MEETING OF HERITAGE WESTERN CAPE,
APPEAL COMMITTEE

Minutes of a meeting of the Appeal Committee of Heritage Western Cape held on 26 July 2011 and 12 August 2011, at 10H00 and 09H30 respectively in the Boardroom on the 7th floor
at the Offices of the Department of Cultural Affairs and Sport, Protea Assurance Building, Greenmarket Square, Cape Town

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1. Opening and Welcoming

The Chairperson opened the meeting and welcomed everyone present.

2. Attendance

Appeal Committee

Ms Laura Robinson	Chairperson Appeal Committee
Ms Sharon De Gois	Appeal Committee member
Dr Matilda Burden	Appeal Committee member
Dr Antonia Malan	Appeal Committee member
Dr Nicolas Baumann	Appeal Committee member

HWC Staff

Mr Andrew Hall	Chief Executive Officer
Ms Christina Jikelo	Deputy Director
Mr Shaun Dyers	Senior Heritage Officer
Mr Olwethu Dlova	Admin Officer (Secretariat)
Ms Jenna Lavin	Heritage Officer
Ms Tamar Grover	Senior Heritage Officer

Visitors

Ms Joanna Marx	Item 7.1
Mr J Jerling	Item 7.1
Mr I Engel	Item 7.2
Ms C Daniels	Item 7.2
Mr F Engel	Item 7.2
Mr H Cloetje	Item 7.2
Mr H Engel	Item 7.2
Mr L Hoepfner	Item 7.2
Mr P Slabbert	Item 7.2
Mr M Temmers	Item 7.2
Mr R October	Item 7.2
Mr M October	Item 7.2
Mr P Swart	Item 7.2
Ms Corlie Smart	Item 7.3
Mr Stuart Hermansen	Item 7.3
Ms Patricia van der Merwe	Item 7.3
Ms Lallie van der Merwe	Item 7.3
Mr Dominic Touwen	Item 7.3
Mr Danie van der Merwe	Item 7.3

Approved

3. Apologies

3.1 None

4. Approved Minutes of Previous Meeting held on 26 April 2011

The Committee agreed to approve the minutes which had been circulated electronically after the last Appeals Committee meeting. The minutes were signed by the acting Chairperson for the meeting, Dr Matilda Burden.

5. Confidential Matters

5.1 None

6. Matters Arising

None

7. New Matters

7.1 Erf 246, Old Timber Shed, Corner Meeding and Bull Street, Plettenberg Bay: Proposed Restoration – Section 27

The presentations by Ms Joanna Marx and Mr J. Jerling were noted.

It was noted that:

- A majority of the members believed that the site probably warranted Grade II status.
- There was a need to put the site to some form of appropriate use in order to ensure its future conservation.
- Reconstruction in the conjectural manner envisaged was inappropriate
- There are options for recreating a space in or around the building if it is approached in the correct way from a design perspective.
- A contemporary design approach in line with modern conservation principles would be accepted.

It was decided:

Not to uphold the Appeal and to refer the matter back to BELCom to interact with the applicant on ways in which the envisaged intervention could be made in line with current approaches to such interventions.

The applicant should, as part of such a future application, develop a statement of significance that takes into consideration the visual and spatial linkages with other sites of similar age in the vicinity and its location in the landscape.

Shaun Dyers

7.2 Proposed Dam Constructional Elim Mission Graveyard Site, Vogelstruysskraal, Elim, Cape Agulhas – Section 27

Committee member Ms Sharon de Gois recused herself for this item.

Approved

The presentations made by Mr I Engel and Mr P Slabbert were noted.

It was noted that:

- The property is a PHS and that the project went ahead without the necessary approvals.
- Communication between the church and the community is extremely problematic and that this has been addressed by HWC in another forum.
- The public process was flawed in that the results thereof were not released to stakeholders.
- HWC acknowledges that the site affected by the project is significant to a large portion of the community.

It was decided that:

- The AIA and minutes of public participation process must be made available to stakeholders within seven days.
- That a CMP must be developed for the site.
- A memorialisation project must be conducted by an independent specialist approved by HWC and concluded within six months.
- Whilst acknowledging the significance of the site, HWC also recognises the importance of the dam in supporting broader and necessary socio-economic development of Elim. However, the potential negative impacts resulting from relocation will outweigh the benefits of its relocation. It is therefore decided not to require the removal of the dam.

The Chairperson, Ms L Robinson left the meeting at this point, Ms S de Gois took over as Acting Chairperson.

Jenna Lavin

7.3 Farm 1440, Jonkersdrift, Jonkershoek, Stellenbosch – Section 34

After discussion with the appellants for Item 7.3 it was agreed to postpone this item and reconvene the meeting at a mutually agreed date and time.

The Committee reconvened on 12 August 2011 to consider this item.

It was confirmed that the appellant agreed that it was unnecessary that Dr Malan and Dr Baumann recuse themselves as they were no longer members of BELCom when the issues subject to appeal were raised.

The presentations made by Smart Attorneys, Mr Stuart Hermansen and Mr Dominic Touwen were noted.

It was further noted that:

- The reed ceiling and beams have failed and require replacement with new material. The appellant proposes to replace it with a yellowwood ceiling.
- The issue of the shutter swing only arose after approval had been given and the construction had started on the rear wing of the house.
- Total demolition of the interior walls of the main house as submitted by Young Architecture on 15 June 2011(Annexure B on Appeal document) was not approved by BELCom.

Approved

It was decided that:

1. The existing ceiling may be replaced. The replacement material may be yellowwood with the proviso that the detailing is clearly of a contemporary nature and that the positioning of the new ceiling be at the same height as the existing ceiling.
2. The total demolition of the internal cross walls is not approved. The partial demolition of portions of the walls as shown on drawing No. 10-04-101 version E by Young Architecture dated 30 December 2010 and appended to the letter by Young Architecture to HWC dated 04 July 2011 is approved.
3. The landscape plan be further developed to include appropriate specifications to soft and hard landscaping and be resubmitted to BELCom.

Tamar Grover

8. OTHER MATTERS

The committee resolved that given the complexity of the cases it was required to consider not more than two cases should be heard per month. If there were more than two appeals in a month the last to come in would be the first to be heard in the following month.

9. Adoption of decisions and resolutions

The Committee formally adopted the decisions.

10. Closure of the Meeting

The Acting Chairperson adjourned the meeting of 26 July 2011 at 13H00.
The Chairperson adjourned the meeting of 12 August 2011 at 11:30.

11. Date of Next Meeting……23 August 2011

Chairperson's Signature…….

Date…….

Mr Andrew Hall
ACCOUNTING AUTHORITY
For Head of Department

Approved