

**Approved Minutes of the Meeting of the Impact Assessment Committee
of Heritage Western Cape held on Wednesday, 8 April 2015, 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 09H03 and welcomed everyone present.

2. Attendance

Members

Ms Cindy Postlethwayt (Chairperson)
Mr Frik Vermeulen
Mr Chris Snelling
Ms Corlie Smart
Ms Mary Leslie
Mr Quinton Lawson
Mr Tim Hart
Mr Siphwi Mavumengwana

Staff

Mr Zwelibanzi Shiceka
Ms Jenna Lavin
Ms Penelope Meyer
Mr Jonathan Windvogel
Mr Andrew September
Mr Olwethu Dlova
Mr Guy Thomas
Ms Lithalethu Mshoti

Observers

Ms Tamar Shem-Tov (CoCT)

Visitors

Dr Jayson Orton
Ms Bridget O'Donoghue
Mr Andrew Berman
Mr Henry Aikman

Mr Peet Van Biljon
Mr Peter Buttgens
Mr Graham Jacobs
Ms Anine Trümpelmann

3. Apologies

Dr Piet Claassen
Ms Quahnita Samie
Ms Hanneljie Du Preez

4. Approval of the Agenda

4.1 Dated 8 April 2015

The Committee resolved to approve the agenda dated 8 April 2015 with additional items.

5. Approval of Minutes of Previous Meeting

5.1 Dated 11 March 2015

The Committee agreed to adopt the minutes with minor corrections.

6 Disclosure of Interest

- CP: W 15.4

- TH: W 13.2

7. Confidential Matters

7.1 None

8. Appointments

8.1 The Committee noted the followings appointments:

- Item W.15.3 set for 11H00

9 Administrative Matters

9.1 Outcome of the Appeals and Tribunal Committees

It was noted that the following items were tabled at the appeals meeting:

- Proposed Total Demolition, Erf 1374, No. 50 Synagogue Street, Paarl
- Proposed Alterations and Additions, Erf 565, Kerk Street, Prince Albert, Section 34
- Proposed Construction of a Temporary Art Installation, "The PharoX Star", Erf 1391, Signal Hill: Section 27
- Proposed Alterations and Additions, Erf 15163, 22 Coronation Road, Walmer Estate: Section 34

JL/ZS

9.2 Revised HWC Meeting Schedule

Revised meeting schedule approved by Council and circulated

9.3 Declaration of Interest and Confirmation of Employment

It was noted that the members have received the declaration of interest and confirmation of employment forms. All to submit as soon as possible, as they were due 31 March 2015

9.4 File Sizes

It was noted that some documents on the blog were very large and took a long time for Committee members to download .It was agreed that FV would prepare draft guidelines for submissions to IACom. The guidelines are to be circulated to the Committee, GT and AS for comment prior to the next meeting.

GT/ZS

9.5 Worcester Transport Interchange

The extent of the PHS has been clarified as part of the recent submission. The implications are that a S27 application must be made relating to the portion of the site that has been declared a PHS, prior to the matter being heard by IACom. The applicant is to be informed.

JW

10 Standing Items

10.1 Guidelines for the Involvement of Urban Designers in HIAs

It was noted that the discussion document will be forwarded to JL

CP

10.2 Site Inspections

It was noted that there was a site inspection of the Roadworks by Elandsfontein Exploration and Mining by GT, AS and JL. ...

PM

10.3 Report back from Exco, Council and any other Committees

SM reported back on the Council meeting of 18 March 2015.

10.4 DEADP&S38: Report back on SOP and other matters

It was noted that CP would draft a list of concerns relating to implementation of the new environmental regulations, circulate to the Committee for additions and submit to JL and ZS for discussion with DEADP.

CP/ZS/JL

10.5 Reconstitution of APM and IACom responsibilities

It was noted that ZS would arrange a meeting with APM and IACom reps to discuss the responsibilities of each committee. ML, TH, CSmart and CSnelling would attend from IACom.

IACom reiterated its support for the Council decision that officials attached to other authorities were not eligible to serve on IACom due to a possible conflict of interest.

The Committee resolved to recommend the appointment of Lita Webley as an additional member of IACom. The matter is to be decided upon at the next Exco. The appointment of the additional archaeologist can be made in due course.

ZS

FIRST SESSION: TEAM EAST PRESENTATION

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

E.11.1 None

E. 12 SECTION 38(1) INTERIM COMMENT

E 12.1 None

E 13 SECTION 38(4) RECORD OF DECISION

E13.1 Proposed Extension of Accommodation as part of converting the property from Guest House to Hotel, Erven 349, 351 and 352, The Retreat, Camps Bay: NM HM/THE RETREAT CAMPS BAY/ERVEN 349, 351 AND 352

Case No: 14101510GT1112M

A Preliminary Scoping Report prepared by ARCON, dated February 2015 was tabled.

Mr Guy Thomas made a power-point presentation.

Mr Graham Jacobs was present and participated in the discussion.

In discussion it was noted that:

- The matter is before the Committee for guidance only, recognising that archaeology and public participation will form part of the later process.
- The likelihood of archaeological resources being present on site is high and an archaeological survey must be conducted.

COMMENT

The Committee agreed that some additional development of the property could be supported in principle. It was further agreed that the development areas identified in the report and the development indicators were supported, on the understanding that these may be amended once archaeological studies and public participation have taken place.

GT

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

E.14.1 None

E 15 SECTION 38(8) NEMA INTERIM COMMENTS

E.15.1 None

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

E.16.1 Proposed Upgrade & Maintenance, Erven 153, 151, 604, 837, 838, 1061, 1141, 1143, 1197 and 1198, Sea Point Promenade, Sea Point: NM HM/SEAPOINT/ERVEN 153, 151, 604, 837, 838, 1061, 1141, 1143, 1197 AND 1198

Case No: 14090216GT0919D

A Heritage Impact Assessment prepared by Bridget O'Donoghue and Peter Buttgens, dated March 2015 was tabled.

Mr Guy Thomas made a power-point presentation.

Ms Bridget O'Donoghue, Mr Peter Buttgens and Ms Tamar Shem-Tov (CoCT) were present and took part in discussion.

In discussion it was noted that:

- The heritage impact assessment is very comprehensive, makes a substantial contribution to heritage information about the area. The consultants are to be commended.
- The identification of heritage resources, the significance and the proposed gradings in respect of the Promenade itself are supported in principle.

FINAL COMMENT

The Committee supported the recommendations of the HIA. All detailed proposals for the site (including proposals for heritage related interpretive signage) must be submitted to the City's HRS for assessment against the heritage indicators and endorsement by the City's HRS.

The Committee was of the opinion that the full extent of the Promenade should be considered for improvement and the HIA should then be extended to cover the additional areas. The extent and significance of the heritage resources warrant the preparation of a Management Plan and the City is requested to consider developing such. The Management Plan should take full cognisance of the heritage, archaeological and geological resources, both identified and yet to be identified

GT

E 17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

E.17.1 None

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

E 18.1 None

E 19 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

E 19.1 None

E 20 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

E 20.1 None

E 21 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

E 21.1 None

E 22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

E 22.1 None

E 23 SECTION 42 – HERITAGE AGREEMENT

E 23.1 None

SECOND SESSION: TEAM WEST PRESENTATION

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

W 11.1 None

W 12 SECTION 38(1) INTERIM COMMENT

W.12.1 None

W 13 SECTION 38(4) RECORD OF DECISION

**W.13.1 Proposed New Wine Cellar, Farm Store and Pool House on the Farm Helena, Farm 571, Daljosaphat: NM
HM/DALJOSAPHAT/FARM HELENA/FARM 571**

Case No: 15032310JW325M

A Heritage Impact Assessment prepared by Aikman Associates, dated March 2015 was tabled.

Mr Jonathan Windvogel made a power-point presentation.

Mr Henry Aikman was present and took part in discussion.

In discussion it was noted that:

- In general, the Committee supported the identification of heritage resources, their significance and proposed grading. The Committee also supported the heritage indicators.
- However, the Committee was of the opinion that the proposals have not been sufficiently developed to the point where an adequate assessment can be made against the heritage indicators.
- The Committee was of the opinion that there may be archaeological resources that have not yet been identified.
- The DHF have expressed concerns about the scale and proximity of the new building. The Committee is of the opinion that these matters should be assessed when more detailed proposals are available.

COMMENT

The Committee supports the report in so far as it identifies heritage resources, assessment of significance thereof as well as the heritage indicators provided.

An SDP, Landscape Plan and final sketch plans must be submitted to this Committee for approval in terms of S 38(4).

An archaeological assessment must be included in this submission.

The heritage consultant should report on the extent to which the proposals respond to the heritage indicators and the concerns of the DHF.

