

**Approved Minutes of the Meeting of the Impact Assessment Committee
of Heritage Western Cape held on Wednesday, 13 July 2016, at the 1st Floor
Boardroom, Protea Assurance Building, Green Market Square, Cape Town,
at 09h00**

1. Opening and Welcome

The Chairperson, Ms Cindy Postlethwayt opened the meeting at 09H05 and welcomed everyone present.

2. Attendance

Members

Ms Cindy Postlethwayt (Chairperson) (CP)
Dr Lita Webley (LW)
Dr Piet Claassen (PC)
Mr Tim Hart (TH)
Mr Chris Snelling (CSn)
Mr Frik Vermeulen (FV)
Mr Quinton Lawson (QL)

Staff

Ms Colette Scheermeyer (CS)
Mr Zwelibanzi Shiceka (ZS)
Ms Penny Meyer (PM)
Mr Guy Thomas (GT)
Ms Katherine Robinson (KR)
Mr Andrew September (AS)
Ms Heidi Boise (HB)
Mr Jonathan Windvogel (JW)
Ms Waseefa Dhansay (WD)
Mr Olwethu Dlova (OD)
Ms Lithalethu Mshoti (LM)

Observers

None

Visitors

Mrs Bridget O'Donoghue (BOD)
Mr Peter Stuart (PS)
Mrs Helen Seaman (HS)
Mr Andy Bosch (AB)
Mr Vernon Viljoen (VV)
Mr Andreas Lehmacher (AL)
Mr David Talbot (DT)
Mr Alastair Rendall (AR)

Mr Louwrens Botha (LB)
Dr Stephen Townsend (ST)
Ms Claire Burgess (CB)
Mr Graham Jacobs (GJ)
Mrs Yvonne Leibman (YL)
Mr Armand Botes (AB)
Mr Henry Aikman (HA)

3. Apologies

Ms Quahnita Samie (QS)
Ms Corlie Smart (CSm)
Ms Mary Leslie (ML)
Mr Siphwiwo Mavumengwana (SM)
Mr Steven Walker (SW)
Mr Mxolisi Dlamuka (MD)

4. Approval of the Agenda

4.1 Dated 13 July 2016

The Committee resolved to approve the agenda dated 13 July 2016 with amendments.

5. Approval of Minutes of Previous Meeting

5.1 Dated 8 June 2016

The Committee agreed to adopt the minutes with no amendments.

6 Disclosure of Interest

- CSN: 13.2, 13.3, 13.5
- LW: 12.1, 13.1, 16.1 and 16.2
- TH: 12.1, 13.1, 16.1 and 16.2
- QL: 9.3, 13.1 and 16.5
- FV: 13.1 and 13.3
- CP: 15.1

It was noted that due to the number of apologies and recusals, the quorum of 7 would not be achieved for some items and that ratification by e-mail would be required.

7. Confidential Matters

7.1 None.

8. Appointments

8.1 None.

9 Administrative Matters

9.1 Outcome of the Appeals, Tribunal Committees and Court Cases

PM reported on the outcome of the following matters:

- 3 Howe Street, Observatory: PM to circulate the legal opinion to Committee members.
- 3223 and 2988, Erven 106 and 108 Kloof Street, Oranjezicht.

PM

9.2 Draft Guidelines for HIA's

It was noted that the final guidelines have been approved by Council.

CP

9.3 Shale Gas Exploration SEA

It was noted that the Administration will submit comments in accordance with the requirements of the SEA process. Committee members should submit individual comments to CSc by Friday 15 July 2016.

10 Standing Items

10.1 Site Inspections

10.1.1 RE of Portion 12 of Vergenoegd Farm No. 653, Somerset West

- WD reported back on the site visit which included FV, CSn and ML.
- It was noted that neither the consultants nor the I& AP's were present at the site visit.

PM

10.2 Report back from ExCo, Council and any other Committees

None.

