

HERITAGE WESTERN CAPE

Minutes of the meeting of the Council of Heritage Western Cape held on 3 August 2011, in the first floor Boardroom at the offices of the Department of Cultural Affairs and Sport, Cape Town at 09H30

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
1.	OPENING AND WELCOME	The Chairperson,				
2.	ATTENDANCE	<p>The following Council members were present:</p> <p>Adv R Robinson, Chairperson (left at 11:30)</p> <p>Dr Matilda Burden</p> <p>Ms Mary Leslie</p> <p>Ms Sharon De Gois</p> <p>Ms Sarah Winter</p> <p>Ms Maureen Wolters</p> <p>Dr Stephen Townsend (Chairperson from 11:30)</p> <p>Mr Magnus Steenkamp</p> <p>Mr Patrick Fefeza</p> <p>Mr Roger Joshua</p> <p>Ms Laura Robinson</p> <p>Ms Ziyanda Manzana</p>				

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
		<p>The following staff of the DCAS were present:</p> <p>Mr Andrew Hall Ms Christina Jikelo Ms Lorelle Hutton Ms Lithalethu Mshoti (secretariat)</p>				
3.	APOLOGIES	<p>Mr Floris Brown Mr Olwethu-Oz Dlova Mr Calvin van Wijk</p>				
4.	APPROVAL OF PREVIOUS MINUTES OF COUNCIL MEETINGS					
4.1	Approval of minutes of 4 May 2011	The minutes were approved with amendment		LM		
5	CONFIDENTIAL MATTERS					
5.1	None					

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
6	Appointments	Item no 9.3 Conservation Management Framework for De Hel Constantia (11:00) Item no 10.2 Approval of the draft CMP Baboon Point PHS (14h00)				
7.	MATTERS ARISING FROM THE MINUTES					
7.1	Nomination of farm Luiperskop, Ratelgat, District van Rhynsdorp as Division for Provincial Heritage Status in Terms of S.27 of the NHRA, 1999 (Act 25 of 1999)	The Council noted the recommendations in the written report	The Council resolved to: Approve the gazette notice after checking the use of the term "Paramount Chief" The Council approves the payment for gazetting Council approves the publication of the gazette notice in the three official languages	ZS	.	

