

MEETING OF THE HERITAGE WESTERN CAPE, APPEALS COMMITTEE

Minutes of a Special Meeting of the Appeals Committee of Heritage Western Cape held on Tuesday, 1 December 2015, at 14H00 in the 1st Floor Boardroom at the offices of the Department of Cultural Affairs and Sport, Protea Assurance Building, Greenmarket Square, Cape Town

1. Opening and Welcoming

The Acting Chairperson opened the meeting at 14H45 and welcomed everyone present.

2. Attendance

Appeals Committee

Dr Nicolas Baumann
Ms Laura Robinson
Ms Sarah Winter

Appeal Committee member/
Council Member
Council Member

HWC Staff

Dr Errol Myburg
Ms Jenna Lavin
Mr Zwelibanzi Shiceka
Ms Penelope Meyer
Mr Andrew September
Mr Olwethu Oz Dlova

Chief Executive Officer
Acting Deputy Director
Assistant Director
Legal Advisor
Heritage Officer
Admin Officer (Secretariat)

Visitors

Mrs Pam Naidoo (representing Cape Town Stadium)
Mr David Marais (representing City of Cape Town)
Ms Quahnita Samie (representing City of Cape Town)
Adv Peter Kantor (representing City of Cape Town)

Observers

Mrs Jenny McQueen (representing GPRRA)

3. Apologies

Mr Richard Summers
Dr Antonia Malan
Mr Trevor Thorold
Mr Guy Thomas

Chairperson Appeal Committee
Appeal Committee member
Appeal Committee member
Heritage Officer

4. Approval of agenda

The Committee resolved to approve the agenda dated 1 December 2015.

6. Disclosure of interest

None

7. Matters Arising

7.1 None

8. New matters

8.1 Proposed Mixed Use Development on Remainder of Erf 1056, Green Point, Cape Town: Section 38 (4)

Mr Andrew September made a power-point presentation, after which Adv Peter Kantor presented the Appeal on behalf of the City of Cape Town.

The legal adviser for Heritage Western Cape, Ms Penny Meyer, provided a response on behalf of HWC

In discussion it was noted that:

- In setting out its decision on the appeal relating to the development application for the remainder of Erf 1056, Green Point (the GBB the Committee focussed on the heritage issues of substance.

In terms of the significance of the site in question the following was noted.

- The “idea” of the Green Point Common and the lack of clarity around its spatial expression has led to confusion about its core heritage significance.
- The core heritage significance of the property (GPC) needs to be analysed, spatialised and formal protective measures need to be investigated.
- The qualities of the Green Point Common have been significantly altered over time with the loss of green open space, caused largely by the construction of the stadium, the stadium forecourt and Granger Bay Boulevard. This has resulted in various hierarchies of heritage significance and public access and appreciation across the site; these need to be factored into any formal declaration process.
- While it is held that the core heritage significance of the GPC needs to be analyzed and spatialised prior to formal protection, it is considered that, in terms of the processes referred to above, which have resulted in the erosion of some heritage significance, the core area would relate to the area referred to as the Green Point Park (Annexure 10 in the documentation provided), including the Urban Park, the Sports Precinct and the Track, but excluding the Stadium Precinct and the GBB site and the balance of erf 1056.

It is thus held that a decision can be made regarding the heritage significance of the GBB site independent of the analysis related to the formal protection referred to above”.

The property development site (the GBB, the remainder of the old B field) has limited heritage significance for the following reasons:

- 1 It has been severed from the Green Point Track by the Granger Bay Boulevard.
- 2 It is spatially dislocated from what is considered to be the core heritage resource and green open space system with its associated patterns of public access.
- 3 The historical communities who had used the playing fields in the past have raised no objection to the proposed development.

- 4 The important sight lines between Fort Wynyard and the Lion Battery will not be obstructed by the property development as illustrated in development option 3.
- 5 The site is small, isolated and underutilized. It is not integrated into the Green Point Urban Park or the surrounding urban fabric.

In summary, while the committee is of the opinion that parts of the Green Point Urban Park are worthy of Grade II status this status requires further investigation. Furthermore delegations to the committees of Heritage Western Cape enabling them to grade sites need to be clarified and submitted for discussion at the next meeting of the HWC Council.

The Committee is therefore of the opinion that the development option 3 will have minimal impact on identified heritage resources.

DECISION

The appeal is upheld and the property development option 3 is approved subject to the following conditions.

- 1 Archaeological monitoring of bulk earthworks must be undertaken.
- 2 The design development for the site must proceed in general accordance with the heritage principles contained in the Heritage Impact Assessment (page 35)

Guy Thomas

9. Other matters

None

10. Adoption of decisions and additions

The Committee resolved to adopt the decisions.

11. Closure of the meeting

The Chairperson closed the meeting at **17H00**

12. Date of next meeting 8 December 2015

Chairperson’s Signature.....

Date.....

Dr Errol Myburg
 Interim Chief Executive Officer
 ACCOUNTING AUTHORITY
 For Head of Department