

## HERITAGE WESTERN CAPE

**Minutes of the meeting of the Council Inauguration of Heritage Western Cape held at 10:00 on 5 August 2010, in the 7th floor Boardroom at the offices of the Department of Cultural Affairs and Sport, Cape Town.**

ITEM	SUBJECT	DISCUSSION	DECISION	PERSON RESPONSIBLE FOR ACTION	TIMEFRAME	FILE NO
1.	<b>OPENING AND WELCOME</b>	Dr. Deacon opened the meeting at 9:10 and welcomed all Council members and staff present.				
2.	<b>ATTENDANCE</b>	<p><u>The following Council members were present:</u></p> <p>Adv. Ronee Michelle Robinson- Chairperson Ms. Ziyanda Manzana Ms Sarah Winter Mr. Roger Morgan Joshua Dr Stephen Steward Townsend Dr Matilda Burden Ms Sharon de Gois Mr Floris Abraham Brown Ms Mary Leslie MS Laura Ann Katherine Robinson Mr Derrick Grootboom Mr Zoyisile Patrick Fefeza Ms Maureen Wolters Mr Magnus Daniel Steenkamp <u>Dr Jeanette Deacon - facilitator</u></p>				

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		<p><u>The following staff of the DCAS were present:</u></p> <p>Ms Hannetjie Du Preez  Ms Christina Jikelo  Ms Belinda Mutti  Mr Ronny Nyuka  Mr Shaun Dyers  Mr Lithalethu Mshoti (Secretariat)  Ms Lorelle Hutton  Ms Tamar Grover</p>				
3.	<b>APOLOGIES</b>	NONE				
4.	<b>MATTERS ARISING</b>					
4.1	<b>INTRODUCTION OF NEW COUNCIL</b>	<ul style="list-style-type: none"> <li>Each of the Council Members introduced themselves and informed of their professional backgrounds and interest in heritage</li> </ul>				
4.2	<b>INTRODUCTION OF STAFF MEMBERS TO THE NEW COUNCIL</b>	<ul style="list-style-type: none"> <li>The Staff members arrived and introduce themselves to the council members and also informed the Council of their professional backgrounds and interest in heritage</li> </ul>				
5.1	<b>INTRODUCTION TO THE NATIONAL HERITAGE RESOURCE ACT,</b>	<ul style="list-style-type: none"> <li>.Ms du Preez made a power point presentation to the Council describing the implications of many of the provisions.</li> </ul>	<p>It was AGREED that:</p> <ul style="list-style-type: none"> <li>Ms du Preez's PowerPoint Presentation would be made available to the</li> </ul>	Ms Hannetjie du Preez	.	

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	ACT25 OF 1999		Council members.			
5.2	<b>How does Heritage Western Cape operate? Its structures and Mandates: HWC's competency to be reviewed by SAHRA, Council, Committees and its Finance, Policies and Procedures.</b>	<p>The Council was informed that:</p> <ul style="list-style-type: none"> <li>Heritage Western Cape relied on the structures and staff of the Department of Cultural Affairs and Sport.</li> </ul>		Ms Hanneltjie du Preez		
5.3	<b>Proposal to Constitute a new Committee to deal with Section 38 matters</b>	<p>The Council was informed that:</p> <ul style="list-style-type: none"> <li>The proposal to establish a committee to deal with Sec 38 matters was outlined by Ms Du Preez</li> </ul> <p>It was noted that:</p> <ul style="list-style-type: none"> <li>It is necessary for the Council to finalise a policy in respect of Sec 38 applications.</li> <li>This committee should consist of town planners, heritage management expertise, archaeologists, urban designers.</li> <li>Sect 38(8) comments from</li> </ul>	<p>It was AGREED that:</p> <ul style="list-style-type: none"> <li>Section 38 Committee will be established for a trial period of 1 year.</li> <li>In this Committee there will be a combination of BELCom members and APM members and members with additional expertise</li> <li><i>The agenda will close 8 days before BELCom and two weeks before the Section 38 and APM committee meetings to allow enough time to study the documents</i></li> </ul>			

