

**Approved Minutes of the Meeting of Heritage Western Cape
Built Environment and Landscape Permit Committee (BELCom)**

**Commenced at 08:30 and held on Wednesday, 28 July 2021 via
Microsoft Teams**



1. Opening and Welcome

The Chair, Mr Graham Jacobs, officially opened the meeting at 08:30 and welcomed everyone present.

2. Attendance

Committee Members:

Mr Graham Jacobs (GJ) (Chair)
Mr Dennis Belter (DB)
Mr Shawn Johnston (SJ)
Prof Walter Peters (WP)
Ms Helene van der Merwe (HvdM)

Members of Staff:

Ms Waseefa Dhansay (WD)
Ms Cathy-Ann Potgieter (CAP)
Ms Stephanie Barnardt (SB)
Mr Olwethu Dlova (OD)
Ms Anita Shologu (AS)
Ms Khanyisile Bonile (KB)
Ms Muneerah Solomon (MS)
Ms Penelope Meyer (PM)
Mr Michael Janse van Rensburg (MJvR)
Ms Aneeqah Brown (AB)
Ms Ayanda Mdludlu (AM)

Visitors:

Mr Johan Cornelius
Mr Clair Harriman
Prof Berni Searle
Dr Stephen Townsend
Ms Tamar Shem-Tov
Mr Andrew Savage
Ms Anissia Botha
Mr Gregg Fick
Ms Lisa Calligaro
Ms Sandra van der Merwe
Ms Wendy Wilson
Ms Lize Malan
Ms Laura Milandri
Ms Bridget O'Donoghue
Ms Vimtha Rajbansi
Ms Ursula Rigby
Dr Siphon Zondi

Ms Naomi Roux
Ms Adelaide Combrink
Mr Craig Thomas
Mr Giancarlo Bruno
Mr Clark Thomson
Mr Adrian Read
Mr Philip Smith
Mr Spider Clark
Mr Mike Scurr
Ms Claire Abrahamse
Ms Nelia Wolfaardt
Ms Katherine Dumbrell
Ms Jacky Poking
Mr Gawie Roux
Mr Sebastian van Greunen
Mr Philip Brink

3. Apologies

Ms Mishkah Collier (MC)

Absent
None

4. Approval of Agenda

4.1 Dated 28 July 2021.

The Committee approved the agenda dated 28 July 2021.

5. Approval of Minutes of Previous Meetings

5.1 BELCom Minutes dated 15 July 2021

The Committee reviewed the minutes dated 15 July 2021 and resolved to approve them with amendments.

6. Disclosure of conflict of interest:

6.1 Recusals

None

7. Confidential Matters

None

8. Administrative Matters

8.1 Outcome of the Appeals and Tribunal Committees

Reported on at the previous meeting.

8.2 Report back on Stop Works Orders and Charges:

- Erven 2139 & 5213 - 215 & 217 Main Road, Paarl

8.3 Formal Protection of Buildings refused for Demolition

None

8.4 Tracking previous cases

Noted

9. Standing Items

9.1 Report back on Close-Out Reports

Nothing to report.

9.2 Report back on HWC Council Meetings

GJ made a verbal report of the Special Council meeting that was held on 22 July 2021 which was noted by the Committee.

9.3 Discussion of agenda

Noted

9.4 Proposed Site Inspections

- Proposed Additions and Alterations, Erven 982, 974, 978, 108 St George's Street, Simons Town
- Proposed Additions and Alterations on Erf 19858, 70 Berlyn Street, Paarl

9.5 Site Inspections Undertaken

None

10. Appointments

None

MATTERS DISCUSSED

11 PROVINCIAL HERITAGE SITES: SECTION 27 PERMIT APPLICATIONS

11.1 None

12. STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR TOTAL DEMOLITION

12.1 Proposed Total Demolition on Erf 25886, 21 Scott Road, Observatory: NM HM/CAPE TOWN METROPOLITAN/OBSERVATORY/ERF 25886

Case No: 21070511SB0708E

Application form and relevant documentation prepared by Johan Cornelius were tabled.

Ms Stephanie Barnardt introduced the case.

