

**APPROVED MINUTES OF THE MEETING
OF THE COUNCIL OF HERITAGE WESTERN CAPE (HWC),
Held on Tuesday, 9 February 2021, via Microsoft Teams
at 10H00**



1. Opening and Welcome

The Chairperson, Adv Mandla Mdludlu officially opened the meeting at 10:03 and welcomed everyone present.

2. Attendance

Members

Adv Mandla Mdludlu (Chairperson)
Mr Jason Knight (JK)
Ms Emmylou Bailey (EB)
Mr Ron Martin (RM)
Ms Cecilene Muller (CM)
Mr Stuart Hermansen (SH)

Members of Staff

Ms Colette Scheermeyer (CSc)
Ms Waseefa Dhansay (WD)
Ms Penelope Meyer (PM)
Mr Jonathan Windvogel (JW)
Mr Olwethu Dlova (OD)
Ms Nosiphiwo Tafeni (NT)
Ms Nuraan Vallie (NV)
Ms Zahirah Ebrahim (ZE)
Dr Mariagrazia Galimberti (MG)
Ms Aneeqah Brown (AB)

Visitors

Mr David Micketts

Ms Nosiphelo Mabude

Observers

None

3. Apologies

Mr Graham Jacobs (GJ)
Ms Vuyisika Myakala (VM)
Ms Katherine Dumbrell (KD)
Mr Bongani Mgijima (BM)

4. Approval of agenda

4.1 Date 9 February 2021

The Committee approved the agenda dated 9 February 2021 with amendments.

5. Approval of minutes of the previous Council meeting

5.1 Minutes of Council meeting of 19 November 2020

The Council resolved to approve the minutes dated 19 November 2020 with minor amendments.

5.2 Confidential minutes of 19 November 2020

The confidential minutes of the Council meeting dated 19 November 2020 is hereby postponed for the next Council meeting.

6. Disclosure of conflict of interest

- RM: item 5.2 and 8.2

7. Matters arising

7.1 Section 30 and 31 Regulations

PM tabled a reported back, which was noted by Council.

Amongst other things, the following was noted by Council:

- A letter had been sent to the Minister of Local Government in order to comply with the need to consult with him, but no response had been received as yet. PM to report back on the next Council meeting.

PM

7.2 Application for registration of the Kai Korana Land and Heritage Governing Body and Cultural and Customary Council as conservation body

PM reported back, and this was duly noted by Council.

Amongst other things, the following was noted by Council:

- That the legal opinion on the constitutionality of the Kai Korana Land and Heritage Body was still awaited from the Department of the Premier. PM to report back on the next Council meeting.

PM

8 Confidential matters

8.1 Please see annexure for minutes.

8.2 Please see annexure for minutes.

9. Appointments

9.1 The Council noted the appointment for item 10.2 set for 11:00, 10.3 set for 12:00 and items 11.2.1, 11.2.2, 11.2.3 and 12.2 set for 13:00.

10. Administration matters

10.1 Directors and Officers Insurance

The matter deferred to the next Council meeting.

CSc

10.2 Risk Register

DM presented a PowerPoint presentation which was noted by Council.

Mr David Micketts and Ms Nosiphelo Mabude were present and took part in the discussion.

It was reiterated that the risk register is a 'living document' and Council members are encouraged to suggest changes and edits as required throughout the year.

DECISION:

The Council resolved to approve the Risk Register.

CSc

10.3 Request of permission to appoint consultants for three projects for the Financial Year 2020/2021

Dr Mariagrazia Galimberti presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the appointment of consultants for three projects for the financial year 2020/2021.

MG

11. Standing items

11.1 Acting CEO's Report

CSc presented a verbal report, which was noted by Council.

MD

11.2 Financial matters

11.2.1 In Year Monitoring Report 2020/2021

ZE presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the In Year Monitoring Report 2020/2021.

ZE

11.2.2 HWC Budget 2020/2021

ZE presented a report, which was noted by Council.

DECISION

The Council resolved to approve the HWC Budget 2020/2021.

ZE

11.2.3 HWC 3rd Quarter Financial Report

ZE presented a report, which was noted by Council.

DECISION

The Council resolved to approve the HWC 3rd Quarter Financial Report.

ZE

11.3 Strategic matters

11.3.1 None

11.4 Local Government Matters

11.4.1 Delegations of Powers to Local Authorities

CSc presented a verbal report, which was noted and approved by Council.

CSc

11.4.2 Competency of Drakenstein Municipality

CSc presented a verbal report, which was approved by Council.

CSc

11.5 Committee Reports

a) BELCom report:

CSc presented a report, which was noted by Council.

DECISION:

The Council supported the recommendation of the BELCom report, prepared by Mr Graham Jacobs dated 3 February 2021 that:

1. Mr Graham Jacobs to engage with the executive of the Moravian Church, representatives from the Cederberg local authority and the WCSG to co-operatively ensure that reconstruction work occurs strictly in accordance with HWC approved building plans. It is reminded that these plans were drawn up in consultation with the residents of each affected house and therefore there is no excuse for variations without HWC's approval. If firm action is not taken now, HWC could find itself unjustifiably placed in a negative spotlight, particularly given that 2021 is the year of

local elections during which political control of the marginal Cederberg Municipality will no doubt be hotly contested.

b) APM Report:

CSc presented a report, which was noted by Council.