Any new buildings must respect the scale, massing and materials of the existing building without necessarily being a copy.

JW

W.13.2 Proposed Founders Garden Rezoning and Development, Erf 186 and Erf 187, Roggebaai, Cape Town: NM HM/CAPE TOWN/ROGGEBAAI/ERF 186 AND ERF 187

Case No: 15032305AS0325M

A Heritage Impact Assessment prepared by Andrew Berman, dated March 2015 was tabled.

TH recused himself.

Mr Andrew September made a power-point presentation.

Mr Andrew Berman was present and took part in discussion.

In discussion it was noted that:

- The Committee did not agree with the suggested grading of the Founders Garden as a IIB and was of the opinion that it should not be graded as a heritage resource.
- The Committee agreed that the Artscape Centre is a heritage resource that could potentially be impacted, in addition to potential archaeological resources.

RECORD OF DECISION

The Committee resolved to support the proposed development of the site.

- A specialist archaeological team must be appointed to the project to monitor the bulk earthworks at the proposed project site. A monitoring schedule must be drawn up by the appointed archaeological company in consultation with the construction and bulk earthworks contractors and project manager.
- A plan of action must be prepared in advance of the commencement of bulk earthworks that addresses the procedures to be followed in the event of the discovery of significant heritage material (shipwrecks). This plan must take into account the lack of adequate local facilities to deal with conservation and storage necessitated by large scale wreck recovery projects.
- The task of recovering, recording and conserving the smaller day to day finds will fall to the archaeological team. They will monitor the earthworks and alert the project managers and construction crew if significant finds are recognised that will require mitigation
- HWC will require that the monitoring schedule and plan of action be incorporated into a Work Plan that must be approved by HWC before work commences.

AS

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

W.14.1 None

W 15 SECTION 38(8) NEMA INTERIM COMMENTS

W.15.1 Proposed Expansion of the Namakwa Sands Mine, Brand-se-Baai, Western Cape: MA HM/BRAND-SE-BAAI/NAMAKWA SANDS MINE

Case No: 14041709TS0407M

Additional information (Work plan and Archaeological Survey) was tabled.

Mr Andrew September made a power-point presentation.

In discussion it was noted that:

- The Committee is of the opinion that archaeological mitigation must relate directly to the area that is going to be prospected or mined and is therefore under threat (Joetsie GR2014/001, Langlaagte 3 HBK2014/004, Langlaagte 3 HBK2014/014, Langlaagte 3 HBK2014/015, Langlaagte 3 HBK2014/018, Langlaagte 3 HBK2014/020, Langlaagte 3 HBK2014/021, Langlaagte HBK2014/022, Langlaagte 3 HBK2014/30, Langlaagte 3 HBK2014/31, Langlaagte 3 HBK2014/034, Soutpan 1 RFE2014/004, Soutpan 1 RFE2014/007, Soutpan 1 RFE2014/010 & Soutpan 2 RFE2014/002)
- The Committee requires clarification in respect of the long term mining plan and the procedures relating to that. A meeting is required between HWC, the environmental practitioner, the archaeologist and any other appropriate person to clarify these matters.
- The Committee noted with concern that some of the areas proposed by the consultant for archaeological mitigation may be for areas that are not to be mined at present.

RESPONSE

HWC approves the work plan and the consultant's recommendations in general and has no objection to the mining of the Joetsie, Langlaagte 3, Soutpan 1 and Soutpan 2 areas proceeding however, this is subject to the following:

- Archaeological mitigation must be carried out at the fifteen sites listed as follows: Joetsie GR2014/001, Langlaagte 3 HBK2014/004, Langlaagte 3 HBK2014/014, Langlaagte 3 HBK2014/015, Langlaagte 3 HBK2014/018, Langlaagte 3 HBK2014/020, Langlaagte 3 HBK2014/021, Langlaagte HBK2014/022, Langlaagte 3 HBK2014/30, Langlaagte 3 HBK2014/31, Langlaagte 3 HBK2014/034, Soutpan 1 RFE2014/004, Soutpan 1 RFE2014/007, Soutpan 1 RFE2014/010 & Soutpan 2 RFE2014/002)
- Mining must not extend outside of these four areas without further surveys being commissioned. No mining may proceed in any further mine sections until HWC has approved the archaeological survey report and 'Work Plan' for those sections.
- If any archaeological material or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.
- Adequate assessment of the age of these sites (radiocarbon dating) must be done.

