

**APPROVED MINUTES OF THE MEETING  
OF COUNCIL OF HERITAGE WESTERN CAPE,  
Held on Wednesday, 14 June 2017, 1<sup>st</sup> Floor Boardroom at the Offices of the  
Department of Cultural Affairs and Sport,  
Protea Assurance Building, Greenmarket Square, Cape Town at 10H00**

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**1. Opening and Welcome**

The meeting was officially opened at 10H05 by the Chairperson, Dr Antonia Malan, and she welcomed everyone present.

**2. Attendance**

**Members**

Dr Antonia Malan	AM
Mr Siphiso Mavumengwana	SM
Ms Quahnita Samie	QS
Mr Chris Snelling	CSn
Ms Karin Dugmore Strom	KS
Mr Rowen Ruiters	RR
Dr Ignatius de Swardt	IdS
Mr Graham Jacobs	GJ
Dr Rolf Annas	RA
Ms Joline Young	JY
Ms Katherine Dumbrell	KD

**Members of Staff**

Mr Mxolisi Dlamuka	MD
Ms Colette Scheermeyer	CSc
Mr Jonathan Windvogel	JW
Ms Penelope Meyer	PM
Mr Olwethu Dlova	OD
Ms Waseefa Dhansay	WD
Mr Andrew September	AS
Ms Heidi Boise	HB
Ms Katherine Robinson	KR
Mr Zethembe Khuluse	ZK
Ms Busisiwe Menzela	BM

**Visitors**

Mr Clinton Jackson	CJ
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**Observers**

None

**3. Apologies**

Ms Corlie Smart	CSm
Mr Zwelibanzi Shiceka	ZS
Ms Nuraan Vallie	NV

**4. Approval of Agenda**

The Committee approved the agenda dated 14 June 2017 with some additional items.

**5. Approval of Minutes of the Previous Council Meeting**

The Committee resolved to adopt the minutes dated 15 March 2017 with minor amendments.

**6. Disclosure of Interest**

- GJ recused himself from item 11.6. QS recused herself from item 11.12.1.

**7. Confidential Matters**

7.1 None

## **8 Appointment**

Council noted the following appointments: Mr Clinton Jackson for item 14.1 set for 11H00.

## **9. Administration Matters**

**9.1** The following was discussed:

- Review of website and blog.
- Security at Protea Building; access delays and protection of personal information.

## **10. Matters Arising from Previous Minutes**

### **10.1 Signage at Heritage Sites**

The Council was advised that a previous decision (second paragraph of decision for item 11.9 at the Council meeting 15 March 2017), should be amended because of cost implications for HWC, and Council agreed.

#### **DECISION**

Developers and owners of PHS's are to be encouraged to erect information plaques or signage, and they can be provided with simple guidelines. CEO to investigate further.

### **10.2 Increases in Levying of Permit Application Fees**

MD gave a verbal report.

The Council noted that the matter has not been finalised.

### **10.3 Recording the proceedings of meetings of HWC Council and its Committees**

MD gave a verbal report.

It was noted that:

- The matter was discussed at EXCo and a decision was made to implement the recordings project. Each Committee will receive an introductory information session.
- Section 34 of the Rules of Order and Conduct of Meetings is being amended to include the necessary guidelines.

#### **DECISION**

The Council decided that the project should be implemented once all necessary infrastructure is in place.

## **11. Standing Items**

### **11.1 CEO's Report**

MD presented his report.

Council noted the CEO's report.

**MD**

## **11.2 Local Government Matters**

### **11.2.1 Delegations of Powers to Local Authorities**

MD reported that there are no further developments.

It was noted that:

- Restructuring at the City of Cape Town has resulted in problems regarding responsibilities and decision-making in heritage matters.
- Differences of opinion between HWC and CoCT are not being addressed and delegation of powers is not possible in current circumstances.
- The City is due to apply for review of Assessment of Competency at the end of 2017.
- Drakenstein competency is being considered.
- HWC is developing Regulations to allow for the establishment of heritage areas.