Mr Johan Cornelius (heritage consultant), Ms Naomi Roux (Observatory Civic Association's Architecture and Heritage Committee), Mr Clair Harriman (neighbour), Ms Adelaide Combrink (CoCT) and Ms Tamar Shem-Tov (CoCT) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The application involved the unauthorised total demolition of a dwelling older than 60 years situated within an HPOZ.
- The heritage consultant argued that HWC does not have jurisdiction to impose conditions on the design of the replacement building. This is because there is no longer a building on the property requiring permission to demolish and, therefore, invalidating any conditions imposed by HWC in terms of the so-called Gees Judgement. The Legal advisor pointed out that as the original demolition was unlawful, and the subsequent building work was a continuing offence, HWC has jurisdiction.
- The structure was graded IIIC.
- Observatory Civic Association objected to the proposal.
- CoCT did not comment as they did not receive accurate drawings.

RECORD OF DECISION:

The Committee cannot condone illegal work. Given that this involved the destruction of what appears to have been a significant heritage resource, the Committee strongly recommends that HWC lay charges.

FURTHER REQUIREMENTS:

The Committee notes that the drawings for the proposed replacement structure are inaccurate. This submission can only be further considered once that has been rectified.

The application is to be informed by heritage design indicators which are currently absent.

All revised documentation to be circulated to I&APs before resubmission to HWC.

SB

12.2 Proposed Total Demolition on Erf 977, 11 Virginia Avenue, Vredehoek: NM HM/CAPE TOWN METROPOLITAN/VREDEHOEK/ERF 977

Case No: 21061711KB0701E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Dr Stephen Townsend (heritage consultant), Prof Berni Searle (representing Virginia Avenue Homeowners Committee), Mr Clark Thomson (representing Virginia Avenue Homeowners Committee), Mr Andrew Savage (representing Virginia Avenue Homeowners), Mr Craig Thomas (representing Virginia Avenue Homeowners Committee), Mr Giancarlo Bruno (applicant) and Ms Adelaide Combrink (CoCT) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- Concerns were raised regarding the scale of the proposed building across two properties (with no 13).
- Concerns were raised regarding the proposed envelope massing, including that of the front façade where emphasis on the centre of the new 'double width' façade was questioned.
- The Committee emphasised the importance of graphic indicators for informing new development in this street and its broader spatial contexts.
- The building is graded potential IIIC and situated within a proposed HPOZ.
- CoCT and CIBRA supported the proposal.
- GVHA objected to the proposal.

FURTHER REQUIREMENTS:

The Committee is of the view that the subject house has insufficient significance to warrant retention and would therefore support its demolition subject to the plans of the replacement structure being approved by HWC.

Given the above and having reviewed the current proposals, the Committee is of the opinion that further design resolution of the replacement structure is required. The following issues should therefore be addressed amongst others:

Acknowledgement of the streetscape with particular attention to: rhythm; scale; pattern of buildings interspersed by greenery; stepping roofscape following the sloping topography; and roof forms as perceived at street level.

It is recommended that the revised proposal be informed by graphic indicators taking into account the built form along Virginia Avenue and the manner in which that development can inform the new proposal in terms of façade articulation and scale. Revised proposals to be submitted to HWC by 20th August 2021 but must include two weeks for I&APs to comment prior to submission.

KB

12.3 Proposed Total Demolition on Erf 919, 13 Virginia Avenue, Vredehoek: NM HM/CAPE TOWN METROPOLITAN/VREDEHOEK/ERF 919

Case No: 21061712KB0701E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Dr Stephen Townsend (heritage consultant), Prof Berni Searle (representing Virginia Avenue Homeowners Committee), Mr Clark Thomson (representing Virginia Avenue Homeowners Committee), Mr Andrew Savage (representing Virginia Avenue Homeowners), Mr Craig Thomas (representing Virginia Avenue Homeowners Committee), Mr Giancarlo Bruno (applicant) and Ms Adelaide Combrink (CoCT) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- Concerns were raised regarding the scale of the proposed building across two properties (with no 11).
- Concerns were raised regarding the proposed envelope massing, including that of the front façade where emphasis on the centre of the 'double width' façade was questioned.
- The Committee emphasised the importance of graphic indicators for informing new development in this street and its broader spatial contexts.
- The building is graded Not Conservation Worthy and is situated within a proposed HPOZ.
- CoCT and CIBRA supported the proposal.
- GVHA objected to the proposal.

FURTHER REQUIREMENTS:

The Committee is of the view that the subject house has insufficient significance to warrant retention and would therefore support its demolition subject to the plans of the replacement structure being approved by HWC.

