

MEETING OF HERITAGE WESTERN CAPE, APPEALS COMMITTEE

Minutes of a meeting of the Special Appeals Committee of Heritage Western Cape held
on
13 February 2012, at 14H00 in the Boardroom on the Stellenbosch Hotel, Cnr of Dorp
and Andringa Streets, Stellenbosch

1. Opening and Welcoming

The Chairperson opened the meeting and welcomed everyone present.

2. Attendance

Appeals Committee

Ms Laura Robinson

Chairperson Appeal Committee

Ms Sharon De Gois

Appeal Committee member

Dr Matilda Burden

Appeal Committee member

Dr Nicolas Baumann

Appeal Committee member

Dr Antonia Malan

Appeal Committee member

HWC Staff

Mr Shaun Dyers

Heritage Officer

Mr Andrew Hall

Chief Executive Officer

Ms Lithalethu Mshoti

Admin Clerk (Secretariat)

Mr Calvin van Wijk

Assistant Director

Visitors

Mr Gary Hill

Mr Derek Wille

Mr Wilhelm Retief

Ms Corlie Smart

Ms Patricia Botha

Ms Berta Hayes

Ashley Lillie

3. Apologies

None

4. Confidential Matters

4.1 None

5. Administration Matters

5.1 None

6. New Matters

6.1 Erf 9547, 160 and 162 Dorp Street, Cnr Dorp and Andringa Streets, Stellenbosch

Case No: 110908SD06

It was NOTED that the application considered by BELCOM on 10 January 2012 was a new application for the property. The Appeal was therefore for the new application.

It was also NOTED that several of the members of the Appeals Committee had served on previous BELCOM or Appeals Committees when the first application was considered.

Discussion

It was Noted that:

- Mr Wille, speaking for the Applicant, required that the appeal be against BELCom decision dated 10 January 2012 and that no mention be made for any previous application.
- The Appellant, Ms Corlie Smart, did not agree to this as it would prejudice the basis of her argument.
- Mr Dyers should be permitted to present the background to the case, however no mention of any previous applications beyond the BELCom decision of 10 January 2012, should be made.
- The substantial heritage concerns regarding the new application may be the same for those expressed for the previous proposal.

DECISION

After lengthy discussion the Committee resolved to hear the presentation by the case officer, Mr Shaun Dyers and conduct the site visit with all the parties present but not to hear the presentations by the Appellants or the Applicant. These would be heard at the regular meeting of the Appeals Committee scheduled for 22 February 2012 by which time legal opinion regarding the ability of the HWC members who had previously heard the application and/or Appeal to hear the Appeal against the new application, would have obtained by HWC.

Upon conclusion of the site inspection the Chairperson thanked all those present and closed the item, reminding both the Appellants and the Applicant to be present at the next meeting scheduled for 22 March 2012.

7. Matter Arising

7.1 Erf 280, 8 Rancke Road, Bloubergstrand, Proposed Total Demolition of the building (Dwelling) excluding the boundary wall.

Discussion:

Speaking on behalf of the Applicant, who was not present, Mr Lillie referred to the informal meeting held on site on 31 January 2012 at which members of the Appeals Committee, one of the Appellants, and the Applicants were present.

He thanked the Appeals Committee for the opportunity to discuss this matter, which had been on-going for a number of years. Although the meeting had been an informal one it had been put to the Applicant that a possible solution could be to retain some portion of the existing heritage structure as well as the boundary wall, and integrate it as a 'relic' or memory of the original building, together with appropriate interpretation and landscaping.

AM suggested that the applicant could consider approaching the Vernacular Architecture Society with a request that they consider documenting the building as it was an interesting example of local seaside vernacular architecture and construction.

It was further suggested by the Appeals Committee that the Applicant explore the opportunities for doing this within a landscape framework which could include parking to suit the needs of the adjacent hotel. Should the Applicant wish to consider this and present a proposal it would be considered as a matter of urgency by the Appeals Committee.

It was also noted that the Appellant, Mr Joe Roux representing the Body Corporate of the neighbouring apartment block, Sand & See, indicated that he would address the concerns raised by his constituency within the framework of the planning legislation rather than through the heritage legislation (HWC), as their concerns related more to aspects of planning rather than heritage.

8. OTHER MATTERS

8.1 None

9. Adoption of decisions and resolutions

The Committee formally adopted the decisions.

10. Closure of the Meeting

The Chairperson adjourned the meeting at 16h45

11. Date of Next Meeting Wednesday 22 February at 09h30

Chairperson's Signature.....

Date.....

Mr Andrew Hall
ACCOUNTING AUTHORITY
For Head of Department