

**Approved minutes of the meeting of the Impact Assessment Committee
of Heritage Western Cape that was held on
Wednesday, 16 January 2013,
in the 1st Floor Boardroom, Protea Assurance Building, Green Market Square, Cape Town at 09h00**

1. Opening and Welcome

The Chairperson, Dr Stephen Townsend, opened the meeting at 09H20 and welcomed everyone present

Attendance

Members

Dr Stephen Townsend
Ms Sarah Winter
Mr David Hart
Mr Roger Joshua
Mr Quinton Lawson
Mr Richard Summers
Mr Piet Louw
Ms Mary Leslie

Staff

Ms Christina Jikelo
Mr Troy Smuts
Mr Olwethu Dlova (TW Sec)
Mr Calvin van Wijk
Mr Jonathan Windvogel
Mr Zwelibanzi Shiceka
Mr Andrew Hall
Ms Tamar Grover

Observers

None

Visitors

Dr Nicolas Baumann
Mr Leonard Raymond
Ms Cindy Postlethwayt
Mr Niel Schwartz
Mr Methuli Mbanjwa
Mr Botha Sileabort
Mr L Kriegler

Mr Graham Jacobs
Mr Ashley Lillie
Ms Barbara Southworth
Mr Charl Cilliers
Dr Kilian Nagemann
Mr K Roogen

Apologies

Ms Sharon de Gois
Mr David Halkett

A concern was voiced with regard to Ms de Gois' repeated apologies; the CEO undertook to ask her about remaining a member of the Committee as this often created quorum problems.

4. Approval of minutes of previous meeting held on 7 December 2012

The Committee agreed to approve the minutes with a minor correction.

5 Conflict of Interest

5.1 None

6. Approval of the Agenda

6.1 The Committee agreed to approve the agenda of the meeting of 16 January 2012 with minor changes.

7 Confidential Matters

7.1 None

8. Appointments

8.1 The Committee noted the appointment of item W.15.7, E.12.1 and W.15.6

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

The CEO gave a verbal report on Tribunal and Appeal matters.

9.2 Formulation of Requirements in respect of Comments and Decisions

Mr Summers explained the intentions of the document he has been working on and will circulate the draft document to members for comment.

RS

9.3 Summaries of Heritage Impact Assessments.

The Committee agreed that the Committee members would submit examples of good and bad summaries to be discussed at the next meeting.

The Committee agreed that this matter must be accelerated to improve accessibility to and use of the website.

ST

9.4 Checklist for Application related decision making.

Council had agreed that the staff would develop a draft checklist and the CEO said that the staff had worked on it at their December workshop and that it would be circulated for comment.

AH

9.5 Unauthorised extension of height of the new Economics Building, UCT Middle Campus

The CEO and the case officer, SD, are to meet with the director of UCT's Physical Planning Unit.

AH

FIRST SESSION: TEAM EAST PRESENTATION

E. 10 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

E. 10.1 None

E. 11 SECTION 38(1) INTERIM COMMENT

E 11.1 None

E 12 SECTION 38(4) RECORD OF DECISION

E.12.1 Proposed Total Demolition and Development of New Office Block, Bree Street, Erven 1283, 1284 and 9230, Cape Town HM/CAPE TOWN/ERVEN 1283, 1284 AND 9230

Case No: 120816ZS14

A Heritage Impact Assessment prepared by Graham Jacobs was tabled

Mr Hart, an employee of the applicant, the City Council, recused himself

Mr Zwelibanzi Shiceka made a power-point presentation

In discussion it was noted that:

- Mr Hart requested that the matter not be considered in order to obtain the views of the City's HRS (Mr Hart insisted that to consider the matter without the comments of the City Council's HRS is contrary to an agreement between HWC and the City Council). The Committee resolved not to delay the matter as the HRS are a component of the applicant, the City Council, the HRS have received the HIA some months ago, and they have been involved in the process through their membership of the CIA's heritage committee.
- The responsible heritage practitioner, Graham Jacobs, was surprised to hear that Mr Hart thought there were concerns about the proposal.
- The CIA has commented on the proposals; and these comments have been responded to in an amended design.

DECISION

The Committee resolved to approve the proposed demolition and to approve Alternative 2 on condition that it be substantially in accordance with the design proposals by EBESA Architects Rev 02 seen by the Committee subject to the following conditions:

- That the detailed designs of the facades and roof-scape of Alternative 2 shall be submitted to HWC for approval before building plans are submitted.
- The excavation of the Buitengracht half of the site shall be monitored by an appropriately skilled archaeologist (to HWC's approval).

