

**APPROVED MINUTES OF THE MEETING
OF COUNCIL OF HERITAGE WESTERN CAPE,
Held on Wednesday, 15 June 2016, 1st Floor Boardroom at the Offices of the
Department of Cultural Affairs and Sport,
Protea Assurance Building, Greenmarket Square, Cape Town at 10H00**

1. Opening and Welcome

The meeting was officially opened at 10H10 by the chairperson, Ms Laura Robinson, and she welcomed everyone present.

2. Attendance

Members

Ms Laura Robinson	LR
Ms Sarah Winter	SW
Dr Antonia Malan	AM
Dr Piet Claassen	PC
Ms Quahnita Samie	QS
Mr Siphiso Mavumengwana	SM
Mrs Mary Leslie	ML
Mr Ignatius de Swardt	IdS
Dr Lita Webley	LW

Members of Staff

Ms Colette Scheermeyer	CS
Mr Zwelibanzi Shiceka	ZS
Ms Jenna Lavin	JL
Ms Penelope Meyer	PM
Ms N Vallie	NV
Mrs K. Robinson	KR

Observers

None

3. Apologies

Ms Maureen Walters	MW
Mr Julian Kritzing	JK
Mr Rowen Ruiters	RR
Mr Mxolisi Dlamuka	MD
Mr Richard Summers	RS

The Chairperson informed the meeting that Ms Jenna Lavin had tendered her resignation and would be leaving HWC at the end of June. On behalf of the Council members Ms Robinson extended her sincere thanks to Ms Lavin for her outstanding contribution and dedication to the work of HWC, she also indicated her regret that the institution was losing such a talented staff member and wished her well in the future.

4 Approval of Agenda

The Committee approved the agenda dated 15 June 2016 with additional items 14.2 Extension of cut-off period for submission of cases to committee meetings (CS)

5 Approval of Minutes of the Previous Meetings

The Committee resolved to adopt the minutes without amendments dated 16 March 2016.

6 Disclosure of Interest

None

7 Confidential Matters

None

8 Appointment

The Council noted the appointment of Item 11.6 set for 11H00.

CP

9. Administration Matters

The Chairperson noted that the Council's term of office is ending on the 31 August 2016, and that the nominations for the new Council had been forwarded to the office of the MEC for shortlisting.

LR

10. Matters Arising from Previous Minutes

10.1 Performance Evaluation of Council Members

It was noted that the performance evaluation of Council members is a requirement in terms of the audit procedures of HWC. Suitable performance evaluation templates are being sourced, after which a framework will be developed for approval by Council.

The performance evaluation of Council Members will take place once the new Council has approved such procedures.

CS

11. Standing Items

11.1 CEO's Report

11.1.1 Introduction

CS reported on this matter on behalf of the CEO.

11.1.2 Preparation of the 2015/16 Annual Report and Audit

CS reported on this matter on behalf of the CEO, and thanks were expressed to all the Assistant Directors who had contributed to the Annual Report.

11.1.3 Meetings of Council Committees

CS reported on this matter on behalf of the CEO.

11.1.4 Special Appeals Committee Meeting of 18 April 2016

PM reported on the special Appeals Committee meeting which dealt with the Philippi Horticultural Area.

PM

11.1.5 Financial Affairs of Council

CS reported on this matter on behalf of the CEO.

The role of Council in the adoption of the financial statements and budget, as well as the audit was once again discussed. This is an item that should be prioritised by the next Council. PM remains convinced that the Council has a fiduciary responsibility in terms of the financial matters of HWC.

CS/PM

11.1.6 Baboon Point (Cape Deseada) PHS Lotto Funding

JL provided a report on the matter in Addendum BI.

It was noted that HWC held a Stakeholders Workshop on Monday 13 June 2016 in Elands Bay to discuss the establishment of the Baboon Point Reference Group.

The recommendations contained in the report by Ms Lavin were adopted and the Council agreed that individuals proposed to be included in the Baboon Point Reference Group be invited and provided with terms of reference.