DECISION:

The Guide for Minimum Standards for Archaeology and Palaeontology Reports has not yet been approved by Council as it has to be approved by legal team first.

c) Appeals Report:

CSc presented a report, which was noted by Council.

DECISION:

The Council supported the recommendation of the Appeals Committee report, prepared by Ms Kathy Dumbrell dated 3 February 2021 that:

1. That Council note the contents of this report
2. That Council and management consider including consultation with registered conservation bodies at NID stage as part of the s38 process.

d) IACom Report

CSc presented a report, which was noted by Council.

DECISION:

The Council supported the recommendation of the IACom report, prepared by Mr David Gibbs dated 3 February 2021 that:

1. With respect to the integration of IACom and APM, better co-ordination with APM is required. For IACom to make informed decisions on archaeological matters, it is preferable for APM to have sight of Archaeological issues and the opportunity to discussion, comment and make recommendations to IACom at APM meetings in advance of the monthly IACom meeting. Should this not be possible, Archaeological matters on the IACom agenda should be flagged during administration and referred to APM for their expert scrutiny. This need not require a full meeting of the APM, but depending on the complexity, either an ExCo / core / ad-hoc group discussion, or at least the considered opinion of one of the members would greatly improve the functionality of the IACom process in archaeological matter.
2. In such cases in which additional members are co-opted onto the IACom for specific items, these should be clearly defined.

e) IGIC Report

RM presented a report, which was noted by Council.

DECISION:

The Council supported the recommendation of the IGICom report, prepared by Mr Ron Martin dated 5 February 2021 that:

1. HWC continues its support for the staff in the endeavours outlined in the discussion above.

CSc

11.6 Report and feedback from Independent Tribunals appointed by the Minister

PM presented a verbal report, which was noted by Council.

PM

11.7 Report and feedback on Court Matters / Appeals

PM presented a verbal report, which was noted by Council.

PM

11.8 Conservation Management Plans

11.8.1 Application for approval of Fabric Management Plan, Roodeheuveld Historic Homestead and outbuilding situated on a Portion of the Farm Roodeheuveld 141/36 (Oudtshoorn Research Farm), Oudtshoorn District and Municipality

WD presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the Fabric Management Plan, Roodeheuveld Historic Homestead and outbuilding situated on a Portion of the Farm Roodeheuveld 141/36 (Oudtshoorn Research Farm), Oudtshoorn District and Municipality prepared by Perception Planning and ARCON, dated September 2020. The approval does not exonerate the owners from applying for the necessary permits from HWC to undertake work which triggers the NHRA.

WD

11.8.2 Conservation Management Plan for Iziko Museum, South African National Gallery, Erven 9504 And 96132, St John's Road, Gardens, Cape Town

WD presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the Conservation Management Plan for Iziko Museum, South African National Gallery, Erven 9504 And 96132, St John's Road, Gardens, prepared by Urban Design, dated 6 October 2020. The approval does not exonerate the owners from applying for the necessary permits from HWC to undertake work which triggers the National Heritage Resources Act (NHRA).

WD

11.9 Proposed Provincial Heritage Site/s (PHS)

11.9.1 None

12. Policy matters/ guidelines and Section 38 processes

12.1 Guideline for NID and HIA Submissions

WD presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the HWC Guideline for Notification of Intent to Develop (NID) and Heritage Impact Assessment (HIA) Submissions.

WD

12.2 Remuneration Policy

NV presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the HWC Remuneration Policy.

NV

13. Conservation bodies

13.1. Updated of conservation bodies

13.1.1 None

13.2 Applications received of conservation bodies

13.2.1 None

14. New matters

14.1 Appointment of two IGIC members to fill the vacancies that arose with the resignation of HWC Councillor De Kock and member Lavin

CSc and RM presented a verbal report, which was noted by Council.

DECISION:

The Council resolved to approve the appointment of Councillor Knight to serve on IGICom.

CSc

14.2 Appointment of BELCom members to fill the vacancies that arose with the resignation of HWC Councillor Hermansen and member Narainne

CSc presented a verbal report, which was noted by Council.

DECISION:

The Council resolved to approve the appointment of Ms Helene van der Merwe to serve on BELCom.

CSc

14.3 Appointment of Alternate Member for Appeals Committee

PM presented a report, which was approved by Council.

DECISION:

The Council resolved to appoint Councillor Bailey as an alternate member of the Appeals Committee.

PM

14.4 Revised Application Forms

WD presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the HWC revised application forms (S27, S34 and S38 NID form).

WD

14.5 Delegation of Functions to IGIC in terms of Section 27(8)

PM and RN presented a report, which was noted by Council.

DECISION:

The Council resolved to approve the amendment delegation of functions to IGIC in terms of Section 27(8) of the NHRA by the insertion of the following:

Section 27 (8)	Initiation of the notification process in terms of Section 27(8)	Where the committee has decided that a <i>prima facie</i> case has been made to declare a site a Provincial Heritage Site, the power to initiate the notification procedure in terms of Section 27(8) of the NHRA, collate and comment on all comments received prior to submission to Council together with the recommendation of the Committee.
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PM

15. Other matters

15.1 None

16. Adoption of decisions and resolutions

The Council adopted all decisions and resolutions.

17. **Proposed date of the next meeting:** To be confirmed

18. **Closure:**
The meeting adjourned at 15:20

CHAIRPERSON _____

DATE:

SECRETARY _____

DATE: