

**APPROVED MINUTES OF THE MEETING  
OF COUNCIL OF HERITAGE WESTERN CAPE,  
Held on Wednesday, 17 August 2016, 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 10H10 by the chairperson, Ms Laura Robinson, and she welcomed everyone present.

**2. Attendance**

**Members**

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

**Members of Staff**

Mr Mxolisi Dlamuka	MD
Ms Colette Scheermeyer	CSc
Mr Zwelibanzi Shiceka	ZS
Mr Jonathan Windvogel	JL
Ms Penelope Meyer	PM
Ms Nuraan Vallie	NV
Mr Olwethu Dlova	OD

**IACom Member**

Ms Cindy Postlethwayt CP (for item 11.6)

**Visitors**

Ms S Titlestad ST

**Observers**

None

**3. Apologies**

Dr Piet Claassen	PC
Ms Maureen Walters	MW
Ms Maureen Wicomb	MW
Mr Julian Kritzinger	JK
Mr Richard Summers	RS

**4 Approval of Agenda**

The Committee approved the agenda dated 17 August 2016 with additional item 14.

**5 Approval of Minutes of the Previous Meetings**

The Committee resolved to adopt the minutes dated 15 June 2016 without amendments.

**6 Disclosure of Interest**

None

## **7 Confidential Matters**

Item 11.2.1 was tabled as confidential.

## **8 Appointment**

The Council noted the appointment of Item 11.12.5 ,Ms S Titlestad, set for 10.30 and item 11.6 Ms Cindy Postlethwayt, set for 11H00.

## **9. Administration Matters**

9.1 None

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

### **10.1 Update: Heritage Information Management System (HIMS)**

This item was discussed under item 11.1., CEO's report

LR

CSc

## **11. Standing Items**

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

#### **11.1.1 Introduction**

The Report was tabled at the meeting and presented by the CEO and staff.

#### **11.1.2 Preparation of the 2015/16 Annual Report and Audit**

The CEO presented his report. The Council notes that the audit for the financial year 2015-2016 had been completed and that HWC had received an unqualified audit. The annual report is almost completed.

#### **11.1.3 Meetings of Council Committees**

A total of eight meetings of the committees of Council had been held since the last Council meeting.

#### **11.1.4 Financial Affairs of Council**

The CEO presented his report which was accompanied by a spread sheet setting out in the income and expenditure for the past financial year.

#### **11.1.5 Applications processed by HWC**

A total of 950 applications had been received since April 2016 of which 744 were dealt with by HOMS and the remainder by the various Committees of Council.

### **11.1.6 Update: Heritage Information Management Services (HIMS)**

The Deputy Director, CS reported back on this matter in discussion it was noted that a meeting between HWC and Centre for E-Innovation will be held to align work processes and that a further meeting will be arranged with SAHRA to further investigate the future synchronisation of HIMS and the SAHRIS databases.

### **11.1.7 Update on the status of the Rhodes Statue**

The CEO indicated that another meeting will be held between HWC and UCT. Additional information in the form of a supplementary report compiled by Ms M Attwell had been received. Concern had been expressed by the ExCo of HWC regarding incomplete public consultation and the scheduled meeting will follow up on this.

### **11.1.8 ICMPs: Early Farmsteads & Modern Human Origins**

The CEO informed Council that the compilation of the nomination dossiers had been undertaken by two staff members of DCAS/HWC, both of whom had subsequently left the department. The ICMP's for both nominations are currently being compiled by consultants.

### **11.1.9 Proposed Mixed Use Development on Erven 8210 and 144698, Buitengracht, Shortmarket, Longmarket and Rose Streets, Cape Town**

The Legal Advisor reported back on this matter. It was noted that the Appeal process is now running and that it had been agreed by ExCo that HWC would lodge an Appeal against the decision of the Independent Tribunal. The Appeal has been compiled by Ms Meyer and will be submitted within the next few days.

### **11.1.10 HWC Strategic Planning Session**

The HWC Strategic Planning session is scheduled to be held in September, possibly with the new Council if they have been appointed; it had been proposed by the ExCo that this forum would provide the opportunity for the current Council to compile an exit report.

Should the new Council be in place it will be necessary for the Chairpersons of the various Council subcommittees to compile a draft exit report which may be circulated to the full Council for input prior to finalisation.

### **11.1.11 Conclusion**

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

## **11.2 Local Government Matters**

### **11.2.1 Delegations of Powers of City of Cape Town**

This item was discussed as a confidential matter.

The Legal Advisor presented her report which contained the draft final version of the Delegation of Powers to the City of Cape Town. ML requested that A new section (5 2.2) must be inserted between the current sections reading:

“5.2.2 Where excavation or collection of archaeological or palaeontological material is involved.”

In discussion it was noted that:

- The decision by the Independent Tribunal regarding the development proposed for **Erven 8210 and 144698, Buitengracht, Shortmarket, Longmarket and Rose Streets, Cape Town** was of great concern as it implied that the City is of the opinion that the designation of an Heritage Overlay Protection Zone does not restrict any rights in terms of planning and zoning regulations on any property situated within a HPOZ. HWC is of the opinion that this is contrary to the conditions set out in the NHRA.
- It was agreed that these concerns should be conveyed to the City of Cape Town as this could have serious implications for heritage management in the city. Clarity must be obtained as to the commitment of the City to the protection of heritage resources within its boundaries before any delegation of authority can be made.