PC/JL

MATTERS TO BE DISCUSSED

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

11.1 None

12 SECTION 38(1) INTERIM COMMENT

12.1 Re of Portion 12 of the Vergenoegd Farm No 653 - Proposed Development: MA HM/ CAPE TOWN METROPOLITAN/ SOMERSET WEST/ RE OF PORTION 12 OF THE VERGENOEGD FARM NO 653

Case No: 16012507WD0210M

Report back on the site inspection conducted by FV, CSn and ML.

TH and LW recused themselves. Accordingly there was no quorum and the recommended comment will have to be ratified by e-mail.

Ms Bridget O'Donoghue and Mr Peter Stuart were present and participated in the discussion.

RECOMMENDED INTERIM COMMENT

The report back from Committee members and staff who attended the site visit was noted.

This comment by Committee cannot be considered a formal endorsement of any of the development options, but is made in order to provide guidance for further phases of the HIA.

The additional information provided by the AIA has been particularly useful in understanding the significance of the site. The relatively undisturbed nature of the werf would suggest that there are areas that would have a very high archaeological significance, but there are no superficial indications as to which areas should be tested. Any disturbance of the werf should be monitored by the archaeologist.

It is clear that the authenticity of the werf is a very important component of its significance. This can be easily undermined by any development within or in the vicinity of the werf. It would be useful if this was included more specifically in the indicators in order to assess the potential for impacts of the proposed development.

The Committee was of the view that extending the Grade II significance to comprise the entire werf, including the cellars and the additions to the cellars would be appropriate. This should be taken into consideration in the assessment of impacts.

The Committee was of the view that development to the north and south of the formally identified werf can be more easily considered than development to the east and west. In particular the proposed restaurant included in all the options to the west of the werf would be difficult to support since it is likely to interfere with an iconic view of the werf.

The Committee is of the opinion that option 1 would be unlikely to be supported.

Notwithstanding the proposed industrial development to the north, the Committee was of the opinion that option 3 may be preferable to option 2 in that the buildings proposed within the vineyard landscape may be more easily visually absorbed. There may be more opportunities for development south of the werf and the dam without negative impacts.

Some concerns were expressed regarding the proposed infill development within the secondary werf. It was recommended that detailed heritage resource indicators are expanded provided for this area in order to test proposed development in this area against the very high significance of the site, and surrounding context

It was noted that urgent repairs are required. It is suggested that as such work would not impact on the character of the site these can be proposed in terms of a separate S34 or 27 permit application (as the case may be) to be made in consultation with Colette Scheermeyer and the case officer, Waseefa Dhansay.

WD

13 SECTION 38(4) RECORD OF DECISION

13.1 Constantia Uitsig Revised Outbuilding Layout For Erven 9795 And 3025, Constantia Uitsig: MA HM/CAPE TOWN METROPOLITAN/CONSTANTIA/CONSTANTIA UITSIG Case No: 141021605AS1029M

Revised Outbuilding Plans and Comments from I&APs were tabled.

Mr Andrew September made a power-point presentation.

Messrs Henry Aikman and Hannes Bouwer were present and participated in the discussion.

TH, LW, FV and QL recused themselves for this item. Accordingly there was no quorum and the recommended decision will have to be ratified by e-mail.

In discussion it was noted that:

- The proposed changes are considered to be minor with no substantial impact.
- The comments of the I&AP's are noted.

RECOMMENDED DECISION

The Committee approves the revised layout of the outbuildings as per the submission.

AJ

13.2 Proposed Development on Erf 148055, 54 Tennant Road, Wynberg: MA HM/CAPE TOWN METROPOLITAN/WYNBERG/ERF 148055

Case No: 15120915AS1214M

A revised proposal with supporting documentation and assessment by Mr Chris Snelling was tabled.

Mr Andrew September made a power-point presentation.

CSn recused himself for this item. Accordingly there was no quorum and the recommended decision will have to be ratified by e-mail.

In discussion it was noted that:

- The revised proposals have dealt effectively with the concerns regarding the interface between Palm House and the new development, specifically from the Tenant Road façade. Although the setback does not extend along the full length of the adjoining proposed building, the projection will be at some distance from the street and is considered not to impact negatively at this interface.
- Any future alteration and /or additions to Palm House must be submitted to HWC for approval in terms of S34 of the NHRA.