ZS

E 13 SECTION 38(8) NEMA RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

E.13.1 None

E 14 SECTION 38(8) NEMA INTERIM COMMENTS

E.14.1None

E 15 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

**E 15.1 Proposed Establishment of the Woseley Wind Farm: MA
HM/WOSELEY WIND FARM**

Case No: 120524SD31D

A Heritage Impact Assessment Report prepared by Lita Webley and David Halkett, dated October 2012 was tabled

Ms Tamar Grover made a power-point presentation

In discussion it was noted that:

- No mitigation is required for the archaeology, however should human remains be unrecovered under the cairns during construction, then work must stop and Heritage Western Cape must be notified.

The Committee resolved not to decide or comment on this matter.

- The Committee resolved to undertake a site inspection on Monday, 11 February 2013 at 09H30 (QL, PL, ST and SW)
- The Committee also requested that the heritage interest parties who had taken considerable interest in the impact of the electrical power-line through the Tulbagh Valley be approached and their interest or lack of interest be explained.

SD

**E.15.2 Proposed Development on Ptn of Rem Erf 27438, Groot Parys, Paarl: MA
HM/PAARL/GROOT PARYS/ERF 27438**

Case No: X121121TG29M

A Heritage Impact Assessment Report prepared by Dr Elzet Albertyn Heritage Consultant and Cindy Postlethwayt, dated November 2012 was tabled

Mr Zwelibanzi Shiceka made a power-point presentation

In discussion it was noted that:

- Paarl 300 and AKSO have no objection to the proposed development
- DHF is not supporting the proposed development

The Committee resolved to undertake a site inspection on Monday, 11 February 2013 (QL, PL, ST and SW)

SD

**E.15.3 Proposed Development of Ptn B of Erf 14275, Klein Parys', Paarl: MA
HM/PAARL/PTN B OF ERF 14575**

Case No: 110719ZS18M

A Heritage Impact Assessment prepared by Cindy Postlethwayt, dated November 2012 was tabled

Mr Zwelibanzi Shiceka made a power-point presentation

The Committee resolved to undertake a site inspection on Monday, 11 February 2013 (QL, PL, ST and SW)

ZS

E 16 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

E.16.1 None

E 17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT

E 17.1 None

E 18 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

E 18.1 None

E 19 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

E 19.1 None

E 20 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

E 20.1 None

E 21 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

E 21.1 None

E 22 Other

E 22.1 None

SECOND SESSION: TEAM WEST PRESENTATION

W 10 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W 10.1 None

W 11 SECTION 38(1) INTERIM COMMENT

W.11.1 None

W 12 SECTION 38(4) RECORD OF DECISION

**W.12.1 Proposed Private Medical Facility, Erven 714 & 715, Cnr Barrie & Davidson Roads, George: NM
HM/GEORGE/ERVEN 714 & 715**

A Heritage Impact Assessment prepared by Stéfan de Kock, dated December 2012 was tabled

Mr Jonathan Windvogel made a power-point presentation

In discussion it was noted that:

- The building is suggested as grade IIIB in the HIA but this is not persuasive
- The site is within the urban edge
- The current use of the site is residential
- The HIA does not make a clear case for the regulated protection of the fairly ordinary 1920s house
- Local Municipality has no objection to the proposed development

DECISION

The Committee has no objections to the proposed development (either alternative) and the development may proceed with or without what is deemed to be a grade IIIC building.

JW

W 13 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

W.13.1 None

W 14 SECTION 38(8) NEMA INTERIM COMMENTS

W.14.1 None

W 15 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

**W.15.1 Proposed Residential Development of Ptn 32 of Farm 222, Stellenbosch, Pixiewood, Brackenfell: MA
HM/BRACKENFELL/FARM 222/PTN 32**

Case No: 110627JW32D

Landscape Plan to be tabled in order to satisfy a condition imposed at the time the HIA was approved.

Mr Jonathan Windvogel made a power-point presentation

FINAL COMMENT

The Committee supported the landscape plan.

JW

**W 15.2 Proposed Zen Wind Energy Facility, Tulbagh: NM
HM/TULBAGH/ZEN WIND ENERGY FACILITY**

A Heritage Impact Assessment prepared by Jason Orton, dated 9 November 2012 was tabled

Mr Troy Smuts made a power-point presentation

In discussion regarding the archaeological resources it was noted that:

- If the archaeological sites identified are impacted by the development mitigation is required.
- Should dense scatters of Early Stone Age artefacts (identified in Figure 12, page 16 of the HIA report) be impacted then mitigation should entail in situ recording of the material to create a record of the artefacts and technology.
- No Later Stone Age sites were found in the immediate WEF area but should any be located they would require some degree of formal excavation.
- There should have been a palaeontological statement with a map of the location of site as per the HIA: Langhoogte wind farm, between Botrivier and Caledon, Overberg, but this had not been required in the HIA, It is not required at this point.