#### **DECISION**

The Cape Town City Manager is to be informed that an application to assess competency is due and that the necessary processes must be put in place.

**MD**

## **11.3 Report and Feedback from Executive Committee**

AM reported on the ExCo meeting held on 12 May 2017 and Council noted the report.

**AM**

### **11.3.1 Draft Executive Committee Minutes dated 29 July 2016**

The Draft Executive Committee Minutes of 12 May 2017 were noted.

**AM**

## **11.4 Report and Feedback on SAHRA Council**

AM presented a verbal report.

**AM**

## **11.5 Report and Feedback on BELCom**

KDS presented her report.

In discussion it was noted among other matters that:

- A site inspection of Elim is to be reported at the next meeting.
- Issues around public participation, grading and access to HWC case records were raised.
- The Committee membership should include a landscape architect and social historian.

**DECISION**

- The Council agreed to delegate responsibility to the CEO to identify candidates and make appointments to BELCom. These will be ratified at the next EXCo/Council meeting.
- The CEO and Chair of BELCom to further discuss pending issues, and to report back to Council.

**KDS**

**11.6 Report and Feedback on IACom**

GJ recused himself and left the room for the TRUP item.

CSn presented his report and the Council noted the report.

**DECISION**

- Staff must ensure that HIA reports include the standard Executive Summary.
- Following discussion about the TRUP project, it was recommended that IACom members prepare a map showing boundaries for a potential section 29 area, and that the map is submitted to the CEO. The legal advisor to prepare a summary of the context and processes that would be involved for provisionally protecting the TRUP.

**CSn**

**11.7 Report and Feedback on APMCom**

AM presented her report and the Council noted the report.

**AM**

**11.8 Report and Feedback on Appeals Committee**

RR presented the report on behalf of CSm and the Council noted the report.

**DECISION**

The Council supported the recommendations prepared by Ms Corlie Smart that:

- The appeal time period be addressed.
- Committees to ensure that 'Interim Comments' are minuted as such.
- The system of grading should be clearly communicated to the public.

**CSm**

**11.9 Report and Feedback from IGICom**

SM presented his report and the Council noted the report.

See items 11.12.1, 11.12.3 and 12.1, below.

**SM**

**11.10 Report and feedback on Independent Tribunals appointed by the MEC**

Nothing to report.

**PM**

## **11.11. Conservation Management Plans**

### **11.11.1 Integrated Conservation Management Plan for Diepkloof Rock Shelter**

JW presented his report and the Council noted the report.

#### **DECISION**

The Council resolved to approve the ICMP for Diepkloof Rock Shelter.

JW

### **11.11.2 Integrated Conservation Management Plan for Pinnacle Point**

JW presented his report and the Council noted the report.

#### **DECISION**

The Council resolved to approve the ICMP for Pinnacle Point.

JW

### **11.11.3 Integrated Conservation Management Plan for Blombos Cave**

JW presented his report and the Council noted the report.

#### **DECISION**

The Council resolved to approve the ICMP for Blombos Cave.

JW

## **11.12 Proposed PHS**

### **11.12.1 Proposed Provincial Heritage Site Nomination for Auwal Mosque, Bo-Kaap**

QS recused herself and left the room.

JW presented his report and the Council noted the report, and the recommendation to prepare a CMP.

IGIC has recommended to Council that the site be graded as a PHS.

#### **DECISION**

The Council unanimously approved the nomination of Auwal Mosque, Bo-Kaap.

JW

### **11.12.2 Application for consent to remove restrictive condition on Erf 177649, Cape Town**

PM presented her report and the Council noted the report.

In discussion it was noted that:

- The site in question is the Old YMCA precinct in Queen Victoria Street, a PHS in a very sensitive area, which underwent extensive processes in the past. There may be old fabric still remaining, and there were archaeological investigations.

## **DECISION**

The applicant be advised that the Council considers that the letter from HWC dated 27 January 2004 does not constitute a decision or a permit in terms of section 27 of the NHRA. Accordingly, the removal of the restrictive conditions cannot be agreed to.