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
7.2	Construction progress on the declaration of Community House, Erf 16259, 41 Salt River Road, Salt River Division, as PHS	It is recommended that HWC wait for a suitable date from the Community House board for the announcement of Community House as a PHS.	The Council noted the report	RN		
7.3	Management of Grade I heritage resources: Letter from SAHRA dated 4 November 2010	The Council noted the verbal report	The Council resolved that the CEO and Chairperson should have one more interaction with SAHRA in this respect, put them to terms and then formally inform SAHRA and Local Authorities of our administrative practises <ul style="list-style-type: none"> • And that Ms Laura Robinson and Adv. Ronee Robinson in their capacity as members of SAHRA Council to encourage SAHRA to establish clarity in this regard. 	AH		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
7.4	Code of Conduct for HWC	The Council agreed to the amendment of paragraph 3.12 pg 12 from R1000 to R300	The Council resolved to adopt the Code of Conduct as amended in the meeting with immediate effect	AH		
7.5	Comparative Analysis for application costs	Deferred to the next Council meeting				
7.6	Delegations		The Council resolved to amend the quorums of all sections of the delegations with the exception of section 2, to provide for a simple majority of current members.	AH		
8.	STANDARD ITEMS					
8.1	Report and feedback from Executive Committee		The Council ratifies the decision of the EXCO Committee to appoint Ms Sarah Winter as Chair of the BELComm and Dr Stephen Townsend as Chair of the IARComm It was agreed that draft	RR		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
			minutes of the EXCO meetings will be circulated and in future would form part of the Council agenda			
8.2	Report and feedback on the BELCom	The Chairperson of BELCom presented her report.	<ul style="list-style-type: none"> The Council noted the report and that a log of decisions contradictory to the opinions with the City of Cape Town in respect of their recommendations regarding applications is being kept. 	SW		
8.3	Report and feedback on the IARCom	The Chairperson of the IARCom presented his report.	<ul style="list-style-type: none"> The Council noted the report The Council resolved to appoint Richard Summers to the IARComm The Council resolved to extend the work of the IARComm for six months To change the name of the committee to Impact Assessment 	ST		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
			Committee or IA Comm			
8.4	Report and feedback on APMCom	The Chairperson of the APM Committee spoke to her written report.	<ul style="list-style-type: none"> • The Council noted the report. • the invitation to the City to send Ms B Mutti as an observer to the committee • and the appointment of Mr Justin Bradfield as heritage officer (archaeology) on the staff establishment of HRMS • the meeting with ASAPA and PSSA . • noted the difficulties experienced with the archaeological and paleontological assessment reports 	ML		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
8.5	Report and feedback on Appeals Committee	The Chairperson of the Appeals Committee presented her report.	The Council noted the report	LR		
8.6	Report and feedback from the Survey Committee	The Chairperson of the Survey Committee spoke to her written report	The Council noted the report	SdG		
8.7	Report and feedback from the DRCom	The Chairperson of DRCOM presented a verbal report	The Council noted the report <ul style="list-style-type: none"> and that the letters to the owners in respect of section 34 refusals is being followed up. 	MB		
8.8	Report and feedback on Independent Tribunals appointed by the Minister	The CEO presented a verbal report	The Council noted the verbal report	AH		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
8.9	Report and feedback from the SAHRA Council	Ms Laura Robinson presented a verbal report	The Council noted the verbal report	LR		
8.10	Delegation of heritage resources management functions to local authorities	The Council noted the report	The Council noted that the draft agreement is expected which will be circulated to all Council members and that a special Council meeting will be held with the City Council to discuss this	AH		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
			matter.			
9.	Financial Matters					
9.1	Financial Report: Quarterly Financial Report:1st Quarterly Performance Report: 2011/12	The Committee noted the report	The Council noted the content of the quarterly performance report It was noted that the Annual Report 2010 / 2011 will be distributed to all Council members once tabled in the legislature	MS AG LMH		
10	POLICY MATTERS					
10.1	Draft regulations for meetings of the Council and committees of HWC	Council members are encouraged to submit comments	The Committee resolved not to deal with this matter and deferred for the CEO to make the regulations consistent with the code of conduct	AH		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
10.2	Registration of Conservation Bodies		<p>The Council noted the verbal report and emphasised the necessity for progress in this matter</p> <p>and that this matter will be referred to the EXCO meeting</p>	AH		
10.3	Conservation Management Framework for De Hel Constantia	The Council noted the written report	<p>The Council resolved to approve the CMF subject to the edits listed in Dr Burden's comments attached to Mr S Dyers report. These included the necessity of identifying the authors, the contributors and including a bibliography.</p> <p>The Council anticipates</p>	SD		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
			the CMF will be implemented as soon as the PHS is approved and that the CMF will be improved over time by enlarging on the strategies referred to			
10.4	Interpretation on the definition 'change of character' of a site i.t.o. section 38 of Act 25 of 1999		The Council resolved that this matter be dealt with when regulations for section 38 are drafted	AH RR MS		
10.5	Guidelines for Conservation Management Plans		It was resolved that the DRC would develop guidelines for the compilation of Conservation Management Plans			
11.	NEW MATTERS					
11.1	LUPO and Section 38 of the NHRA		The Council resolved that LUPO does not	RR		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
			<p>constitute other legislation in terms of Section 38 of the NHRA because, amongst other reasons, it does not require an evaluation of the impacts of development on heritage resources.</p> <p>That the CEO interacts with DEADP in the first instance and establish their administrative practices regarding advertising to interested parties and to state bodies.</p>			
11.2	Approval of the draft CMP Baboon Point PHS	Mr B Bailey agreed to meet with Mr A Hall as soon as possible to come to an agreement on the process of dealing with	<p>The Council resolved to</p> <ul style="list-style-type: none"> • appoint the Baboon Point committee and delegate the authority to the committee to 	AH		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
		the CMP and the application	<p>make decisions on all matters enabled by the NHR Act in respect of the Provincial Heritage Site , Baboon Point, Elands Bay</p> <ul style="list-style-type: none"> • The committee will consist of Roger Joshua, Sarah Winter, Stephen Townsend (Chair), Janette Deacon Judith Sealy and Mary Leslie • This committee is established until the first meeting of the Council in 2012 • Minutes of this committee will be tabled at Council meetings • The Committee will meet when necessary 			
11.3	Formal protection	It is recommended that:	The Council noted the	RN		

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
	of the historic 1872 Hex River Railway Line, De Doorns, District of Worcester in terms of Section 27 of the National Heritage Resources Act (Act 25 of 1999)	Mr S Jordaan is requested to submit the required progress report as well as a Conservation Management Framework in order for HWC to make a decision with regard to the formal protection of this significant Heritage Resource.	report			
11.4	Review of Section 27, 34 and 35 forms		The Council resolved that the CEO should convene the necessary workshop as agreed at the strategic planning session 19 – 20 July 2011	CvW AH		
12	Other Matters					
12.1	Appointment of heritage inspectors	The appointment of heritage officers' Ms N Nkoane and Mr Justin Bradfield as heritage inspectors	The Council resolved to appoint Ms Nkoane and Mr Bradfield as heritage inspectors			
12.	Adoption of the decisions and		The Committee agreed to adopt the decisions and			

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
	resolutions		the resolutions			
13	Date of the next meeting	9 November 2011				
14.	Closure					

CHAIRPERSON:

SECRETARY:

DATE:

DATE

Approved