

**Adopted Resolutions and Decisions of the Meeting of the Impact Assessment
Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 9 September 2020**



MATTERS DISCUSSED

11. SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP (NID)

11.1 None

12 SECTION 38(1), INTERIM COMMENT

**12.1 Proposed Expansion and Resurfacing of an Existing Road, Re of Erf 645, Village Green, Stanford:
NM
HM/OVERBERG/ OVERSTRAND/STANFORD /RE OF ERF 645**

Case No: 20062606KB0807E

RECORD OF DECISION:

The Committee approved the application as per the revised proposal indicated on pgs 26-32 of the Heritage Report dated August 2020, on condition that a landscape architect with heritage experience is engaged in the implementation of the proposal and that a close-out report is submitted to HWC.

KB

13 SECTION 38(4) RECORD OF DECISION (ROD)

**13.1 Proposed Redevelopment of Site, Erven 186 and 187, Corner DF Malan Street and Hertzog
Boulevard, Cape Town:
HM/CAPE TOWN METROPOLITAN/CAPE TOWN CBD/ERVEN 186 & 187 ROGGEBAAI**

Case No: 18100908AS1011E

RECORD OF DECISION:

The Committee confirmed that a quorum of four members remained in the meeting and noted that one member dissented from the decision of the Committee.

The majority of the Committee supported the proposals on condition that more detailed resolution of Building No.2 on the Plaza is submitted for HWC review and comment at Spatial Development Plan (SDP) level.

TZ

**13.2 Proposed Residential Development, Erven 64295, 64296 And 64297, Corner Main & Braeside Road, Kenilworth: MA
HM/CAPE TOWN METROPOLITAN/ KENILWORTH/ERVEN 64295, 64296 AND 64297**

Case No: 16090111AS0914M

RECORD OF DECISION:

The Committee resolved to ratify the decision taken via round -robin email dated 4 September 2020.

SB

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

14.1 None

15 SECTION 38(8) NEMA INTERIM COMMENTS

**15.1 Proposed Kleinkrantz Sand Quarry, Farm 191 Portion 3, Sedgefield: MA
HM/ SEDGEFIELD / FARM 191 PORTION 3**

Case No: 19051606SB0521E

Response to Interim Comment prepared by ASHA Consulting, Jayson Orton was tabled.

FINAL COMMENT:

The Committee endorsed and supported the proposal as per the Heritage Report dated 14 December 2019.

SB

**15.2 Proposed Penhill Greenfields Development Project, Portion of Welmoed Estate, Eerste River: MA
HM/EERSTE RIVER/PENHILL ESTATE**

Case No: 20040705SB0707E

REVISED FINAL COMMENT:

The Committee supported the proposal as indicated in the amended HIA report dated June 2020.

SB

**15.3 Proposed Development of a New House, Entertainment Area and Caretaker Cottage on Portion 6 of the Farm Mosselbank Fontein 496, Riversdale: NM
HM/ EDEN/ RIVERSDALE/ PTN 6/496**

Case No: 20070607SB0707E

INTERIM COMMENT:

The Committee resolved that HIA submitted by ACRM dated July 2020 does not satisfy the requirements of S.38(3) of the NHRA. Given this, the consultant is requested to attend to the following:

1. An assessment of the existing and proposed built form as well as an assessment of the existing sense of place and cultural landscape qualities of the site and of the broader coast line.
2. The HIA should include design indicators and informants arising from the above study.
3. It is recommended that a heritage consultant with particular expertise in vernacular architecture of the area provide input in this regard.
4. A Conservation Management Plan (CMP) for the site is required, considering especially the significant shell midden located on the property.