INTERIM COMMENT

The Committee resolved not to deal with the matter and require that the Visual Impact Assessment deal explicitly with the visual impacts on and from the historical core of Saron and on and from any historical homestead within 5km of the turbines. Furthermore the Committee requires that assessment of the visual impacts be made by an appropriately qualified and experienced professional with respect to visual impacts on cultural landscape. Furthermore, the Committee requested that the comment in respect of heritage of parties in Saron be obtained.

The Committee regards the core (church precinct) of Saron to be a potential of grade II.

TS

**W 15.3 Proposed Clanwilliam Intersection Upgrade on National route N7 Section 3
from approximately KM 127 to KM 128: MA**

Case No: 120823JL13E

A Heritage Impact Assessment prepared by Dave Halkett, dated November 2012 to be tabled

Mr Troy Smuts made a power-point presentation

FINAL COMMENT

The Committee has no objection to the development and the development may proceed. The recommendations of the archaeologist and palaeontologist must be complied with, these include:

- The informal and possible cemetery must be demarcated so not to be impacted by the development.
- The photographs and drawings of the ruined dwelling produced by the engineers must be given to HWC.
- The possible grave must be identified and demarcated so not to be impacted on by the development

- The bedrock, consisting of sandstones of the Nardouw Subgroup of the Table Mountain Group, has low fossil potential in the form of trace fossils. The surficial sand/soil cover has low fossil potential, but fossil bones may occur. Protocols for dealing with fossil finds must be included in the Environmental Management Plan (EMP). Fossil finds must be mitigated by the appropriate professionals operating under a permit from HWC

TS

**W.15.4 Proposed Establishment of the Langhoogte Wind Farm: NM
HM/LANGHOOGTE FARM**

A Heritage Impact Assessment prepared by Lita Webley and David Halkett, dated September 2012 to be tabled

Mr Troy Smuts made a power-point presentation

FINAL COMMENT

The Committee resolved to support the proposal

- The archaeological sites 003-005 must not be damaged or destroyed. They should be marked off with tape (or other means) when constructing the access roads and underground cabling to Turbine 10 behind the farmstead of De Vlei. Spot checks by an archaeologist must be carried out.
- A buffer of 400m must be maintained around farmsteads to ensure that no buried historic material is destroyed. If any historical material is uncovered during the construction phase of the development then the environmental officer responsible for monitoring the work must inform Heritage Western Cape.
- Once the final power line route has been determined, the archaeologist must check to ensure that no significant archaeological sites or heritage remains are destroyed.

TS

**W.15.5 Proposed Upgrade of Mossel Bay Point Area, Erven 3419, 3794 and Ptns of Erven 3626 and 15131, Mossel Bay: NM
HM/MOSSEL BAY/ERVEN 3419, 3794 AND PTNS OF ERVEN 3626 AND 15131**

A Heritage Impact Assessment prepared by Stéfan de Kock, dated December 2012 was tabled

Mr Troy Smuts made a power-point presentation

In discussion it was noted that:

- Significant archaeological material relating to the Middle and Later Stone Age exists in the deposit on the slope in front of the entrance to Cape St Blaize Cave and down to the main car park.
- Any disturbance, including covering or stabilization on the slope within the boundary of the PHS (10m from the cave), will require that a section 27 permit be obtained and the work must be carried out under supervision of a suitably qualified professional archaeologist.
- Outside the PHS boundary, a section 35 permit will be required for any disturbance, and work must be carried out under supervision of a professional archaeologist.

