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, 13 June 2012, 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 09:08 and welcomed everyone present.

2. Attendance

<table>
<thead>
<tr>
<th>Members</th>
<th>Staff</th>
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<tr>
<td>Ms Sarah Winter</td>
<td>Mr Andrew Hall</td>
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<td>Mr Roger Joshua</td>
<td>Mr Calvin van Wijk</td>
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<td>Ms Sharon de Gois</td>
<td>Mr Zwelibanzi Shiceka</td>
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<td>Dr Stephen Townsend</td>
<td>Mr Shaun Dyers</td>
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<td>Ms Mary Leslie</td>
<td>Ms Lithalethu Mshoti (TE Sec)</td>
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<td>Mr David Hart</td>
<td>Mr Olwethu Dlova (TW Sec)</td>
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<td>Mr Quinton Lawson</td>
<td>Ms Jenna Lavin</td>
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<td>Mr Richard Summers</td>
<td>Mr Jonathan Windvogel</td>
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<td>Mr Troy Smuts</td>
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Observers
Mr Johan Cornelius

Visitors
Mr Henry Aikman
Ms T Hammond
Ms Sonja Warnich-Stemmet

3. Apologies
Mr David Halkett
Ms Tamar Grover

4. Approval of minutes of previous meeting held on 9 May 2012
The Committee agreed to approve the minutes with minor changes.

5 CONFIDENTIAL MATTERS

5.1 None

6. Appointments

6.1 None

7 Administrative Matters

7.1 Outcome of the Appeals and Tribunal Committees

Mr Hall advised the committee that the Stellenbosch hotel matter had been decided by the MEC’s tribunal; and, that decision is contrary to the decisions of both the BEL Comm and the Appeals Comm.
7.2 Formulation of Comments and Requirements

Mr Summers is due to meet with Ms Leslie to discuss the details in this respect.

RS, ML

7.3 Applicability of S38 agricultural practices.

The Committee discussed the implications of deeming agricultural structures to constitute changes to the character of sites and the implications for the agricultural sector with regard to submitting NIDs. The Committee also concluded that, on the face of it, the determination to require an HIA is not appealable in terms of the HWC regulations. The Chairperson will respond to Mr Aikman with respect to the Polkadraai matter.

AH

7.4 Requirements regarding consolidated recommendations.

The Committee recognised that there are many complexities involved in requiring HIA's; and that these difficulties are often reflected in the reports received. Mr Hall will check the standard letter and its wording and the circular; and he will send both of these documents to the Committee members for their scrutiny and suggestions.

AH

FIRST SESSION: TEAM EAST PRESENTATION

E. 8 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

E. 8.1 None

E. 9 SECTION 38(1) INTERIM COMMENT

E 9.1 None

E 10 SECTION 38(4) RECORD OF DECISION

E.10.1 None

E 11 SECTION 38(8) NEMA RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

E.11.1 None

E 12 SECTION 38(8) NEMA INTERIM COMMENTS

E 12.1 Proposed Guest House: Farm Middagkrans No. 1114 Paarl Division: Franschhoek

HM/FRANSCHHOEK/ FARM 1114

Case No: X120530ZS34

A supplementary Heritage Impact Assessment Report prepared by Aikman Associates Heritage Management, dated May 2012 was tabled. The documents had been delivered to and read by SW, PL and QL.
Mr Aikman and the architect of the scheme, Ms Hammond of Stefan Antoni’s office, were present and made representations. The committee was advised that the local conservation body (which had objected to the proposal) had been informed of the meeting; but this party was not represented.

Mr Zwelibanzi Shiceka made a power-point presentation.

In discussing the proposal, members of the committee clearly supported the modernist architectural language but would prefer a less “flamboyant” expression, particularly as the building is very and will be very visible. Though it was recognised that the building would not be visible from the town or from near Huguenot monument.

**Interim Comment**
The Committee has no in principle objection to the proposal but finds that the visual impact of the approximately 140m long wall which rises to 4m or more, and would have considerable visual impact on the environs, must be articulated and its impacts ‘softened’. The architect and heritage practitioner are to present a proposal reflecting their responses to the concerns raised.