RECOMMENDED RECORD OF DECISION

The Committee endorses the HIA and additional report as having met the requirements of S38 (3) of the NHRA. The proposed option 3 is approved subject to the following conditions:

- Final drawings are to be substantially in accordance with those submitted in the HIA and additional report.
- Prior to submission to the CoCT the final drawings must be submitted for endorsement by HWC officials. These final drawings must include a landscaped site development plan prepared by a recognised landscape architect.

AJ

13.3 ERF 19506 SOMERSET WEST, PAARDEVLEI, REPORT: NM

HM/SOMERSET WEST/PAARDEVLEI/ERF 19506

Case No: 16052302

A Report prepared by Aikman Associates and a landscape plan were tabled.

Mr Jonathan Windvogel made a power-point presentation

Messrs Henry Aikman, David Talbot, Andreas Lehmacher and Armand Botes were present and participated in the discussion.

FV and CSn recused themselves for this item. Accordingly there was no quorum and the recommended comment will have to be ratified by e-mail.

In discussion it was noted that:

- The previous IACom recommended that the entire Crescent should be considered of Grade II significance. In this respect the geometries and the quality of place in a landscaped setting were of primary importance.
- The proposed additional unit was not considered to impact negatively upon the heritage significance of the site.
- It is understood that although not reflected on the 3D figures, the roof pitch of all the proposed additional dwellings would conform to the approved heritage indicators.
- The Committee was concerned that the deviations from the approved layout specifically in respect of the fencing along the length of De Beers Avenue and the new access road between two of the historic structures would impact upon the significance of the site.

RECOMMENDED INTERIM COMMENT

The Committee recommends that a revised layout be submitted specifically addressing concerns expressed in relation to the De Beers Avenue interface and the proposed access to the historic properties. This should be assessed by the heritage consultant against the significance of the heritage resource.

JW

13.4 Erf 1, Farm Uitkamp 189, Clara Anna Fontein Werf - Vissershok Road, Durbanville: NM HM/ CAPE TOWN METROPOLITAN/ DURBANVILLE/ CLARA ANNA FONTEIN, FARM UITKAMP PORTION 18 (PORTION OF PORTION 17) OF FARM UITKAMP NO 189

Case No: 16032208WD

A Heritage Impact Assessment prepared by Arcon; CoCT comment; I&APs comment and additional Information were tabled.

Ms Waseefa Dhansay made a power-point presentation.

Mr Graham Jacobs was present and took part in the discussion.

In discussion it was noted that:

- The HIA makes no specific recommendations in respect of a grading of the werf as a whole. The Committee supports the CoCT proposed grading of III A for the werf, specifically in respect of its historical associations.
- The comments of the I&AP's have been noted.

RECORD OF DECISION

The Committee approves this HIA as meeting the requirements of NHRA S.38 (3). The proposed development is approved subject to:

- an integrated landscape plan being prepared for the werf generally in accordance with the wider Clara Anna Fontein Joint Venture Master Landscape Plan Dwg No 505236/12 dated 14 12 2015, that should also include the following:
 - The locations of mature trees to be removed, the species of replacement trees to be used, and indicating where these trees are to be planted. Of particular interest are the sites around the new clubhouse extension, fitness centre, and the new formalized parking area on the southern edge of the werf; and
 - The nature of the new plants, surface finishes and paving to be used.
- The detailed proposals for the alterations to the manor house including amendments to the proposed interior wall openings be submitted to HWC, taking into account the commentary contained in Section 9.4.2 of the HIA and the concerns of VASSA as recorded in Section 10 of this report;
- The work to the manor house and its interface with the new extension be monitored by an architect with appropriate heritage experience, with a close out report submitted to HWC within 30 days of practical completion; and
- An archaeological monitoring brief be conducted by an appropriately qualified historical archaeologist of excavations in the vicinity of the 'Long House' and new fitness centre, and within the front garden of the manor house. Furthermore, that should any archaeological remains be uncovered during construction on any parts of the werf, that the work be stopped and HWC immediately notified in terms of NHRA S.35(3). A monitoring report must be submitted to HWC.