HWC must arrange the first meeting of the Reference Group to discuss Site Management Strategies in line with the CMP.

JL

11.1.7 Application Fees as Approved by Council

CS reported that amended application fees will take effect from 1 July 2016.

CS

11.1.8 Applications Processed by HWC

Council acknowledges with thanks all the work of the professional staff with dealing with 82% of applications and enquiries.

The report by ZS is noted.

ZS

11.1.9 Update: Heritage Information Management System (HIMS)

It was reported that the contract with the service provider expires on 31 September 2016. A request was submitted by Business Connexion to recruit a replacement consultant.

The HWC Council noted that HIMS is in the testing phase and Council looks forward to further feedback at the next Council meeting.

CS

11.1.10 Update on the Status of the Rhodes Statue

CS gave an update on the Rhodes Statue.

CS

11.1.11 Nomination of the HWC Representative to Serve on SAHRA Council

CS reported on this matter on behalf of the CEO. SW is the current representative on the SAHRA Council but a new representative must be nominated once the new Council had been established.

CS

11.1.12 Nominations of the New HWC Council for a 3 Year Term Of Office

CS informed Council that the MEC has approved the submission and the submission will be sent to the Standing Committee to provide a short list of nominees to be approved by the MEC.

CS

11.1.13 ICMPs: Early Cape Farmsteads (Addendum BII) and Modern Human Origins (Addendum BIII)

The ASD gave a report back on the ICMP for the Early Farmsteads and the ICMP's for the Modern Human Origins Sites.

The report is noted by Council.

JL

11.1.14 Job Descriptions of Heritage Officers

CS reported on this matter on behalf of the CEO. The job descriptions are currently being reviewed by the staff.

CS

11.1.15 Heritage Officers Matters

The report by ZS was noted.

ZS

11.1.16 Registry

Registry filing processes are to be investigated, these include i Issues around the registry to ensure compliance and consistency in processes. A meeting will take place with Heritage Officers and Registry.

CS

11.1.17 Conclusion

The CEO thanked the staff and Council for the continued hard work.

11.2 Local Government Matters

11.2.1 Delegations of Powers of City of Cape Town

PM updated HWC Council on the meeting held between HWC and representatives from the City of Cape Town. Although the final agreement has been approved by the Council the Legal Services Department of the City still have some issues which are delaying the process of finalisation.

HWC Council will await the outcome of further discussions which are underway between Ms Meyer and the City.

PM

11.3 Report and Feedback from Executive Committee

LR reported on the ExCo meeting held on 13 May 2016 and Council noted the report.

11.3.1 The Draft Executive Committee Minutes of 13 May 2016 are noted.

LR

11.4 Report and Feedback on SAHRA Council

SW attended a recent meeting for SAHRA Council.

It was noted that most items were confidential and cannot be discussed at this meeting.

SW

11.5 Report and Feedback on BELCom

The report by SW was noted.

SW

11.6 Report and Feedback on IACom

The report by CP was noted.

CP

11.7 Report and Feedback on APMCom

ML thanked JL for her contributions to the Committee in the past.

The report of the Chairperson noted that APM had had concerns regarding the interrelationship of committee decisions and about avenues for heritage officers to access data. Potential solutions had been provided in discussion around the need

for cooperative decision making between committees and for effective Registry Filing Processes.

ML

11.8 Report and Feedback on Appeals Committee

In the absence of the Convener Richard Summers, the report by AM was noted.

AM

11.9 Report and Feedback from IGICom

The report by AM was noted.

AM

11.10 Report and feedback on Independent Tribunals appointed by the MEC

The report by PM was noted.

In the judgements of the two Tribunals it was noted that in one case the outcome had endorsed the HWC Appeals Committee judgement and in the other case the Refusal of HWC had been overturned.

PM to compile a table indicating the judgements of HWC Appeals Committee and the Tribunal.