SB

**15.4 Proposed New Residential Development, Paarl Valleij on proposed Erf 1, Farm Valleij North Farms, Paarl: NM
HM/CAPE WINELANDS/ DRAKENSTEIN/ PAARL / REM ERF 80 & 81, REM 103, 105, 123, 139, 154-159, 7167, 14747 & 15219 (ERF 1)**

Case No: 19021801HB0417E

FINAL COMMENT:

The Committee decided the following:

1. That the HIA satisfied the requirements of S.38(3) of the NHRA.
2. That there were no heritage resources on the property.
3. That the proposed development will not have an impact on the broader cultural landscape.
4. That the following recommendations contained in the HIA be supported:
 - a. In accordance with HWC's requirements as stipulated in their response dated 7 May 2019 to the Notice of Intent to Develop (NID) application submitted by the author, this report has addressed the requirement that a HIA be prepared with specific reference to the following:
 - i. An archaeological study;
 - ii. Visual impacts of the proposed development in terms of location, massing, scale, form, height, and architectural character on the existing cultural landscape; and
 - iii. A final detailed Site Development Plan (SDP) which responds to the heritage design indicators identified in the HIA and illustrated by use of photomontages.
 - b. The archaeological aspects have been investigated in the form of an archaeological study (Annexure 04) while a Visual Impact Assessment (Annexure 06), and a Site Development Plan responding to a range of both written and graphic heritage design indicators are included in this report. In addition to this (though not specifically required by HWC), this report includes the findings of a soil survey (Annexure 02) and a socio-economic study (Annexure 10).

- c. Spatial impacts have been assessed in both visual and heritage terms informed by a landscape analysis supported by diagrams, a VIA study, the findings of which have been integrated into this report, and heritage indicators underpinned by a heritage statement.
- d. In terms of the findings of these various studies, heritage impacts from the development proposals can be kept within acceptable levels with mitigation. This is underpinned by development proposals that, once appropriately mitigated, will be in conformance with the heritage indicators in this report. The development is further supported by the conditional findings of the VIA report and the archaeological assessment that has established no significant impacts on pre-colonial archaeological heritage. Further support for the development is provided by the Socio-Economic study.
- e. Given these factors, it is recommended that the development proposals be endorsed substantially in accordance with the SDP as indicated in Figures 19 and 20 read in conjunction with Diagrams 01 to 05, – all from this report, but subject to the following conditions:
 - i. Landscape Plan: A detailed landscape plan be prepared by a registered landscape architect to the approval of Drakenstein Municipality (Spatial Planning & Heritage). This must indicate inter alia, the extent, location and design of the following:
 - Existing vegetation to be retained or removed, indicating the types of all vegetation and trees;
 - All proposed newly planted vegetation, including types (species) and planting specifications;
 - Tree staking details;
 - The size of all trees to be planted (roots to be established in min 80 – 100 L size container) with a clear stem height of 1.8 m minimum, and a minimum girth of approximately 60 mm);
 - Density of plant species/plant mixes, size of plants to be planted;
 - Existing and finished ground levels at the base of the trees to be retained/planted;
 - All landscaping features, including fences, free-standing walls & retaining walls, paving, street furniture and lighting (fencing to be in accordance with the Architect’s Comment: 7.1.6a) informed by Heritage Indicator 6; and lighting to be in accordance with Condition iv) overleaf;
 - All Sustainable Urban Drainage Systems (SUDS), including cross-sections of storm-water;
 - Ponds and/or swales;
 - Irrigation plan (alternative water sources to be indicated); and
 - Phasing and timing of implementation, including a twelve-month establishment period.
 - ii. Construction Phase Environment Management Plan (CEMP): A CEMP is to be prepared and implemented to ensure sound environmental management of the site during the Construction Phase.
 - iii. Landscaping Mitigation: Operational Phase:
 - Landscape Buffers: In addition to retaining the existing vineyards below the 100-year flood line, ensure that an ecological corridor is retained along the Berg River edge sufficiently planted with riparian species. No built features should be allowed within this strip.