JL

E 13  SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

E 13.1 Proposed Upgrading of the Zoarvlei Quality Open Public Space, Milnerton, Cape Town

HM/CAPE TOWN METROPOLITAN/MILNERTON/REM ERF 19404

Case No: 110817JL14

A Final Basic Assessment Report for submission to the Department of Environmental Affairs and Development Planning, dated April 2012 was tabled.

Ms Jenna Lavin made a power-point presentation

In discussion it was noted that:

- Klein Zoar House (Erf 20683) is a PHS, approved as a national monument in 1971 for its architectural character and its association with Wolraad Woltemade
- The wall will be situated on the boundary of the City Council-owned land and not on the declared PHS area.

**Final Comment**
The Committee supports the proposal subject to the following conditions:
That the light standards not be incorporated into the wall but stand on the paved area and not be immediately in front of the house; and, furthermore, that those standards nearest the house should not exceed 3m in height:
• An appropriate excavation and construction methodology is required in the vicinity of the PHS to ensure that construction works do not damage or weaken the structure of Klein Zoar.
• The proposed low wall adjacent to Klein Zoar must be of a design that discourages sitting.
• Targeted test excavations within the proposed trenches and holes should be done in the most sensitive areas (alongside the house and at the northern end of the paved area) – a S. 35 permit is required.
• Monitoring of all excavations by an archaeologist for archaeological and human remains is required

JL

E 13.2 Proposed North West Coast District Municipality Waste Disposal Facility for Matzikama and Cederberg
HM/WEST COAST/MATZIKAMA AND CEDERBERG WASTE DISPOSAL FACILITY

Case No: 120515JL05D

A Draft Environmental Impact Report prepared by Anel Blignaut Consultants, dated April 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation

Final Comment
• The Committee supports the proposal specifically preferring Site C as it is already disturbed and will have the least visual impacts
• The landfill should maximise the use of the already disturbed mining area
• If Site C is chosen, then mitigation is required for the archaeological sites 29, 59, 60 and 61.

HWC also recommends that the subsequent levels of planning and assessment include more detailed landscape and visual impact assessments to inform the imposition of mitigation measures by the DEA&DP.

JL

E 13.3 Proposed Wildlife Sanctuary (Puzzle Park) on Remainder of Farm Oakhill 479, Plettenberg Bay, Western Cape Province

Case No: 120222SD25

A Heritage Impact Assessment and an Archaeological Impact Assessment prepared by Nilssen Archaeological Resources Management, dated 14 May 2012 was tabled.
The documents had been delivered to and read by RJ, SdG, RS, ST, QL, PL and SW

Ms Jenna Lavin made a power-point presentation

Final Comment
HWC has no objection to the proposed development.

JL

E 13.4 Proposed Construction of a Dam and Clearing of a Land for Agriculture on Portion 78 of Farm Zand Rivier No. 106, Robertson
HM/CAPE WINELANDS/BREEDERIVER WINELANDS/ROBERTSON/PTN 78 OF FARM ZAND RIVIER 106

Case No: 120416JL04

A Heritage Impact Assessment and an Archaeological Impact Assessment prepared by Nilssen Archaeological Resources Management, dated 14 May 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation

Final Comment
HWC has no objection to the proposed development.

JL

E 13.5 Proposed Roma Energy Solar Farm on Portion of the Farm De Duinen No.258 near Vanrhynsdorp.
HM/WEST COAST/MATZIKAMA/VAN RHYNSDORP/ROMA ENERGY SOLAR PLANT/ FARM DE DEINEN 258

Case No: 120419JL11

A Heritage Impact Assessment prepared by Jonathan Kaplan, dated May 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation.

Final Comment
HWC has no objection to the proposed development.