Given the above and having reviewed the current proposals, the Committee is of the opinion that that further design resolution of the replacement structure is required. The following issues should therefore be addressed amongst others:

Acknowledgement of the streetscape with particular attention to: rhythm; scale; pattern of buildings interspersed by greenery; stepping roofscape following the sloping topography; and roof forms as perceived at street level.

It is recommended that the revised proposal be informed by graphic indicators taking into account the built form along Virginia Avenue and the manner in which that development can inform the new proposal in terms of façade articulation and scale. Revised proposals to be submitted to HWC by 20th August 2021 but must include two weeks for I&APs to comment prior to submission.

KB

**12.4 Proposed Total Demolition on Erf 5-RE 34 Kings Road, Sea Point: NM
HM/CAPE TOWN METROPOLITAN/SEA POINT/ERF 5-RE**

Case No: 21062209KB0622E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is graded IIIC and is situated outside an HPOZ.
- The Simon Van Der Stel Foundation supported the proposal.
- Neighbours objected to the proposal.
- Sea Point for All and SFB did not comment.

RECORD OF DECISION:

The Committee resolved to approve the demolition application as not negatively impacting heritage significance.

KB

13 STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR PARTIAL DEMOLITION/ALTERATIONS

13.1 Proposed Additions and Alterations on Erf 7159, 105 Westcliff Road, Hermanus: MA HM/OVERBERG/OVERSTRAND/HERMANUS/ERF 7159

Case No: 21041201MS0511E

Application documents were tabled.

Ms Muneerah Solomon introduced the case.

Mr Adrian Read (representing owner) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIB and is situated inside an HPOZ.
- Overstrand Heritage and Aesthetics Committee suggested a simplified gable and straight mono pitch roof to distinguish the new and old buildings from each another.
- HOMS recommended that changing the thatch roof materiality will detract it from its grading.

FURTHER REQUIREMENTS:

The Committee notes and accepts the applicant's need for this roof to be changed from thatch to a less combustible material. However, the forms particular to thatching technology need to be translated sensitively. At this stage, the Committee does not have sufficient assurance that this can be done. Consequently, the Committee requires further details of the proposals. These could include a combination of thatch and metal, tiles or slate. Photographic examples of successful precedent would also assist.

MS

13.2 Proposed Additions and Alterations on Erf 2486, George Road Wilderness: MA HM/EDEN/GEORGE/ERF 2486

Case No: 21052106XM0527E

The matter was removed from the agenda.

XM

**13.3 Proposed Additions and Alterations, Erven 982, 974, 978, 108 St George's Street, Simons Town: MA
HM/CAPE TOWN METROPOLITAN/SIMONS TOWN/ERVEN 982, 974, 978**

Case No: 21031106SB0609E

An emergency permit application was tabled.

Ms Stephanie Barnardt introduced the case.

Mr Johan Cornelius (heritage consultant) and Ms Anissia Botha (owner) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The structure is graded IIIB and is situated within the Simon's Town HPO.
- Illegal repairs to the front balcony were executed.

FURTHER REQUIREMENTS:

Given uncertainties arising from the current documentation, the Committee resolved to undertake an emergency site inspection on Thursday, 29 July 2021 at 15:00 (GJ, DB and WP).

SB

**13.4 Proposed Additions and Alterations on Erf 31888, Main Road, Paarl: MA
HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ERF 31888**

Case No: 21052006XM0527E

The matter was removed from the agenda.

XM

**13.5 Proposed Additions and Alterations, Erven 439, 440 & 442, 47 & 49 Napier Street & 13 Jarvis Street, The Village Lodge, De Waterkant: MA
HM/CAPE TOWN METROPOLITAN/DE WATERKANT/ERVEN 439, 440 & 442**

Case No: 19080507LB0807E

Application, plans and other relevant documents were tabled.

Ms Stephanie Barnardt introduced the case.

Mr Johan Cornelius (heritage consultant), Dr Stephen Townsend (advisor for De Waterkant Civic Association) and Mr Spider Clark (Chair of De Waterkant Civic Association) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The structure is graded IIIC and is situated inside an HPO.
- CoCT and DWCA do not support the proposal and the Committee notes their objections.

