

**APPROVED MINUTES OF THE MEETING  
OF COUNCIL OF HERITAGE WESTERN CAPE,  
Held on Wednesday, 13 December 2013, 7<sup>th</sup> Floor Boardroom at the Offices of the  
Department of Cultural Affairs and Sport,  
Protea Assurance Building, Greenmarket Square, Cape Town at 09H30**

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**1. Opening and Welcome**

The meeting was officially opened at 09H00 by the chairperson Ms Laura Robinson, and she welcomed everyone present.

**2. Attendance**

**Members**

Ms Laura Robinson	LR
Ms Sarah Winter	SW
Dr Lita Webley	LW
Mrs Mary Leslie	ML
Ms Maureen Wicomb	MW
Ms Quahnita Samie	QS
Mr Siphiso Mavumengwana	SM
Dr Piet Claassen	PC
Mr Ignatius de Swardt	IdS
Mr Rowen Ruiters	RR
Mr Julian Kritzing	JK
Dr Antonia Malan	AM

**Members of Staff**

Mr Andrew Hall	AH
Ms Christina Jikelo	JC
Ms Lorelle Hutton	LH
Mr Olwethu Dlova	OD
Mr Zwelibanzi Shiceka	ZS
Mr Jonathan Windvogel	JW
Mr Troy Smuts	TS
Ms Ntombi Nkoane	NN
Mr Mark Jonkers	MJ

**Visitors**

Mr Ashley Lillie	AL	Ms Kathy Dumbrell	KD
Mr Sidney Stader	SS	Mr Shaun Hangone	SH
Mr Isaac Engel	IE		

**3. Apologies**

Ms Maureen Wolters

**4. Approval of minutes of the previous meeting held 24 October 2013**

4.1 The Committee resolved to approve the minutes without amendments.

**5. Confidential Matters**

5.1 None

**6. Disclosure of Interest**

6.1 None

**7. Approval of Agenda**

The Committee approved the agenda dated 13 December 2013 as presented.

**8. Administration Matters**

## **8.1 Site Visit to the Standard Bank Building, Adderley Street**

The Council undertook a site visit to Standard Bank Building at 10H00 (purpose of this visit: HWC will soon be moving into this building in Strand Street, Cape Town, from Protea Building, hence the facilities inspection the Council).

## **8.2 Travel and accommodation**

Ms Lorelle Hutton presented a verbal report.

### **DECISION**

The Council resolved that all scheduled Council meetings in year 2014 will commence at 10H00.

**Lorelle Hutton**

## **9. Appointments**

**9.1** The Committee noted the following appointments:

- Item 12.1, 12.2 and 13.2 set for 11H00
- Item 14.2 set for 12H00
- Item 11.8.5 set for 13H00

## **10. Matters arising from previous minutes**

### **10.1 Legal Advice administration matters**

The CEO presented a verbal report.

### **DECISION**

The Council agreed that it was not necessary to seek legal advice at this stage.

**Andrew Hall**

### **10.1.1 Access to Sites for inspection**

### **DECISION**

The Council resolved that all Council members will be issued with Council ID cards for the 2013 - 2015 term of office.

**Lorelle Hutton**

### **10.2 Review of Public Entity**

The Council noted the report made by the CEO.

**Andrew Hall**

### **10.3 Conservation Bodies**

#### **10.3.1 Application for registration as a conservation body: Pniël Heritage and Cultural Trust**

The CEO presented a verbal report.

**DECISION**

The Council resolved to approve the application for registration of Pniël Heritage and Cultural Trust as a conservation body.

**Andrew Hall**

**1.0.3.2 Application for registration as a conservation body: Stofbergsfontein Homeowners' Association**

The CEO presented a verbal report.

**DECISION**

The Council resolved to approve the application for registration of Stofbergsfontein Homeowners' Association as a conservation body.

**Andrew Hall**

**11. Standing Items**

**11.1 Local Government Matters**

**11.1.1 Cape Town delegation of powers**

- The CEO explained the legal opinion obtained fromr Adv Jaga.
- It was noted that this opinion is confidential and should not be circulated beyond Council members.

**DECISION**

That the CEO interact with legal services regarding the legal opinion and thereafter its implications be discussed with the City of Cape Town.

**Andrew Hall**

**11.1.2 Cape Town Zoning Scheme**

The CEO made a verbal report indicating that the finalisation of Cape Town zoning scheme is pending.

**Andrew Hall**

**11.2 Report and feedback from EXCO**

The Council noted a verbal report presented by the Chairperson

**Laura Robinson**

**11.2.1 Draft Executive Minutes\_30 October 2013**

The draft minutes of the Executive Committee meeting, dated 30 October 2013 were noted.

**Laura Robinson**

### **11.3 Report and Feedback from the Baboon Point Committee**

Nothing to report.

**Andrew Hall**

#### **11.3.1 Draft Baboon Point Committee Minutes\_24 July 2013**

The draft minutes of the Baboon Point Committee meeting, dated 24 July 2013 were noted.