JL
E 13.6 Proposed 10MW Photovoltaic Solar Facility on 19HA of the Farm Bergvaley no 400 in the Cederberg.
HM/CEDERBERG/FARM 400

Case No: 120523JL11

An Integrated set of recommendations report prepared by Sharples Environmental Services, dated 29 May 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation

In discussion it was noted that:
- There are no old structures on the affected land
- There is low palaeontological sensitivity
- No heritage resources will be impacted by the development

Final Comment
There are no heritage resources that appear to be impacted on by this current phase as proposed in this application. However, HWC is concerned about cumulative impacts of possible other phases. This piece-meal approach is not conducive to cogent assessment and decision-making.

JL

E 13.7 Proposed Borrow Pit located along Divisional Road 01797 in Bitou, Eden
HM/EDEN/BITOUBORROW PITS/DIVISIONAL ROAD 01797

Case No: 111928JB22

A Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation

Final Comment
HWC has no objection to the proposed development.

JL
E 13.8 Proposed Expanding of an Existing Borrow Pit along Trunk Road 00102 near Uniondale, Eden
HM/EDEN/EDEN DMA/UNIONDALE/TR00102

Case No: 111125JL23

A Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation

Final Comment
HWC has no objection to the proposed development.

JL

E 13.9 Proposed Expanding of an Existing Borrow Pit along Divisional Road 1646 near Oudtshoorn, Eden
HM/EDEN/OUTSHOORN/DR01646

Case No: 111125JL20

A Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled.

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

Ms Jenna Lavin made a power-point presentation

Final Comment
HWC has no objection to the proposed development.

JL

E 13.10 Proposed Borrow Pits for Supply of Materials for Re-gravelling of Sections of Divisional Road, DR1334 and OP5921, Cape Winelands
HM/CAPE WINELANDS/DRAKENSTEIN/OPO 5921

Case No: 110928JB31

An Environmental Management Programme prepared by Nadeson Consulting Services, dated May 2012 and a Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled.

Ms Jenna Lavin made a power-point presentation
The documents had been delivered to and read by SdG

**Final Comment**
HWC has no objection to the proposed development.

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**E 13.11 Proposed Maskam Lime Mine, Ptn of the Remainder Farm Welverdiend 511, Vanrhynsdorp**
**HM/VANRHYNSDORP/FARM 511**

**Case No:** 110907JB04

A Heritage Impact Assessment prepared by Andre Pentz, dated May 2012 was tabled.

The documents had been delivered to and read by RS, QL and SW

Ms Jenna Lavin made a power-point presentation.

Mr. Richard Summers recused himself.

In discussion it was noted that:
- I&AP’s had not identified any heritage issues.

**Final Comment**
HWC has no objection to the proposed development. 
The mine must, however, be rehabilitated as per the EMP.

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**E 13.12 Proposed Solar Farm on Blaauw Blomme Kloof 941, Klipheuwel**
**HM/KLIPHEUWEL/FARM 941**

A Heritage Impact Assessment prepared by Jonathan Kaplan, dated May 2012 was tabled.

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

It was noted that:
- The site has been disturbed previously.
- 20 artefacts had been identified, these have low significance.
- No further archaeological or paleontological studies are required.

**Final Comment**
HWC has no objection against the proposed Solar Farm, and alternative 2 is recommended for approval. HWC endorses the mitigation measures proposed in the HIA.

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**SD**
E 13.13 Proposed Solar Farm on PTN of the Farm Takkaps Valley No.155 Mc Gregor
HM/MCGREGOR/FARM 155

**Case No:** 120405SD04

A Heritage Impact Assessment prepared Jonathan Kaplan, dated May 2012 was tabled.

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

Mr Shaun Dyers made a power-point presentation

It was noted that:
- Visual assessment is not clear about visual impacts on the heritage resources
- Comments from I&APs have not been submitted
- Mc Gregor is a unique village of considerable significance and the site is significant

**Final Comment**

HWC does not support the proposal for the following reasons:
- The scale of the facility.
- Proximity to the town of Mc Gregor.
- Visual impact of the visual setting of McGregor.
- Visual impact on the scenic route to the well-known mountain trail.
- HWC notes that the visual impact assessment includes high impact scores mixed confusingly with low and medium scores and does not address the heritage-related impact on the broader landscape.