RECORD OF DECISION:

The Committee resolved to approve the revised application as indicated on drawings numbered 2019/01 1 rev 01 dated 27 May 2021, 2019/01 2 rev 03, 2019/01 3 rev 03 and dated 23 July 2021 as having met previous requirements on condition that:

1. The proposed setback and parapet height of no. 13 Jarvis Street matches the actual setback and parapet height of no. 5 Jarvis Street; and
2. That canopy posts of 49 Napier Street are spaced evenly from one end of the leading corner to the other, i.e. without side overhangs.

SB

13.6 Proposed Additions and Alterations on Erf 56309, 6 Paradise View, Claremont: MA HM/CAPE METROPOLITAN/CLAREMONT/ERF 56309

Case No: 20112412KB1209E

Application documents were tabled.

Ms Stephanie Barnardt introduced the case.

Ms Claire Abrahamse (heritage consultant) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The structure is graded IIIB and is situated outside an HPO.
- The Upper Claremont Residents and Ratepayers Association still had concerns with the proposal.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings numbered 02-10-002 rev 3, 02-10-003 rev 3, 02-10-001 rev 6 and dated 22 July 2021 as having met previous requirements.

SB

13.7 Proposed Additions and Alterations on Erf 8731, 255 Main Road, Paarl: NM HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ ERF 8731

Case No: 21032903KB0608E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Mr Mike Scurr (heritage consultant), Ms Sandra van der Merwe (DOCOMOMO) and Ms Wendy Wilson (RSA Architects) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is located within the Paarl Special Character Protected Area Overlay Zone.
- DOCOMOMO, Drakenstein Municipality and Paarl 300 supported the proposal.
- Drakenstein Heritage Foundation objected to the proposal.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings numbered 0000,002,003,004,005,006,007&12, dated 29 April 2021 and prepared by WP Bosch & Associates Architects as not negatively impacting heritage resources subject to the conditions set out on p64 item 10.3 of the Heritage Report dated 8 June 2021 and prepared by RSA Architects.

KB

13.8 Proposed Additions and Alterations, Erf 1236, 60 Bain Street, Wellington: NM HM/CAPE WINELANDS/DRAKENSTEIN/WELLINGTON/ERF1236

Case No: 21042302AM0503E

Application documents were tabled.

Ms Ayanda Mdludlu introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is graded IIIC and is situated outside an HPO.
- Drakenstein Heritage Foundation supports the proposal.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings numbered MM 2020 0016 and dated 15 July 2020 as not negatively impacting heritage resources on condition that all alterations to historic masonry fabric are conducted using lime mortars and renders.

AM

13.9 Proposed Additions and Alterations on Erf 15394, Septimus Street, Paarl: NM HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ERF 15394

Case No: 21021205KB0524E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Ms Nelia Wolfaardt (applicant) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is not graded and is situated outside the Paarl Special Character Protected Area Overlay Zone.
- Paarl 300 supported the proposal.
- Drakenstein Heritage Foundation and Drakenstein Municipality objected to the proposal.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings numbered 20113/C/001 and/002, both REV C and dated 24 May 2021 as not negatively impacting heritage resources. However, the Committee notes that the proposed roof of the carport is architecturally unresolved. It is therefore recommended that an alternative solution involving separate horizontal roofs on different levels, be considered.

KB

13.10 Proposed Additions and Alterations on Erf 979, 15 Virginia Avenue, Vredehoek: NM HM/CAPE TOWN METROPOLITAN/VREDEHOEK/ERF 979

Case No: 21062508KB0629E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Ms Adelaide Combrink (CoCT) and Mr Andrew Savage (applicant) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIB.
- CIBRA and GVHAG supported the proposal.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings numbered VA2101 and 2102 both REV A dated 24 May 2021 as not negatively impacting heritage resources.

KB

13.11 Proposed Additions and Alterations on Erf 19858, 70 Berlyn Street, Paarl: NM HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/ERF19858

Case No: 21062312KB0623E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Ms Lize Malan (heritage consultant) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is situated outside the Paarl Special Character Protected Area Overlay Zone.
- Drakenstein Municipality, Drakenstein Heritage Foundation and Paarl 300 do not support the application.

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Wednesday, 4 August 2021 at 14:30 (HvdM, DB and GJ).

KB

13.12 Proposed Additions and Alterations on Erf 994, 19 Voortrek Street, Swellendam: NM HM/OVERBERG/SWELLENDAM/ERF 994

Case No: 21060809KB0615E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Ms Katherine Dumbrell (I&AP) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- Swellendam Municipality and Swellendam Heritage Society supported the proposal.
- Swellendam Residents objected to the proposal.