- Internal Roadways, Circulation & Drainage: The detailing of internal roadways must reflect a rural character – without heavily engineered solutions for kerbs and channels; favouring rather gravel, exposed aggregate or brick pavers, with earth channels and swales for storm-water run-off where possible. Landscaping must include storm-water management through ‘soft’ engineering of the site (incorporating the principles of sustainable urban drainage and water sensitive urban design) for driveways, roadways, parking courts and other hard surfaces.
 - Open Spaces and ‘Informality’: Green open spaces must remain clear of ‘clutter’ (signage, lighting, service infrastructures, etc). Maintenance of these areas must form a continuous system that connects the site into the broader cultural landscape, reflecting the patterns of the agrarian environment (for example – orchards, vineyards, hedgerows and planted avenues).
 - Berms Dams & Wetlands (where applicable): Berms, dam and wetland features must be incorporated in a manner which is sensitive to the natural landform. Steep, trapezoidal berms and other landforms of rectilinear geometries that appear heavily ‘engineered’ must be avoided. Indigenous vegetation consistent with the botanical assessment report must be integrated as a biodiversity corridor along the Berg River riparian zone. Formal avenues of trees within the riparian zone must be avoided in favour of informal clusters of trees and shrubs.
 - Landscape Texture & Colour: Muted colours and ‘earth tones’ and textured surfaces that are more easily absorbed visually are to be used in the landscape design. Bright or highly reflective surfaces are to be avoided. Suitable colours include grey, olive green, ochre, brown, etc. (Refer to on-site geology/rock/soil and vegetation types for examples). Exposed aggregate surfaces for roads are to be used in lieu of asphalt.
- iv. Architectural Design Guidelines: The preparation of architectural design guidelines to ensure that the development does at least conform broadly with the indicators in this report. These architectural guidelines are to be to the approval of Drakenstein Municipality (Spatial Planning & Heritage) and are to include signage guidelines.
 - v. Development Densities along Rural Edges: Reducing development densities to accommodate more green space between building footprints at the interfaces between rural and new development along the east and southeast edges of the development. Also along these same edges: re-orientate gable ends so that they do not face remaining vineyard areas in order to present lower eaves lines to these spaces. This to be to the approval of Drakenstein Municipality (Spatial Planning & Heritage); the purpose being to enable a more appropriately graduated interface between the new residential edge and abutting farmland.
 - vi. Street Lighting: Avoid light standards in favour of low-level lighting bollards and lighting affixed to buildings, particularly along the urban edge and other rural agricultural interfaces. Ensure that all lighting is indirect. Prevail upon the local authority to avoid high mast lighting along the new Van der Stel Freeway when it is constructed. The lighting design to form part of the Landscape Plan (Condition i)) and be subject to the approval of Drakenstein Municipality (Spatial Planning & Heritage).
 - vii. Archaeological Resources: In the event of archaeological material being encountered in the course of the proposed work, the protocols for encountering archaeological material as set out by Heritage Western Cape, and informed by the provisions of Section 35(3) of the National Heritage Resources Act, are to be immediately complied with.

5. That the HIA prepared by ARCON Specialist Heritage dated July 2020 be endorsed.

SB

**15.5 Proposed PV Facility on Farm 155 and Portion 1 of Farm 156, Witzenberg: NM
HM/ CAPE WINELANDS/ WITZENBERG /FARM 155 AND PTN 1 OF FARM 156**

Case No: 20070908SB0727E

FINAL COMMENT:

The Committee endorses the following recommendations of the consultants and supports the HIA as prepared by PGS Heritage dated July 2020:

AIA recommendation:

AIA

1. An archaeological walk down of the final approved layout will be required before construction commence.
2. Implement a 50-meter buffer around all structures with a rating of IIIC and higher
3. Implement a 200-meter buffer around the rock art site at (OYPV-11).
4. Any heritage features of significance identified during this walk down will require formal mitigation or where possible a slight change in design could accommodate such resources.
5. A management plan for the heritage resources needs then to be compiled and approved for implementation during construction and operations.
6. A Chance Finds protocol must be developed that includes the process of work stoppage, site protection, evaluation and informing HWC of such finds and a final process of mitigation implementation.
7. Demarcate the resources rated as IIIC-IIIA no-go areas.

PIA

1. No specialist palaeontological monitoring or mitigation is recommended for this development, pending the potential discovery of significant new fossil material here during the construction phase.
2. The ECO should be made aware of the possibility of important fossil remains (bones, teeth, petrified wood, plant-rich horizons etc.) being found or unearthed during the construction phase of the development.
3. Monitoring for fossil material of all major surface clearance and deeper (>1m) excavations by the Environmental Site Officer on an on-going basis during the construction phase is therefore recommended.
4. Significant fossil finds should be safeguarded and reported at the earliest opportunity to Heritage Western Cape for recording and sampling by a professional palaeontologist (Contact details: Heritage Western Cape. Protea Assurance Building, Green Market Square, Cape Town 8000. Private Bag X9067, Cape Town 8001. Tel: 086-142 142. Fax: 021-483 9842. Email: hwc@pgwc.gov.za).
5. A protocol for Chance Fossil Finds is appended to the PIA report.