**SD**

E 13.14 Proposed Solar Farm on Ptn 54 of the Farm Osplaats no.134 De Doorns
HM/DE DOORNS/FARM 134

**Case No:** 111102SD29

A Heritage Impact Assessment prepared by Jonathan Kaplan, dated February 2012 was tabled.

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

Mr Shaun Dyers made a power-point presentation

**Final Comment**

HWC does not support the development as it will be too obtrusive on the scenic route, the N1, unless it can be located at least 500m from the N1.
It is noted that, previously, in a similar solar development on the N1, a buffer of 1km had been recommended.

**E 13.15 Proposed Construction of a Solar Power Energy Facility on Farm Groot Kruitfontein No.33 near Leeu Gamka**

**HM/LEEU GAMKA/FARM 33**

**Case No:** 120224SD26

A Heritage Impact Assessment Report prepared by Will Archer and Jonathan Kaplan, dated March 2012 was tabled.

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

Mr Shaun Dyers made a power-point presentation

In discussion it was noted that:
- The palaeontology is highly significant

**Final Comment**

The proposed solar farm’s visual impact would be minimal and is recommended for approval. However, the palaeontology is highly significant. This is a very fossiliferous area. Before construction, a palaeontologist must record and sample the fossil material in the development footprint and around its periphery and submit a report to HWC.

**SD**

**E 13.16 Proposed Expansion of a Free-range Chicken Facility of Farm 440, Remainder Farm 441 and Farm 478 near Worcester**

**HM/WORCESTER/FARM 441 /FARM 478**

**Case No:** 120229ZS31

A Heritage Impact Assessment prepared Jonathan Kaplan, dated May 2012 was tabled.

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

Mr Zwelibanzi Shiceka made a power-point presentation.

**Final Comment**

The proposed expansion of the free-range chicken facility is supported. However, the chicken huts 11 and 12 must be relocated so as to avoid the archaeological sites identified, as per the recommendations of the consultant. The roofs of the chicken huts should be non-reflective.

**ZS**
SECOND SESSION: TEAM WEST PRESENTATION

W 8 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W 8.1 Proposed Development (Shopping Centre), Erf 2090, Beacon Way, Off N2 National Road, Plettenberg Bay
HM/PLETTENBERG BAY/ERF 2090

Case No: 120521JW17JW

A Notification of Intent to Develop prepared by Stephan De Kock, dated May 2012 was tabled

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

Mr Jonathan Windvogel made a power-point presentation

In discussion it was noted that:
• Some members of the committee argued that the location of the gateway site gave it heritage-related significance
• The site is located between a shopping centre and a single residential suburb.
• The core of an outbuilding is considered to be older than 60 years.
• Shopping centre will change the character of the gateway

Decision
The Committee agreed that this matter could not be resolved on until more information was received in respect of the building which is more than 60 years old. Accordingly supplementary information (to the NID) regarding the significance of this building (and any other element including vegetation/trees) is required. In effect, a heritage statement on the identified sixty year-old building is required.

The Committee agreed that the staff could make the necessary decision.

W 9 SECTION 38(1) INTERIM COMMENT
W 9.1 None

W 10 SECTION 38(4) RECORD OF DECISION

W.10.1 Proposed Commercial Development, Touchstone House, Erven 1514/5/6/8/9 & 1520, Corner Mechau and Bree Street, Cape Town: Section 38(4) HM/CAPE TOWN/Erven 1514/5/6/1518/9 & 1520

Case No: X120523TG20D

Revised plans prepared by EHH Architects were tabled

It appeared to the committee that the drawings were unchanged from the previous decision. Accordingly, no decision could be made.

TG

W 11 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W.11.1 Tokia Homestead, Table Mountain, National Park, Tokai HM/CAPE TOWN/ERVEN 1514/5/6/1518/9 & 1520

Case No: X120523TG20D

Draft Tokai Manor Precinct Plans was tabled

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

Interim Comment
Subject to the concerns noted below, the Committee resolved to endorse the overall precinct plans. The Committee also resolved to endorse the siting of the new TMNP head office. And the Committee endorsed the principle of integrated and comprehensive detailed plans and impact assessments for the core heritage precinct and the associated sub-precincts.