AS

**W.15.2 Proposed Van Wyk's River Park, Ptn of Ptn 10 Farm 787, Paarl: NM
HM/PAARL/PTN OF PTN 10 FARM 787**

Case No: 15032003AS0325M

Phase II Heritage Impact Assessment prepared by Lize Malan and ARCON, dated March 2015 was tabled.

Mr Andrew September made a power-point presentation.

Mr Graham Jacobs was present and took part in discussion.

In discussion it was noted that:

- The Committee supported the assessment of heritage resources and their significance.
- The Committee supported the heritage indicators proposed in the report.
- The Committee noted with concern the inaccuracy of the photomontages, as pointed out by the heritage consultants. The NHRA requires any application to present accurate information, failing which it is considered a criminal offence.

FINAL COMMENT

The Committee supported the recommendations contained in the HIA prepared by Lize Malan and ARCON, dated March 2015, including the recommendations for the revision of the architectural guidelines.

If any archaeological material or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist.

AS

**W.15.3 Proposed Development of a Holiday Resort on Erf 2837 and 2838, Laaiplek: MA
HM/LAAIPLEK/ERF 2837**

Case No: 14030501AS0502

A letter of motivation and revised plans (drawing no: 2.00, 2.01, 2.04, 4.00, 4.01, 4.02 and 4.03), prepared by Van Biljon Barnardo Architects, dated November 2013 were tabled.

Mr Andrew September made a power-point presentation.

Dr Jayson Orton and Mr Peet Van Biljon were present and took part in discussion.

In discussion it was noted that:

- Neither of the heritage consultants (Dr Orton and Ms O'Donoghue) had commented on the revised proposals presented to Committee.
- The Committee raised concerns that the photo-montages were not accurate in respect of the presentation of scale. This was also a problem in the previous submission. It was noted that the NHRA requires that all information provided by applicants must be accurate, and provides for penalties for the provision of false

or misleading information. Failure to provide accurate information is a criminal offence.

- The current elevations, as submitted, show a parking level at water's edge street level with 3 to 4 storeys of development above it, which was considered inappropriate in this sensitive townscape.
- The Committee was of the opinion that the mitigation measures proposed in the HIA in respect of height from all street levels had not been accommodated.
- The Committee accepted that the restrictions of development in the 1:50 year flood line limits the extent to which an active edge, comprised of permanent structures, can be created.

INTERIM COMMENT

The Committee requires further consideration of the manner in which the height mitigation measures proposed by the heritage consultant are addressed. The heritage consultants should comment on the proposals put before Committee and makes recommendations for alternatives if the mitigation proposals cannot be met.

AS

W.15.4 Proposed Construction of a Cellar and Associated Infrastructure on Farms 170, 172 and 171/11, Paarl: NM HM/PAARL/FARMS 170, 172 AND 171/11

Case No: 15030508AS0306M

A Heritage Impact Assessment prepared by Cindy Postlethwayt, dated February 2015 was tabled.

CP recused herself and FV took the chair.

Mr Andrew September made a power-point presentation.

In discussion it was noted that:

- The landscape within which the proposed winery is located has not been identified as having cultural significance. It was furthermore noted that, resultant from input from the heritage practitioner, the proposed winery is now located some distance (1,15 km) away from the existing homestead, which has been identified as having grade IIIA significance. It was agreed that there would be no impact on the significance of the homestead or its werf.

FINAL COMMENT

The Committee endorsed the heritage impact assessment as having met the requirements of S 38(3) of the NHRA.

The Committee endorsed the recommendations of the consultant, as contained in the HIA. Development Alternative 3B was supported.

AS

W.15.5 Olifants-Doorn River Water Resources Project: Raising of Clanwilliam Dam: MA HM/CLANWILLIAM DAM

A recording of the landscape and historical dam wall was tabled.

Mr Andrew September made a power-point presentation.

In discussion it was noted that:

- The Committee requires additional information from the officials in order to assess the adequacy of the report.

AS

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

W.16.1 None

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

W.17.1 None

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

W 18.1 None

W 19 SECTION 38 (8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

W 19.1 None

W 20 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

W 20.1 None

W 21 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

W 21.1 None

W 22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

W 22.1 None

23. OTHER

23.1 None

24 Adoption of decisions and resolutions

24.1 The Committee agreed to adopt the decisions and resolutions.

25. CLOSURE – 16H00

26. DATE OF NEXT MEETING: 29 April 2015

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____

Approved