CLA

1. Land use patterns:
 - 1.1. The patterns of current land use are to be left in place as far possible including

current fence layouts and wind pumps should have a 50m buffer from any new development.

- 1.2. Existing roads to be used as far as possible without extreme widening and new farm tracks must be minimised.
- 1.3. The impact on the land use patterns is neutral if done within the development threshold and will be read as a new, potentially positive, layer of land use.
2. Historic roads and farm tracks:
 - 2.1 Existing historic roads must be maintained as close to current state as possible.
 - 2.2 Widening, guttering, road verges, hardening should be reduced as far as possible.
 - 2.3 The most significant historic roads, the Grand Trunk Road and the tracks leading to old farmsteads such as the Baakens Rivier farmstead and the farmstead at "Fontein" in the Gats Rivier CLA should be maintained as close to current state as possible.
 - 2.4 Construction traffic must be reduced in amount and weight as far as is possible to accommodate the width and strength of the roads as they currently exist.
 - 2.5 Strengthening of any stone retaining walls must be done without reducing the aesthetic and authenticity of the stone structure. Their structural authenticity and aesthetic, which shows their historical and technical heritage significance should be kept as a tangible signature on the landscape and they should be read on the landscape as historic stone retaining walls.
 - 2.6 Existing roads must be used as far as possible and minimally altered.
3. Watercourses:
 - 3.1 Watercourses and confluences must have a buffer of 100m for any development on either side.
 - 3.2 The development buffer along the watercourse adjacent to an identified no-go area must be 200m.
4. Watercourse and road intersections:
 - 4.1 Existing watercourse and road intersections must be maintained as close to current state as possible.
 - 4.2 Existing patterns must be maintained and current points of crossing to be used for new development.
 - 4.3 Strengthening of any crossings must be done without reducing the aesthetic and authenticity of the current site.
5. Perceptual qualities during all phases:
 - 5.1 Development of solar PV facility must be located so that views onto it from the surrounding area, historic routes or the significant CLA's identified in the report are minimised.
 - 5.2 Development must be concentrated on lower valley areas away from ridge slopes and visual intrusion minimised by utilising slope angles, valley undulations and prevalent travel directions to hide development from viewpoints such as historic routes or historic farmsteads that are still utilised, such as Baakens Riviers and Gats Rivier tourism accommodation. All guesthouses are buffered, and the ridgeline is excluded from the study area.
6. General for final design layout:
 - 6.1 Review of the CLA once the PV panel and access road layout has been completed and before construction.
 - 6.2 Foot survey of specific sites of panels, cabling and roads before construction on completion of final design layout.

6.3 Work plan for management of heritage resources and cultural landscape elements during construction, operational and decommissioning phase to be included in the CMP.

6.4 Work plan to be approved by HWC with comment from heritage practitioner, cultural landscapes specialist (for CL elements).

SB

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

16.1 None

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 27 PROVINCIAL HERITAGE SITES

**23.1 Maintenance and Upgrades, Bains Kloof Pass, Wellington: MA
HM/ CAPE WINELANDS/ DRAKENSTINE/ WELLINGTON/ BAINS KLOOF PASS**

Case No: 19050303SB0619E

RECORD OF DECISION:

The Committee endorsed the Desktop Archaeological Study and the CMP, as well as the landscape proposals and guidelines.

The Committee resolved to approve the application for S27 permit subject to the submission of a Draft CMP within 90 days. A landscape architect with heritage experience be involved in monitoring implementation. A close-out report is required at the end of this process.

SB

24 SECTION 42 HERITAGE AGREEMENT

24.1 None

25. ADVICE

25.1 None

26. OTHER

**26.1 Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A
Waterfront: MA
HM/CAPE TOWN METROPOLITAN/ WATERFRONT/ERVEN 149294 AND 9588**

Case No: 15110515GT1110E

FURTHER REQUIREMENTS:

The Committee requires the applicant to address and resolve the issues raised above and to integrate these into the CMP and heritage agreement and to submit an updated document to HWC for APM and IACom consideration.

SB

27 Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions as minuted above.