The Committee noted concerns regarding historical archaeology and the concern of one member in respect of the diagonal geometries of some parts of the concept plan.
The interested members of this committee will attend the TMNP presentation to BELCom meeting to be held on 20 June 2012.

TG

W 12  SECTION 38(8) NEMA INTRIM COMMENTS

W.12.1 Proposed Borrow Pit located along Divisional Road 5901, South Cape Uniondale
HM/SOUTH CAPE UNIONDALE/DIVISIONAL ROAD 5901

A Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled

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

Mr Troy Smuts made a power-point presentation

Interim Comment
The Committee was unable to resolve on this matter in the absence of adequate information in respect of the so-called "Bain’s Cottage". The Committee also requires details of the consultation with the owner of the cottage regarding its significance and the impact of the borrow pit on this building.

TS

W 13  SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

W.13.1 Proposed Development, Erf 2669, 22144, Rem Erf 1, Caledon
HM/CALEDON/ERF 2669, 22144, REM ERF 1

Case No: 110715JW18JW

A Heritage Impact Assessment and accompanying VIA, both prepared by Kathy Dumbrell, dated 10 May 2012, were tabled

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

Mr Jonathan Windvogel made a power-point presentation

Final Comment
The Committee resolved that the development may proceed subject to the following:
- The row of 12 single dwelling erven and the tail of the general residential zone bordering on the N2 should be omitted in order to respect the scenic route qualities and gateway sense of arrival to the town.
- The cul de sac ends of roadways on the north and west of the site should be zoned as public open space and developed as such.

JW
W.13.2 Proposed Five Additional Dwellings Units and Road Upgrade on Farm 633, Farm 273 PTN 10 and Farm 344 PTN 3, Swellendam  
HM/SWELLENDAM/FARM 633, FARM 273 PTN 10 AND FARM 344 PTN 3  

Case No: 110915JB11  

A Heritage Impact Assessment with an integrated set of recommendations prepared by PHS Consulting, dated May 2012 was tabled  

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

Mr Troy Smuts made a power-point presentation  

It was noted that:  
• Some of the findings were discovered in the rubble of post holes indicating the possible presence of subsurface material  
• There is a low possibility for petrified fossil teeth, bone and wood may be found in alluvial terrace deposits.  

Final Comment  
HWC has no objection to the proposed development. The preferred alternative 1 is endorsed; and the recommendation that the dwelling units of 120 sq.m should be single story and of natural colors and material is also endorsed. The archaeological monitoring referred to in the HIA is deemed unnecessary.  

TS  

W.13.3 Proposed Expansion of an Existing Borrow Pit located along Divisional Road 1660, South Cape Uniondale (Move to W13.3)  
HM/SOUTH CAPE UNIONDALE/DIVISIONAL ROAD 1660  

A Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled  

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

Mr Troy Smuts made a power-point presentation  

Final Comment  
HWC has no objection to the proposed development  

TS  

W.13.4 Proposed Expansion of an Existing Borrow Pit located along Divisional Road 1837, South Cape Uniondale  
HM/SOUTH CAPE UNIONDALE/DIVISIONAL ROAD 1837  

A Heritage Impact Assessment prepared by Vidamemoria Heritage Consultants, dated 25 April 2012 was tabled  

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

Mr Troy Smuts made a power-point presentation
Final Comment
HWC has no objection to the proposed development

TS

W 14  SECTION 38(8) MPA ENVIRONMENTAL PLAN RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP
W.14.1  None

W 15  SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT
W 15.1  None

W 16  SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT
W 16.1  None

W 17  SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP
W 17.1  None

W 18  SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT
W 18.1  None

W 19  SECTION 38(8) OTHER LEGISLATION FINAL COMMENT
W 19.1  None

20.  OTHER
20.1  None

21  Adoption of decisions and resolutions
21.1  The Committee agreed to adopt the decisions and resolutions.

22.  CLOSURE – 16H30

23.  DATE OF NEXT MEETING: 11 July 2012

CHAIRPERSON____________________ DATE__________________

SECRETARY_______________________ DATE__________________