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		<p>Heritage Western Cape to the Department of Environmental affairs and Developmental Planning (DEA&amp;DP) to have an independent review committee directly appointed by the Minister</p> <ul style="list-style-type: none"> <li>• It was argued that there is no appeal to the Appeal Committee of Heritage Western Cape. It was also pointed out that Section 38(6) only enabled appeals by applicants and that, therefore, appeals to the Appeal Committee were also inevitable.</li> <li>• There is a separate appeals process where if Heritage Western Cape have made a comment in terms of the environmental legislation or Mining legislation and the comments are taken into account by the MEC then there is a process in which we as the Council object to the ROD issued by MEC but that is a separate appeals process.</li> </ul> <p>It was noted that:</p> <ul style="list-style-type: none"> <li>• As a consequence of the work this new committee would do, the length of the BELCom Meetings would be reduced.</li> </ul>				

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		<ul style="list-style-type: none"> <li>It was suggested that the Sec 38 Committee be established on a trial basis and if it does not work then to make changes.</li> </ul>				
5.3	<b>Registration of Conservation Bodies: Consultation required, review of existing registered Conservation Bodies and a need for policy.</b>	<ul style="list-style-type: none"> <li>Ms du Preez outlined the provisions of the NHR Act in respect of Conservation Bodies and the responsibility of HWC to register such bodies:</li> </ul> <p>It was noted that:</p> <ul style="list-style-type: none"> <li>In some cases there are more than one Conservation Body in the same geographic area.</li> <li>The bodies must register their interest in both the geographic area and the category of heritage resource, and they must provide their aims and objects, constitution, area of operation, accountability of members, minutes of annual general meetings and latest annual report, field of interest wish to register, etc.</li> <li>The Conservation Bodies must provide their comments in time in order for the applications to be considered in terms of the legislation.</li> </ul>		Ms Hannetjie du Preez		

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		<p>The Council was informed that:</p> <ul style="list-style-type: none"> <li>• It Costs nearly R100 000 to advertise HWC's invitation to such bodies to register in the small newspapers throughout the Province, This is done in English, Afrikaans and Xhosa.</li> <li>• It is time to look at a review of their performances.</li> <li>• Applicants need to be told of all the registered Conservations Bodies and applicants must obtain input from the registered Conservation Bodies in order for the application to be processed by Heritage Western Cape.</li> <li>• It was noted that Heritage Western Cape must keep the list of Conservation Bodies available for inspection by Applicants.</li> </ul>				
5.4	<b>Formal Delegations to Committees and Staff</b>	<p>The Council was informed that: New delegations were necessary to empower the new Section 38 committee</p> <ul style="list-style-type: none"> <li>• That the new delegations will be distributed electronically for approval so that it can be signed by the Chairperson.</li> </ul>				

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5.5	<b>Welcome by the Minister of cultural Affairs, Sports and Recreation, Mr Sakkie Jenner and Mr. Brent Walters, The Head of the Department of Cultural Affairs and Sport to the new Council.</b>	<ul style="list-style-type: none"> <li>The MEC welcomed and addressed the new Council.</li> </ul>				
5.6	<b>Photo call and Media Announcement</b>	<ul style="list-style-type: none"> <li>The Council was called outside to go and have a media Briefing and Photographs with the MEC and the Head of Department for the Department of Cultural affairs and Sports.</li> </ul>				
5.7	<b>Obligations and Responsibilities of Council and Committee members: Declaration of Interest, Formal Registration and other administrative procedures for Council members ( also applicable to co-opted Members of all committees of Council)</b>	<p>The Council was informed that:</p> <ul style="list-style-type: none"> <li>Each member is in the Council on a personal capacity and did not represent any stakeholder company.</li> <li>Each member was required to declare any interests and, whenever there may be a perception of a conflict of interest, they would need to recuse themselves.</li> </ul>				