#### **DECISION**

Council agreed that a letter be addressed to the Mayor requesting clarity on the commitment of the City to the protection of heritage resources under its jurisdiction, and, depending on the response obtained, further consideration should be given to the delegation of authority to the City. The letter should be signed by the Chairperson of Council and the CEO.

**PM**

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

LR reported on the ExCo meeting held on 29 July 2016 and Council noted the report.

**LR**

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

The Draft Executive Committee Minutes of 29 July 2016 are noted.

**LR**

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

SW reported back on the matter, it was noted that a new SAHRA Council had been appointed and that the new HWC Council would need to appoint a member to serve on the SAHRA Council.

**SW**

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

SW presented a verbal report.

#### **DECISION**

The Council support the recommendations prepared by Ms Sarah Winter that:

- The Committee should be notified of the extension period of its current term.
- Clarity on the Rhode Statue matter should be obtained as soon as possible.

- Protocols for making decisions by email should be developed.

**SW**

#### **11.6 Report and Feedback on IACom**

The Chairperson of IACom presented the verbal report.

**CP**

#### **11.7 Report and Feedback on APMCom**

ML presented her report and the Council noted the report.

##### **DECISION**

The Council resolved to approve the Guide to Minimum Standards for Archaeology and Palaeontology Permit Reports and the Guide to Minimum Standards for Archaeology and Palaeontology Specialist Study Reports.

**ML**

#### **11.8 Report and Feedback on Appeals Committee**

It was noted that one meeting of the Appeals Committee had been held and that, in the absence of the Chairperson, LR served as acting Chairperson. Two Appeals had been received and a site meeting had been held for one case.

**RS/LR**

#### **11.9 Report and Feedback from IGICom**

It was noted that:

- There were no IGIC meeting since the last Council meeting. Outstanding and new items are on this agenda and these matters will be presented at the next IGIC meeting on 25 August 2016.

**AM**

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

The Legal Advisor reported that no tribunals have been held since the last Council meeting.

**PM**

#### **11.11. Conservation Management Plans**

##### **11.11.1 None**

## **11.12 Proposed PHS**

### **11.12.1 Werdmuller Centre, Erf 54472, Cape Town**

The acting Assistant Director, JW reported back on progress of this matter.

It was noted that:

- The phase II HIA for the Werdmuller Centre is still awaited.
- The owner has requested the opportunity to respond to the proposed nomination of the property as a provincial heritage site. The opportunity will be provided at the upcoming meeting of the IGIC.
- All the I&AP's should be invited to attend the IGIC meeting

#### **DECISION**

The proposed nomination of Werdmuller Centre as PHS will be tabled at the meeting of IGIC scheduled for 25 August 2016.

**JW**

### **11.12.2 Blomboschfontein Nature Reserve, Ptn 85 of Farm Blomboschfontein 495, Riversdale**

The acting Assistant Director presented his report and the Council noted the report.

#### **DECISION**

The Council approved the Gazette Notice of Blomboschfontein Nature Reserve, Ptn 85 of Farm Blomboschfontein 495, Riversdale, subject to further specialist input regarding the significance of Blombos.

**JW**

### **11.12.3 Rex Trueform Factory Complex, Erf 175134, Cape Town**

The acting Assistant Director presented his report and the Council noted the report.

#### **DECISION**

The Council approves the Gazette Notice of Rex Trueform Factory Complex, Erf 175134, Cape Town with the addition of "and architectural history of Cape Town during the 20<sup>th</sup> century".

**JW**

### **11.12.4 Old Granary Complex, 177447, Cape Town**

The acting Assistant Director presented his report and the Council noted the report.

#### **DECISION**

The Council resolved to approve the wording in principle subject to the wording to approve via email.

**JW**

### **11.12.5 Kaba-Aye World Peace Pagoda Ptn of the Farm Lemoenshoek, Farm No 24, Barrydale**

The acting Assistant Director, JW presented his report which was noted by Council. Ms Sally Titlestad was present and presented some background information on the matter.

In discussion it was noted that:

- The background information relating to Kaba-Aye World Peace Pagoda Ptn of the Farm Lemoenshoek, Farm No 24, Barrydale was noted by Council. Council also noted that the owner of the property on which the Pagoda is situated was not able to be present.
- PM reminded Council that in terms of section 37 of the NHRA the Pagoda enjoys protection, but that it has not yet been graded. The owner is aware of the conditions relating to section 37 and that application must be made to HWC for any proposed changes, alteration to or removal of Pagoda.
- Further information relating to the status of the gift of Pagoda to South Africa is required.
- The reasons for the refusal by the City of Cape Town to accept the Pagoda are unclear.
- The significance of the Pagoda to various Communities should be established and these communities should be invited to become of further process.

#### **DECISION**

The matter is referred to a future meeting of IGIC upon the receipt of the information referred to above.

**JW**

## **12 Policy Matters**

### **12.1 Guide to Minimum Standards for Archaeology and Palaeontology Reports**

This item was discussed under item 11.7.

**ML**

### **12.2 Remuneration Policy**

This item was withdrawn from the agenda.

**NV**

## **13. Conservation Bodies**

### **13.1 None**

## **14. New Matters**

### **14.1 HWC Meeting Schedule for Year 2017 – 2019**

The Deputy Director presented her report.

#### **DECISION**

The Council resolved to approve the HWC meeting schedule for year 2017, 2018 and 2019.

**CSc**

**15 Adoption of decision and resolutions**

The HWC Council unanimously adopted the decisions taken.

**16 Proposed date of the next meeting**

**30 November 2016**

**17 Closure**

The meeting closed at 13H15

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

**DATE:**

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

**DATE:**

Approved