

Our Ref: HM / CAPE TOWN METROPOLITAN / CAPE TOWN CBD /
ERVEN 734-RE, 735, 737, 738-RE, 739, 9564, 9565
Case No: HWC23061502CN0619
Enquiries: Corne Nortje
E-mail: corne.nortje@westerncape.gov.za
Tel: 021 829 3317



Sarah Winter & David Halkett
sewinter@yebo.co.za / david.halkett@aco-associates.com

RESPONSE TO HERITAGE IMPACT ASSESSMENT: DECISION
In terms of Section 38(4) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

HERITAGE IMPACT ASSESSMENT: PROPOSED MEDIUM BULK MIXED-USE DEVELOPMENT ON THE SITE KNOWN AS THE PROVINCIAL PAVEMENT TESTING LABORATORY SITUATED ON ERVEN 734-RE, 735, 737, 738-RE, 739, 9564, 9565, 33 CHIAPPINI STREET, CAPE TOWN CITY CENTRE, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The matter above has reference.

This matter was discussed at the Impact Assessment Committee meeting held on 20 June 2024.

DECISION

The HIA, as prepared by Sarah Winter and David Halkett, satisfies the requirement of S.38(3) of the NHRA. The Committee approves the conceptual plan option 3 subject to the following design informants:

HIA Recommendation, as per pages 156-157

1. Endorse the HIA report as having satisfied the minimum requirements of Section 38 (3) of the NHRA and HWC's request for specialist studies including an architectural analysis, archaeological assessment, townscape and streetscape assessment, visual study, and socio-historical study.
2. Endorse the Statement of Heritage Significance and Heritage Indicators outlined in Chapters 8 and 9 of the HIA report, respectively as a basis for detailed design development.
3. Allow the development to proceed in terms of Section 38 (4) of the NHRA subject to the following conditions:
 - 3.1. Largely in accordance with the development proposals as indicated in Figure 12 and 13 of the HIA report.
 - 3.2. Largely in accordance with the architectural guidelines as well as the Landscape Framework Plan attached to the HIA report as Annexures H and I, respectively. Deviations from the principles and objectives of the architectural guidelines will need to be submitted to HWC for approval.
 - 3.3. Any alterations to the Soils Lab Building to accommodate its reuse are subject to a Section 34 application to HWC with consideration of the indicators contained in the HIA and involving the input of an architect with heritage expertise.
 - 3.4. A Section 38 workplan covering archaeological work and monitoring of the site with respect to any human remains, grave furniture and artefacts still present on the site be prepared for approval by HWC. This will relate to the extent of clearance of any human remains and associated artefactual material and grave furniture still present on the site despite the exhumation process of the 1920's. Any remains, grave furniture or other archaeological artefacts discovered during the course of site clearance in preparation for development, are assumed will receive the relevant approval for their removal and relocation in terms of the earlier 1920's exhumation of the site. We are assuming that this will be addressed under Section 38 (4) in terms of this HIA process and therefore not require separate permit applications under Section 35 and 36. Temporary storage and the reburial process to be resolved prior to any development activity occurring on site.
 - 3.5. A commemoration plan be prepared for the PPTL site informed by the recommendations of the social-history study.
 - 3.5.1. A commemoration strategy must be submitted to HWC for approval outlining the scope of the work, heritage informants, stakeholder engagement and implementation of the commemoration plan.
 - 3.5.2. The commissioning and implementation of a commemoration plan is the responsibility of the landowner.
 - 3.5.3. The commemoration plan should be embedded in the findings and recommendations of the HIA with specific reference to the findings and recommendations of the social historical specialist study. A core finding of the social-historical study is the need for a commemoration plan for the social-historical role of the PPTL site and places emphasis on the need to link tangible and intangible heritage, foregrounding its people and public memory, attaching people to place.

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

Our Ref: HM / CAPE TOWN METROPOLITAN / CAPE TOWN CBD /
ERVEN 734-RE, 735, 737, 738-RE, 739, 9564, 9565
Case No: HWC23061502CN0619
Enquiries: Corne Nortje
E-mail: corne.nortje@westerncape.gov.za
Tel: 021 829 3317



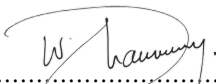
- 3.5.4. The commemoration plan must address the PPTL site as a whole taking into account its gateway location, historical layering, relationship to Prestwich Memorial and its contribution to the enhancement of the public realm.
- 3.5.5. Stakeholder engagement must include, although not be limited to, Friends of Prestwich Memorial, District Six Museum and City of Cape Town Heritage Section.
- 3.5.6. The commemoration planning process should be overseen by WCG: DOI and their appointed Consultants to ensure its integration with the vision of the site and the detailed design development process including landscaping interventions.
- 3.5.7. It should be noted that the commemoration planning process does not need to await the outcome of archaeological issues being resolved including exhumation. However, information revealed during archaeological processes may inform the final commemoration plan, where appropriate. For instance, it may be deemed appropriate to incorporate features and materials associated with the former DRC cemetery into the landscaping interventions.

NOTE:

- This decision is subject to an **appeal period of 14 working days. Kindly note that the appeal period is calculated from the date indicated on the HWC date stamp, which is the date the appeal is sent, and not the date of signature**
- Appeals to HWC are to be submitted to HWC.Appeals@westerncape.gov.za
- The applicant is required to inform any party who has expressed a bona fide interest in any heritage-related aspect of this record of decision. The appeal period shall be taken from the date above. It should be noted that for an appeal to be deemed valid it must refer to the decision, it must be submitted by the due date, and it must set out the grounds of the appeal. Appeals must be addressed to the official named above and it is the responsibility of the appellant to confirm that the appeal has been received within the appeal period.
- **Work may NOT be initiated during this 14-day appeal period.**
- If any archaeological material or evidence of burials is discovered during earth-moving activities all works must be stopped and Heritage Western Cape must be notified immediately.
- This approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.


.....
Waseefa Dhansay
Assistant Director: Professional Services



www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za