**Andrew Hall**

### **11.4 Report and Feedback from BELCom**

Ms Winter presented her report and recommended that:

- the check list to assist the officials in assessing the completeness of applications and allow them to follow procedural requirements be finalised and implemented., and,
- the revision of the regulations in order to enable HWC to approve or refuse unauthorized works be addressed.

The Council noted the report and adopted the recommendations prepared by Ms Winter.

**Sarah Winter**

### **11.5 Report and Feedback from the IACom**

The Council noted a verbal report presented by Dr Piet Claassen.

**Piet Claassen**

### **11.6 Report and Feedback from the APMCom**

The Council noted a verbal report presented by Ms Mary Leslie

**Mary Leslie**

### **11.7 Report and Feedback from the Appeals Committee**

The report of the convenor, Mr Richard Summers, had been circulated prior to the meeting. It was recommended that:

- all relevant appeal documentation be forwarded timeously to Appeal Committee members and this must be strictly adhered to by HWC officials.

The Council noted the report and adopted the recommendations prepared by Mr Summers.

**Richard Summers**

## **11.8 Report and Feedback from the IGICom**

Dr Antonia Malan presented her report and recommended that:

- Old Sillery Farm, Constantia (erven 2304 & 2305) be graded Grade II, that the cadastral extent of the site be as defined in Claire Abrahamse's nomination report, and that portions of the neighbouring properties along the river edge not be included in the site.
- Woburn Lodge, 12 Waterkant Street, Piketberg (erf 84), house and barn with the erf upon which they are situated, be graded Grade II.
- Elim PHS (Vogelstruys Kraal Farm 237); Council publish the clarification of the Gazette notice.

The Council noted the report and adopted the recommendations prepared by Dr Malan.

**Antonia Malan**

### **11.8.1 Erf 84, Woburn Lodge, 12 Waterkant Street, Piketberg**

Dr Antonia Malan presented a verbal report.

#### **DECISION**

The Council resolved to approve the grading of the building as Grade II

**Ntombi Nkoane**

### **11.8.2 Erf 106, 1 Church Street, Old Church Museum, Oude Kerk, Tulbagh**

The matter was removed from the agenda and deferred to the EXCO meeting scheduled for 16 January 2014

**Jonathan Windvogel**

### **11.8.3 Erf 170, 34 van der Stel Street, Mission Church, Tulbagh**

The matter was removed from the agenda and deferred to the EXCO meeting scheduled for 16 January 2014

**Jonathan Windvogel**

### **11.8.4 Elim: Clarity of Gazette Notice**

Mr Jonathan Windvogel made a power-power-point presentation.

Mr Sidney Stader and Mr Shaun Hangone (represented MCSA) and Mr Isaac Engel (represented Friends of Elim) was present and took part in the discussion.

## **DECISION**

- The Council resolved to support the recommendations to clarify the Government Gazette notice to include the entire extent of Farm Vogelstruys Kraal, and,
- That HWC serve the owner with a formal notice clarifying the Government Gazette notice. It was agreed that the matter be further handled by the EXCO and any further decisions be taken by electronic round robin if deemed necessary.

**Jonathan Windvogel**

### **11.8.5 Nomination of Old Sillery Farm, Constantia, Erven 2304 and 2305**

Mr Zwelibanzi Shiceka made a power-point presentation.

## **DECISION**

The Council resolved to approve the grading of the site as Grade II.

**Zwelibanzi Shiceka**

### **11.8.6 Highclere, 8 Rancke Road, Erf 280, Blouberg**

The CEO made a power-point presentation.

Mr Ashley Lillie and Ms Kathy Dumbrell were present and took part in discussion.

- Highclere, 8 Rancke Road, Blouberg, Erf 280; that HWC appoint a suitably qualified consultant to undertake a full heritage statement for the property. This should include research to inform grading and recommendations as to how the implications of the decision of the Tribunal for future site management be addressed, and in particular, the implications of the Tribunal decision with respect to the reconstruction of the building and the consequential effects on authenticity. The Minister be advised accordingly and the Chairperson of the Council and CEO meet with Dr Meyer to discuss the implications of the decision of the Tribunal.

## **DECISION**

The Council resolved:

- AH and AM will draft a specification for a heritage statement and present it to the Executive Committee at the next meeting
- The Minister be advised accordingly and the Chairperson and CEO arrange to discuss the decision of the Tribunal with him.

**Andrew Hall**

### **11.9 Report and Feedback from Independent Tribunals**

The CEO presented a verbal report.

**Andrew Hall**

**11.10 Report of the Assistant Director: Professional Services – 1 October 2013 to 9 December 2013**

The Committee noted a verbal report presented by Mr Zwelibanzi Shiceka

**Zwelibanzi Shiceka**

**12. Financial Matters**

**12.1** Mr Mark Jonkers presented a verbal report and the Council noted the financial report.

**Mark Jonkers**

**12.2 Corporate governance (Investigation and recommendation about appropriate indemnity cover)**

Mr Mark Jonkers presented a verbal report

**DECISION**

The Council noted that the submission has been prepared and a response is expected at the next Council meeting.