FURTHER REQUIREMENTS:

The Committee has insufficient information to make an informed decision. The Committee therefore requires the submission to be informed by a heritage statement prepared by a heritage consultant, endorsed by HWC, with appropriate historical architectural and fabric experience.

KB

13.13 Proposed Additions and Alterations on Erf 3032, 150 Buitengracht Street, Bo-Kaap: NM HM/CAPE TOWN METROPOLITAN/BO-KAAP/ERF 3032

Case No: 21050614KB0531E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Mr Mike Scurr (heritage consultant), Ms Laura Milandri (RSA Architects), Ms Tamar Shem-Tov (CoCT), Dr Stephen Townsend (Institute of Architects), Ms Ursula Rigby (Institute of Architects), Ms Jacky Poking (Bo-Kaap Civic Association), Mr Sebastian van Greunen (representing the applicant), Mr Philip Brink (architect) and Ms Vimtha Rajbansi (I&AP) were present and took part in the discussions.

INTERIM COMMENT:

The Committee notes that the current proposals fall well within and are substantially in accordance with the previously HWC approved development envelope for the site, as per the ARC drawings 20_200 Rev 3, 20_201 Rev 7, 20_201 Rev 8, 20_203 Rev 7, 20_204 Rev 7, 20_205 Rev 7, 20_206 Rev 8, 20_207 Rev 5, 21_201 Rev 7, 21_202 Rev 7, 21_203 Rev 1, 23_201 Rev 7, 23_202 Rev 6, 23_203 Rev 6 and permit dated 25 March 2008, the ARC drawings approved 8 September 2008 and the current City of Cape Town approved plans of 2019. It is further noted that the current proposals are a distinct improvement on what is currently permissible for the site. However, the proposals remain undoubtably excessive in relation to the scale of the surrounding

Bo-Kaap neighbourhood. The Committee recognises this portion of the Bo-Kaap, amongst others, as a highly significant heritage resource.

Consequently, the Committee shares the concerns of CIFA in their response dated 5 July 2021 to the current proposals. This includes a shared concern that the Buitengracht Street façade is too high and that this be reduced with an additional front setback as recommended by CIFA. The Committee also supports proposals that enliven the street and ground floor experience on Buitengracht Street, shared courtyard space and closer spatial connections with the adjacent historic 148 Buitengracht Street.

The Committee would welcome any development setbacks on the northwest side to scale down impacts over the Bo-Kaap.

KB

13.14 Proposed Additions and Alterations on Erf 1182, 99 King Langalibalele Drive, Langa: NM HM/CAPE TOWN METROPOLITAN/LANGA/ERF 1182

Case No: 21051802KB0701E

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Ms Bridget O'Donoghue (heritage consultant), Mr Gawie Roux (architect) and Dr Siphon Zondi were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIB.
- CoCT supported the proposal.

FURTHER REQUIREMENT:

The Committee notes that there are a number of positive aspects to the proposals particularly as viewed from the exterior. That includes the manner in which the massing of the proposed development has been broken down and the retention of the Old Church as focus of the west elevation. The Committee nonetheless notes areas where the design could be improved:

1. Exterior:

The unrelieved largely blank north façade which has opportunities to be articulated taking cues from the abutting elements of the floor plan and by using external elements that would reinforce its landmark status.

2. Interior:

To use the project as an opportunity to retain recognisable elements of the Old Church that define its spatial integrity within the interior (e.g. floor finish, wall and window elements and holding the corners of this old space).

KB

14 HERITAGE AREAS: SECTION 31 CONSENT APPLICATIONS

14.1 None

15 PROVINCIAL PROTECTION: SECTION 29 PERMIT

15.1 None

16 PROVINCIAL PROTECTION: SECTION 28 REFUSAL

16.1 None

17 HERITAGE REGISTER: SECTION 30 PROCESS

17.1 None

18 PUBLIC MONUMENTS & MEMORIALS: SECTION 37 PROCESS

18.1 None

19 REQUESTS FOR OPINION/ADVICE

19.1 None

20 OTHER MATTERS

20.1 None

21. NON-COMPLIANCE

21.1 None

22. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee resolved to adopt the resolutions and decisions as minuted.

23. CLOSURE

The meeting closed at 18:15

24 DATE OF NEXT MEETING:

12 August 2021

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____