**PM**

### **11.12.3 Status of Provincial Heritage Sites by Virtue of s.58(11) of the National Heritage Resources Act, ACT 25 of 1999 (THE NHRA)**

PM presented her report and the Council noted the report.

## **DECISION**

The Committee decided to endorse the recommendations that:

- In the event of a previous National Monument being considered not to be of sufficient heritage significance to qualify as a Provincial Heritage Site, the listing on the Register be amended by a notice in the Provincial Gazette, after consultation with the owner of the property.
- That a copy of the notice be served on the Registrar of Deeds.

**PM**

## **12 Policy Matters**

### **12.1 Amendment of Delegations**

PM presented her report and the Council noted the report.

In discussion it was noted that:

- Delegations to both APM and IGIC are under review.
- HWC has been found competent by SAHRA to manage all applications under s.36 of the NHRA and so reference to the relevant section of the MoU falls away.

## **DECISION**

The Council decided:

- To endorse the recommendation to amend delegation to APM in terms of section 36 of the NHRA.
- That the delegation to IGICom in terms of section 29 is to be further considered and reported at the next Council meeting.

**PM**

### **12.2 Legal Opinion on the Grading of Previous National Monuments**

SM gave a verbal report.

This matter was discussed under Item 11.12.3.

**SM**

## **13. Conservation Bodies**

### **13.1 None**

## **14. New Matters**

### **14.1 Presentation on SAHRIS**

Mr Clinton Jackson made a PowerPoint presentation.

In discussion, among other matters it was noted that:

- Systems management is a three-tier responsibility. SAHRIS is the national system. HIMS is recognised as HWC's system. Agreements will also be required with Local Authorities.
- The National Inventory Unit is responsible for SAHRIS. Integration of HIMS and SAHRIS will be supported by Western Cape's Centre for E-Innovation (CEI).
- Section 39 of the NHRA requires compliance in reporting heritage assets and adherence to minimum standards of information.
- A proposed management committee for SAHRIS will include representatives from the PHRAs.
- SAHRIS is being reviewed and streamlined in response to user issues, and GIS functionality (mapping) is being improved.

#### **DECISION**

SAHRA is granted access to a copy of HIMS in order for the National Inventory Unit to test options for integrating the two systems.

**CSc**

### **14.2 SAHRA Regulations**

PM gave a verbal report.

In discussion it was noted that SAHRA is drafting Regulations in terms of sections 9, 13 and 39 of the NHRA.

**PM**

### **14.3 Eden District: Fire Damage to Heritage**

MD gave a verbal report.

In discussion it was noted that:

- Much damage has been done to protected areas and heritage resources in the Eden District. Western Cape has allocated funds to assist with recovery. HWC to offer its co-operation in managing applications for demolition and/or reconstruction.
- An urgent public statement from HWC, including initial guidelines for temporary stabilisation and conservation of fabric, to be communicated to local authorities and property-owners.
- An assessment and map of damaged heritage resources and structures over 60 years old is required. A technical team to be set up by staff and with assistance from committee volunteers.
- Emergency procedures should be set up for applications to HWC in response to the fire and storm damage (and with reference to the APM report, item 11.7, emergency procedures are also required for accidental discovery of human remains).

**DECISION**

The Council resolved that HWC is to undertake a site inspection in the Eden District and to develop procedures for emergency applications.

**14.4 Additional Council, BELCom and IACom Members**

It was noted that the full complement of members of Council and Committees are not filled, and Mr Hall will shortly be leaving IACom.

**DECISION**

The Council agreed that at this point there was no need to request the Minister to appoint additional Council members. See item 11.5 for the decision regarding new BELCom members.

**MD**

**15 Adoption of decisions and resolutions**

The HWC Council unanimously adopted the decisions taken.

**16 Proposed date of the next meeting**

**16 August 2017**

**17 Closure**

The meeting closed at 16:00

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

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