PM

11.10.1 Outcome of the High Court Judgements

11.10.1.1 Court Decision on Piketberg

PM reported back on the judgement dated 18 May 2016. The implications of the judgement in terms of public participation are to be further investigated.

PM

11.12. Conservation Management Plans

11.12.1 Elandsberg Conservation Management Plan

SW recused herself.

JL provided a summary of the background to this matter and briefly presented the Conservation Management Plan.

The HWC Council agreed to approve the Conservation Management Plan for Elandsberg dated June 2016 with minor amendments.

JL

11.13 Proposed PHS

11.13.1 Update on PHS Nominations

JL reported back on progress made to date on nominations received by HWC for Provincial Heritage Sites (Addendum H).

Council noted that the nomination of Rocklands Civic Centre must be added to the list.

JL

11.14 Criminal Charges Laid

It was noted that no further criminal charges have been laid by HWC.

PM reported experiencing difficulties with local prosecutors in terms of taking the matter further.

PM will be engaging with the Director Public Prosecutions for the Western Cape in this regard.

PM

12 Policy Matters

12.1 Fossil Finds Procedures

HWC Council endorsed the implementation of the Fossil Finds Procedure.

ML thanked the APM sub-committee for their contribution to the drafting of this document.

JL

12.2 Guide to Archaeology and Palaeontology Reports (Minimum Standards).

It was noted that the APM Committee have drafted Minimum Standards for reports that are to be submitted to APM Committee for assessment (Addendum J).

HWC Council agreed to endorse the Minimum Standards document drafted by the APM Committee with minor amendments.

JL

12.3 Guides to Heritage Impact Assessment

JL gave a report on this matter (Annexure K).

The Final Guide to Heritage Impact Assessments is approved by HWC Council for implementation.

The Guide is to be circulated to all registered Conservation Bodies, Local Authorities and Professional Associations.

JL

12.4 Heritage Register and Heritage Areas

PM gave a report on this matter (Addendum L)

HWC Council endorsed the draft regulations for sections 30(8) and 31(6) of the NHRA and agreed that they be circulated to the Provincial Legal advisors for comment.

PM

12.5 HWC Application Forms

JL gave a report on this matter (Addendum M).

HWC Council agreed to approve the new application forms for implementation.

JL

12.6 PAJA Compliance

JL gave a report on this matter (Addendum N).

HWC Council approved the draft guideline for public consultation for circulation to stakeholders for comment.

HWC Council agreed that this draft guideline requires a workshop with stakeholders due to its implications for the heritage process.

JL

13 Conservation Bodies

13.1 Application for Registration as a Conservation Body: Rustenburg Valley Residents Association

Council approved the registration of this new Conservation Body.

CS

14. New Matters

14.1 Delegations to IACom and BELCom

It was noted that in some instances, there is a lack of clarity regarding the decision-making role of certain committees regarding complex applications such as Paardevlei and Cape Agulhas.

It was noted that in such instances, the Heritage Officer assigned to the case must ensure that the committee with delegations take the appropriate decision. However, it was also noted that the committee with the most relevant expertise can be requested to advise or comment on an application.

It was agreed that this process must be formalised through the drafting of a procedure for Heritage Officers.

SW/CS

14.2. Extension of cut off period for submission of cases to committee meetings- from 2 weeks to 3 weeks

CS gave a report on this matter.

It was noted that the 2 week period between the closing of the agendas for committees does not allow sufficient time for Heritage Officers to adequately apply their minds to applications. The inadequate time-frame results in Heritage Officers being under-prepared for committee meetings.

HWC Council agreed that the deadline for applications to be submitted to BELCom is extended to 3 weeks.

This matter will be discussed at the next IACom meeting.

CS

15 Adoption of decision and resolutions

The HWC Council unanimously adopted the decisions taken.

16 Proposed date of the next meeting

17 August 2016

17 Closure

The meeting closed at 14:45

CHAIRPERSON *Laura Robinson*

DATE: 17 August 2017

SECRETARY 

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