- It is noted that the geo-heritage of the project area has escaped attention and it is recommended that a section on geo-heritage be included in the finalized HIA, for the purposes of providing interpretive information.
- The geo-heritage is relevant to the evolution of the landscape, including formation of the coastal caves, and the cave has formed in the fossiliferous Robberg Formation.
- Shelly-fossiliferous marine deposits are exposed along Point Rd, opposite the war memorial. This occurrence has been correlated with the Quaternary Klein Brak Formation. Some extinct species occur, as well as species that no longer occur along the modern coast.
- The sea caves were formed during periods of Quaternary high sea levels.
- Should the development expose *in situ* shelly beds beneath a capping calcrete, the curator of the Mossel Bay Shell Museum must be informed, in order that they can be examined and the fossil shells sampled.
- The following recommendations by the consultants must also be complied with in any development but see Interim Comment below:
 - Remnants of shell middens occur in areas earmarked for development and *in situ* shell midden deposits may underlie existing roads and paving, and therefore, archaeological monitoring should be conducted during excavation and earth moving activities associated with the development;
 - Any development in the immediate surroundings of Cape St Blaize Cave – quarry site and car park below the cave - must ensure that the integrity, aesthetic and heritage value of the cave, lighthouse and the immediate surroundings are protected and enhanced by visually appropriate landscaping. Any terracing or other structural additions should not detract from the natural cave environment
 - The general appearance and maintenance of Cape St. Blaize Cave should be improved and eroding archaeological deposits should be stabilized and protected from further damage. (This will of course have to be done under permit from HWC). For this reason it recommended that an Archaeological Conservation Management Plan, relating primarily to the medium-to-long term management of the cave and environs be compiled and approved by Heritage Western Cape.
 - Areas prone to sediment erosion within proximity of the Cape St Blaize Cave and quarry should be rehabilitated and re-vegetated;
 - No structures, buildings (including large engineering fixtures such as overhead lighting) should be permitted within the quarry and its future use should preferably favour interpretative use, which relates to the adjoining cave site or serve as venue for open-air events;
 - If archaeological materials are exposed during vegetation clearing and/or earth moving activities, such activities must stop and Heritage Western Cape must be notified immediately, and be dealt with in accordance with the National Heritage Resources Act (No. 25 of 1999) and at the expense of the developer;
 - In the event of exposing human remains during construction, Heritage Western Cape (Mr Troy Smuts) or the South African Heritage Resources Agency (Ms Colette Scheermeyer) must be notified immediately and the responsible authority will require a permit and a professional archaeologist to undertake mitigation if needed.
 - Provision must be made for viewing points and interpretive signage as part of the proposed development, which may include installation of a toposcope/ topograph at an elevated location overlooking the Point Area.
 - Expansion of the existing war memorial to broaden its representation of all local communities must be done through a consultative consultation with

said local communities and with approval from Heritage Western Cape. Any future works shall be done and overseen by a suitably qualified conservation architect in conjunction with any other suitably-qualified profession as may be required by Heritage Western Cape. Future alterations and/or additions to the small stone building ("Info Kiosk") and/or any other structure older than 60 years situated within the Point Area would be subject to separate permit application procedures in terms of Section 34 of the National Heritage Resources Act, 1999 (Act 25 of 1999)

- Any future development within the former quarry and its direct proximity would be subject to a separate impact assessment.

INTERIM COMMENT

Given the importance of the site and the significance of the several heritage resources, the Committee does not support the impact assessment or the alternative proposals.

The Committee recommends that the applicant and consultant meet with the CEO and Chairs of IACom and the APM Committee

TS

W.15.6 Proposed Wind Energy on Laingsburg, Rogge Veld Wind Farm Energy: MA HM/LAINSBURG/ROGGE VELD WIND ENERGY FARM

Case No: 111020JB18

Mr Ashley Lillie and Dr Kilain Nagemann made a power-point presentation

Mr Quinton Lawson recused himself

FINAL COMMENT

The Committee resolved to support the proposal as currently proposed without turbines on Tafelkop or on Spitskop.

TS

W.15.7 Proposed Mixed Use Development Amsterdam Battery Site, Dock Road, Victoria and Alfred Waterfront Gateway Precinct, Cape Town

A Heritage Impact Assessment prepared by Dr Nicolas Baumann was tabled.

Considerable discussion ensued regarding the nature of the application. The applicants were advised to make it quite clear in their documentation what the laws involved are and precisely what HWC is to decide on; and that this should also be made quite clear to the interested parties.

INTERIM COMMENT

The Committee resolved to withdraw the matter to give interested and affected parties time to comment.

TS

W 16 SECTION 38(8) MPA ENVIRONMENTAL PLAN RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

W.16.1 None

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

W 17.1 None

W 18 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

W 18.1 None

W 19 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVEL

W 19.1 None

W 20 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

W 20.1 None

W 21 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

W 21.1 None

22. OTHER

22.1 None

23 Adoption of decisions and resolutions

23.1 The Committee agreed to adopt the decisions and resolutions.

24. CLOSURE – 16H10

25. DATE OF NEXT MEETING: 13 February 2013

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____