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5.8	<p><b>Appointment of Committees: Council members and Co-opted Members/ alternative co-opted members to ensure a minimum quorum.</b></p>	<ul style="list-style-type: none"> <li>The Council Members then volunteered to serve in various committees bearing in mind their expertise.</li> </ul>	<p>It was AGREED that:</p> <p><b><u>EXCO</u></b></p> <ul style="list-style-type: none"> <li>Adv. Ronne Robinson – Chairperson</li> <li>Ms. Mary Leslie</li> <li>Mr. Derrick Grootboom</li> <li>Ms Laura Robinson</li> <li>Dr. Stephen Townsend</li> </ul> <p><b><u>APPEALS COMMITTEE</u></b></p> <ul style="list-style-type: none"> <li>Ms Laura Robinson- Chairperson</li> <li>Mr Derrick Grootboom</li> <li>Dr. Matilda Burden</li> <li>Ms. Sharon de Gois</li> <li>Dr. Antonia Malan</li> </ul> <p><b><u>BELCOM</u></b></p> <ul style="list-style-type: none"> <li>Dr. Stephen Townsend, – Chairperson</li> <li>Mr. Patrick Fefeza</li> <li>Ms Maureen Wolters</li> <li>MS Ziyanda Manzana</li> <li>Mr. Roger Joshua</li> <li>Ms Sarah Winter</li> <li>Mr. Tim Hart</li> <li>Mr. Trevor Thorold</li> </ul>	<p>Ms Hanneljie Du Preez and Council members</p>		



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			<p><b><u>APM COMMITTEE</u></b></p> <ul style="list-style-type: none"> <li>• Ms Mary Leslie – Chairperson</li> <li>• Dr John Almond</li> <li>• Mr Dave Halkett</li> <li>• Dr John Pether</li> <li>• Dr Janette Deacon</li> <li>• Prof Judy Sealy</li> <li>• Dr. Shadreck Chirikure</li> </ul> <p><b><u>SECTION 38 COMMITTEE</u></b></p> <ul style="list-style-type: none"> <li>• Derrick Grootboom – Chairperson</li> <li>• Magnus Steenkamp</li> <li>• Ms Mary Leslie</li> <li>• Ms Sharon de Gois</li> <li>• Dr. Stephen Townsend</li> <li>• Mr Roger Joshua</li> <li>• Ms Sarah Winter</li> <li>• Mr Piet Louw (If not available ask Dr. N Baumann)</li> <li>• Mr Dave Halkett</li> <li>• Dr. John Almond</li> </ul> <p><b><u>WORDING AND</u></b></p>			

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			<p><b><u>INTERPRETATION AD HOC COMMITTEE</u></b></p> <ul style="list-style-type: none"> <li>• Mr. Patrick Fefeza - Chairperson</li> <li>• Mr Derrick Grootboom</li> <li>• Mr. Floris Brown</li> </ul> <p><b><u>DECLARATION REVIEW COMMITTEE, AD HOC COMMITTEE</u></b></p> <ul style="list-style-type: none"> <li>• Dr. Matilda Burden – Chairperson</li> <li>• Ms Laura Robinson</li> <li>• Ms. Mary Leslie</li> <li>• Mr Patrick Fefeza</li> </ul> <p><b><u>SURVEY REVIEW/ INVENTORIES AD HOC COMMITTEE</u></b></p> <ul style="list-style-type: none"> <li>• Ms Sharon de Gois – Chairperson</li> <li>• Dr Stephen Townsend</li> <li>• Dr Matilda Burden</li> <li>• Ms Ziyanda Manzana</li> </ul>			
5.10	Timetable for	The Council was informed that:				

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	<b>Scheduled Meetings of the Council and committees of Heritage Western Cape.</b>	<ul style="list-style-type: none"> <li>That a Timetable would be electronically distributed to all the Council members for the dates of the Council and Committees meetings.</li> </ul>				
11.	<b>DATE OF NEXT MEETING</b>	<b>3 November 2010</b>				
12.	<b>CLOSURE</b>	<b>16:30</b>				

CHAIRPERSON:

SECRETARY:

DATE:

DATE