**Mark Jonkers**

**13. Policy Matters**

**13.1 Revised draft regulations on Conservation Bodies**

No progress on item 13.1

**Andrew Hall**

**13.2 Investment Policy**

Mr Andrew Hall presented a verbal report.

**DECISION**

The Council resolved to adopt the investment policy.

**Andrew Hall**

**13.3 Amendments to Policy on Charging of fees for applications**

Mr Andrew Hall presented a verbal report.

**DECISION**

The Council resolved to approve the revised policy with amendments.

**Andrew Hall**

**14. New Matters**

**14.1 Research access request I PhD – Heritage and Decolonisation Research Project: 2013-2014**

The Council had received the request prior to the meeting.

**DECISION**

The Council resolved that Mr Toffa be permitted to attend meetings of Committees on condition that he signs the code of conduct and rules of procedure. He is not permitted to be present during the discussion of confidential matters.

**Andrew Hall**

**14.2 Heritage Agreement for Elandsfontein 349, between HWC and Elandsfontein Exploration and Mining (Pty) Ltd**

Mr Troy Smuts made a power-point presentation.

The Council agreed that the current Heritage Agreement contained the minimum requirements of Heritage Western Cape

**DECISION**

- Should the requirements contained within the current Heritage Agreement not be acceptable to the land owner, HWC would proceed with provisional protection of the site.

**Troy Smuts**

**14.3 Letter from Louis Herbert Attorneys: Removal of Paint, 23 Shortmarket Street**

Mr Andrew Hall made a power-point presentation.

**DECISION**

The Council resolved to support the recommendations that:

- Any application made to BELCom, regarding the issuing of a permit and lifting of the stop works order be conditional on the making of a deposit equivalent to the quote for costs of paint removal.
- Failing the owners agreement to the above, the CEO negotiate a deposit and other undertakings with the owner and tenant that provide some security to HWC regarding the site as a basis for the lifting of stop works order and issuing of a permit issued for removal of the paint and other works.
- In event of the above, the necessary application/s be presented at the next BELCom meeting, but that any decisions made be withheld pending resolution of matters pertaining to the stop works order, and
- That the CEO, in consultation with the case officer, be delegated authority to set conditions pertaining to the issuing of any permit on which BELCom may resolve.

**Andrew Hall**



#### **14.4 Committee appointments (ratifications by Council)**

In discussion it was noted that:

- According to the previous Council minutes, dated 24 October 2013, the Council resolved that Mr Mavumengwana will serve on BELCom and at the EXCO meeting, dated 30 October 2013, the Committee agreed Mr Sipiwo Mavumengwana would be invited to choose between serving on either BELCom or IACom.

#### **DECISION**

The Council resolved that Mr Sipiwo Mavumengwana would be invited to serve on the IACom.

**Sipiwo Mavumengwana**

#### **14.5 HWC funding model in line with national transformation imperatives**

Mr Sipiwo Mavumengwana made a verbal report and discussion ensued.

In discussion it was noted that:

- Intangible heritage plays a significant role in the identification and understanding of the significance of heritage sites and that more emphasis should be placed on this aspect of heritage in the future. Members of Council with expertise in this field are encouraged to participate in discussions relating to Intangible heritage when applications are tabled, particularly at I&AR Com and BELCOM, but also at meetings of the IGICom.
- Reference was made to the UNESCO Convention on Intangible Heritage as well as the ICOMOS International Committee (ISC) on Intangible Heritage. These will be made available to members.

**Sipiwo Mavumengwana**

#### **14.6 Role and powers of EXCO as per Act**

Matter deferred to the next Council meeting to be held on 20 February 2014.

**Sipiwo Mavumengwana**

#### **14.7 Committee representation**

Mr Sipiwo Mavumengwana and Ms Quahnita Samie made a verbal report.

After extensive discussion it was agreed that:

- Transformation of the heritage sector and the HWC committees remained a priority;
- Every effort will be made to identify and mentor suitable candidates to serve on the committees in the future, all Council members were requested to identify possible future candidates in their specific areas of expertise;
- The Council and staff were fully supportive of the transformation imperative.

After concluding discussion on items 14.5 and 14.7 the Chairperson thanked all members present for contributing to a robust, frank and meaningful discussion and expressed her opinion that Heritage Western Cape had a strong Council with diverse skills who would work effectively and collegially together in the future.

**DECISION**

The Council resolved that:

- Ms Samie be appointed to serve on IACom.
- A policy regarding the appointment of HWC Committee's will be reviewed in 2014.

**Quahnita Samie  
Siphiwo Mavumengwana**

**14. Proposed Date of the next meeting: 20 February 2014**

**15. Adoption of decisions and resolutions**

The Council formally adopted the decisions and resolutions taken at the current meeting.

**16. Closure: 15H45**

**CHAIRPERSON** \_\_\_\_\_ **DATE** \_\_\_\_\_

**SECRETARY** \_\_\_\_\_ **DATE** \_\_\_\_\_

APPROVED