

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

W.12.1None

W.13 SECTION 38(8) NEMA INTERIM COMMENT

W.13.1None

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

W.14. Proposed Upgrade and Extension of existing Wemmershoek Waste Water Treatment Works, Decommissioning of Franschoek WWTW and Construction of 3 Pipelines: Section 38(8): NM HM/FRANSCHOEK

A Heritage Statement prepared by Lita Webley, dated September 2009 and a Draft Environmental Impact Assessment (Vol 1-3) prepared by BKS were tabled

The documents were delivered to and read by SW, RJ and ML

Mr David Halkett recused himself

Ms Jenna Lavin made a power-point presentation on behalf of Ms Tamar Grover.

In discussion it was noted that:

- The scenic route and cemetery would not be affected by the development.
- A lot of mitigation and planting next to the road.

- The APMCom endorsed the consultant's recommendations.
- Public consultation had been conducted during both Phase I and Phase II
- It had been recommended that Options I and IV or be selected.

FINAL COMMENT

- The committee supports the recommendations of the heritage statement for the various options provided in page 18 and 19 of report that:
 - a) The preferred option for the extension of the Wemmershoek WWTW is Option 1, namely the expansion of the existing facility. Option 2 will involve constructing a WWTW adjoining a cemetery and this option is unlikely to be supported by the residents of Wemmershoek. Similarly, Option 3 will mean that the residents will lose half of their soccer field and there is little vacant land in the area to compensate for this.
 - b) Mitigation: It is recommended that the social impact of the waste water treatment works adjoining the village of Wemmershoek, either next to the community cemetery or the soccer field, needs to be assessed by a social impact specialist. The preferred option for the transfer sewer pipeline is Option 2 (along the R45) or Option 3 (along the Franschoek River). Both Option 1 (along the railway line) and Option 4 (behind La Provence) may impact on heritage resources and mitigation may be required.
 - c) Mitigation: will be required for both Options 1 (along the railway line) and 4 (the 1.2 km section which crosses farmland behind La Provence to the R45). It is suggested that an archaeologist is present during the excavation of the pipeline here. The preferred option for the outfall sewer pipeline is Option 1 or 2 since both pipelines are short and discharge close to the Berg River. Option 3 may be acceptable, but option 4 clearly poses the greatest risk to heritage resources as it may potentially impact on below ground heritage (such as archaeological sites).
 - d) Mitigation: May be required for Option 4, but this depends on a more comprehensive survey of these farm lands. If concentrations of stone artefacts are recovered, then shovel tests may be needed to determine if they are in situ and whether further excavations may be needed.
 - e) Option 1 ((expanding the existing facility) is the preferred option for the Wemmershoek WwTW. Option 3 may be considered once the residents of Wemmershoek have been consulted,
 - f) Option 2 (along the R45) or Option 3 (along the Franschoek River) are preferred for the sewer pipeline. If Options 1 (along the railway line) and Option 4 (across farmlands behind La Provence) are chosen, then mitigation will be required,
 - g) Options 1 or 2 are the preferred options for the outfall sewer pipeline. If Option 4 is Chosen, then a further survey needs be undertaken along the route of the pipeline.
- Further public consultation is not required.

TG

**W.14.2 Proposed Mont Rouge Golf Reserve including Consolidation and Subdivision,
Ladismith Magisterial District: Section 38(8): MA
HM/LADISMITH MAGISTRATE DISTRICT**

A Heritage Impact Assessment prepared by Ron Martin Heritage Consultancy was tabled

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

Mr Ronny Nyuka made a power-point presentation

In discussion it was noted that:

- The proposal will change the nature of the site
- The VIA and HIA are both inadequate
- The palaeontological and archaeological resources must be considered
- Adequate VIA to be prepared

INTERIM COMMENT

- The Committee resolved that the HIA and attached VIA were inadequate. The Committee requires that Archaeological and Palaeontological studies be conducted by suitably qualified specialists. Furthermore a VIA must be conducted that considers the impacts of the buildings, infrastructure and golf course that are proposed on the landscape (a potential heritage resource) and on any potential archaeological resource. This presupposes the locating and notional design of the buildings proposed.
- This also presupposes that a suitably qualified VIA practitioner will conduct this assessment.
- The HIA is inadequate in that it does not locate the site geographically or topographically.

RN

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

W.15.1 None

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

W.16.1 None

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

W.17.1 None

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

W.18.1 None

W.19 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

W.19.1 None

W.20 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

W.20.1 None

21. **Adoption of decisions and resolutions**
The Committee adopted all decisions and resolutions

22. OTHER MATTERS

22.1 None

23. CLOSURE – 12H30

24. **DATE OF NEXT MEETING:** 10 August 2011

CHAIRPERSON 

DATE 10 Aug. 2011.

SECRETARY 

DATE 10/08/2011

REVISÉ