WD

13.5 Proposed Retirement Estate on Erven 1098, 1099, 1120 And 13753, Schoenstatt Estate, Constantia: NM HM/CAPE TOWN METROPOLITAN/COSNTANTIA/SCHOENSTATT

Case No: 15052005AS0525M

An Executive Summary and HIA were tabled.

Mr Andrew September made a power-point presentation.

Dr Stephen Townsend; Messrs Andy Bosch, Alastair Rendall,; and Ms Helen Seaman, and Ms Claire Burgess representing the applicant; and Ms Yvonne Leibman representing the CRRRA, were present and took part in the discussion.

CSn recused himself for this item. Accordingly there was no quorum and the recommended comment will have to be ratified by e-mail.

In discussion it was noted that:

- The HIA as submitted did not provide sufficient graphic information to clearly understand the primary heritage resources, the nature of their significance and the potential for impacts thereon.
- There appears to have been some confusion regarding the specific requirement for comment on the HIA from the CRRA (known formerly as the CPOA). Ms Leibman explained her understanding of the process. The CRRA would welcome an additional opportunity to make specific comment on the HIA. Dr Townsend agreed to provide the additional opportunity to comment.
- Both the applicant, the CRRA representative and Committee members felt the Committee would benefit from a site visit.

RECOMMENDED INTERIM COMMENT

The Committee resolved to conduct a site inspection. (FV, QL and CP)

The Committee requested an addendum to the HIA to be submitted incorporating the following:

- The identification and mapping of all heritage resources on and around the site.
- The proposed grading of all heritage resources on and around the site.
- Heritage indicators and an assessment of the proposal against these indicators. Additional graphic information in this respect would be useful, specifically photomontages illustrating views from and impacts upon the relevant heritage resources.

AS

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

14.1 None.

15 SECTION 38(8) NEMA INTERIM COMMENTS

15.1 Portion of Portion 3 Farm 845, Paarl, Sense de Lieu: NM HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/PTN 3 FARM 845

Case No: 14101401JW1017M

Draft Pre-application Heritage Scoping Report prepared by Cindy Postlethwayt was tabled.

CP recused herself and FV took the chair for this item. Accordingly there was no quorum and the recommended comment will have to be ratified by e-mail.

Mr Jonathan Windvogel made a power-point presentation.

In discussion it was noted that:

- The site is located within the amended Drakenstein SDF urban edge
- No visual indicators have been identified by the visual specialist yet and would be important in informing the development proposal.
- Consideration should be given to the location of the site on the urban periphery and development should respond to the scenic qualities of the R301 and protection of mountain views.

- Although at a preliminary stage, the Committee felt the indicative development proposal, as tabled, does not appear to respond to the initial heritage resource indicators, or the Grade III C heritage context within which the site is located.

RECOMMENDED INTERIM RESPONSE

The Committee supported the identification of heritage resources and heritage indicators contained in the scoping report.

JW

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

16.1 Proposed 400/132KV Main Transmission Substation for Eskom Narina Substation and Line Project, Blanco George: NM HM/EDEN/GEORGE/BLANCO/ESKOM NARINA SUBSTATION

Case No: 15033005AS0331M

A Heritage Impact Assessment, Visual Impact Assessment, Archaeological Reports and EMPR Description were tabled.

LW and TH recused themselves. Accordingly there was no quorum and the recommended comment will have to be ratified by e-mail.

Mr Andrew September made a power-point presentation.

In discussion it was noted that:

- Written comments were provided in respect of archaeological aspects by Mary Leslie and these comments were read out to the Committee.
- There are no reasons in terms of archaeology to exclude any of the seven alternatives for a proposed power-line and substation. It is noted that the few Stone Age archaeological sites are of low significance and do not require mitigation.

RECOMMENDED FINAL COMMENT

The provisions of section 38(3) of the NHRA have been met. The Committee supports the recommendations of the HIA, subject to the following:

- Alternative 3 is identified as the preferred alternative
- The archaeologist must be informed of the selected substation site and powerline route in order to determine if a walk down must be undertaken.
- If any unmarked graves containing human remains are recognised during the construction phase, the site should be cordoned off and an archaeologist must be contacted to undertake an investigation.
- The positions of all identified and affected cemeteries must be noted when selecting the final substation site and powerline route.
- The mitigation measures as stipulated in the VIA are adhered to in line with selected alternative.

AS

**16.2 Proposed New Abalone Farms on Rem Doornbaai 421, Farm 415, Farm 424 and Farm 425, Doringbaai, Matzikama: NM
HM\WEST COAST\MATZIKAMA\DORINGBAAI\ABELONE FARMS**

Case No: 16020301GT0204E

A Heritage Impact Assessment prepared by ACO, dated June 2016 was tabled.

The item was withdrawn from the agenda. The officials will provide comment within the timeframes provided by the EAP.

GT

**16.3 Proposed Borrow Pit (Mr00587/73,3/R/200/B) on Vliege Kraal 56/2, Murraysburg: NM
HM\CENTRAL KAROO\MURRAYSBURG\MR587/73,3/0,2R**

Case No: 15040126GT0422E

Executive Summary and Heritage Impact Assessment prepared by Jayson Orton, dated 20 June 2016 was tabled.

The item was withdrawn from the agenda. The officials will provide comment within the timeframes provided by the EAP.

GT

**16.4 Proposed Raising of Farm Dam on Farm 428, Ceres: NM
HM\CAPE WINELANDS\WITZENBERG\CERES\FARM 428**

Case No: 15110403GT1118E

A Heritage Impact Assessment prepared by Jonathan Kaplan, dated January 2016 was tabled.

The item was withdrawn from the agenda. The officials will provide comment within the timeframes provided by the EAP.

The Committee noted that the report does not make it clear whether the rock art site is to be affected. This matter must be clarified.

GT

**16.5 PROPOSED ELECTRICAL TRANSMISSION LINE AND OTHER SUPPORTING INFRASTRUCTURE FOR VICTORIA WEST WIND ENERGY FARM, CENTRAL KAROO: NM
HM\CENTRAL KAROO/BEAUFORT WEST/VICTORIA WEST WEF**

Case No: 16041315AS0516E

Integrated Heritage Impact Assessment was tabled.

QL recused himself. Accordingly there was no quorum and the recommended comment will have to be ratified by e-mail.

Mr Andrew September made a power-point presentation.

In discussion it was noted that:

- The HIA does not meet the minimum requirements laid down in the HIA guidelines.
- Only a very small portion of the proposed transmission line falls within HWC's area of jurisdiction. Comment is therefore restricted only to this area.

RECOMMENDED FINAL COMMENT

The Committee supports the recommendations of the consultant.

AS

**16.6 Section 24 G Rectification Process for Road on Portion 4 and 7 of Farm 264, Arniston: NM
HM\OVERBERG\CAPE AGULHAS\ARNISTON\PTN 4 AND 7 FARM 264**

Case No: 16030108GT0303E

A Heritage Impact Assessment prepared by Jonathan Kaplan, dated May 2016 was tabled.

The item was withdrawn from the agenda. The officials will provide comment within the timeframes provided by the EAP.

Since this site falls within the area known as Dollas Downs which falls within the Waenuiskrans Cultural Landscape (Grade I NHS) it must be confirmed that SAHRA have had an opportunity to comment on this application.

GT

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 42 – HERITAGE AGREEMENT

23.1 None

24. OTHER

24.1 None

25 Adoption of decisions and resolutions

25.1 The Committee agreed to adopt the decisions and resolutions, of which a number will have to be ratified by e-mail.

26. **CLOSURE – 16:00**

27. **DATE OF NEXT MEETING: 10 August 2016**

CHAIRPERSON _____ **DATE** _____

SECRETARY _____ **DATE** _____