

**APPROVED MINUTES OF THE MEETING
OF HERITAGE WESTERN CAPE,
BUILT ENVIRONMENT AND LANDSCAPE PERMIT COMMITTEE (BELCom)
Held on Wednesday, 24 July 2013, 8th Floor Boardroom at the Offices of the
Department of Cultural Affairs and Sport,
Protea Assurance Building, Greenmarket Square, Cape Town at 09H00**

1. Opening and Welcome

The meeting was officially opened at 09H19 by the chairperson, Ms Sarah Winter, and she welcomed everyone present.

2. Attendance

Members

Ms Sarah Winter	SW
Dr Stephen Townsend	ST
Ms Maureen Wolters	MW
Mr Roger Joshua	RJ
Mr Trevor Thorold	TT
Ms Melanie Attwell	MA
Mr Tim Hart	TM

Members of Staff

Mr Guy Thomas	GT
Mr Troy Smuts	TS
Ms Lithalethu Mshoti (Sec)	LM
Mr Ronny Nyuka	RN
Mr Zwelibanzi Shiceka	ZS
Mr Jonathan Windvogel	JW
Ms Ntombekhaya Nkoane	NN
Ms Tamar Sham-Tov	TST
Mr Olwethu Dlova (Sec)	OD

Visitors

Mr Henry Aikman	HA
Rev. Jean Murcott	JM
Mrs Elisabeth Davies	ED
Mr Mark Duvenage	MD
Mr Eugene Da Silva	EDS
Mr Ashley Lillie	AL
Ms Marlies Kappers	MK
Mr Antony Abote	AB

Mr Fred De Kock	FDK
Mr Charles Murcott	CM
Mr Roadwell Mpongo	RM
Mr Ron Martin	RM
Mr Martin Kruger	MK
Mr Chris Snelling	CS
Mrs Martine Robinson	MR

Observers

Mr Tyron Engel	TE	(Elim)
Mr Johan Cornelius	JC	(City of Cape Town)
Mark Bell	MB	(City of Cape Town)

3. Apologies

Mr Andrew Hall
Ms Christina Jikelo

4. Approval of minutes of previous meeting held 26 June 2013

4.1 The Committee resolved to approve the minutes with no amendments.

5. Disclosure of Interest

TH: W.11.2 & E.12.2

6. Approval of Agenda

The Committee approved the agenda dated 24 July 2013 with a few additional amendments.

7. Confidential Matters

7.1 None

8. Administrative Matters

8.1 Outcome of the Appeals and Tribunal Committees

Mr Shiceka gave a report back on the outcomes of the following appeals matters:

- Proposed Alterations and Additions, Erf 538, 37 Gilmourhill Road, Tamboerskloof, Section 34. ZS informed the Committee of the legal opinion, confirming the views of the BELCom over the past three years, that HWC must inform relevant parties of their rights of appeal. The Committee requested that this be raised at the EXCO meeting next week.
- Portion 4 of Farm Signal Hill No. 965, Paarl, Section 38(4). The Appeals Committee agreed that the matter not proceed, and that an attempt be made to convene a special meeting of the appeals committee to consider the matter.
- Proposed Staircase, Farm Helena No.571, Daljosaphat, Paarl, Section 34. The Appeals Committee resolved to postpone the matter until the following scheduled meeting.

Mr Shiceka reported that a decision had not yet been made on the Baboon Point appeal to the MEC's Tribunal.

ZS

8.2 Report back on Stop Works Orders and Charges

Mr Zwelibanzi Shiceka gave a report back on the Elim stop works order that had been issued.

ZS

8.3 Checklist for Application- Related Decision- Making

Mr Shiceka as acting AsD will follow up the finalisation of the checklist with the CEO.

ZS

8.4 Report back on Elim Workshop

The Committee members who attended the workshop reported back and it was agreed that the notes of the meeting be circulated as soon as possible.

CJ

8.5 East Fort, Hout Bay (PHS)

TS gave a report back about the outcome of the meeting with SANParks

The Committee requested that the officials ensure that the TMNP obtain the services of an appropriately skilled and trained professional who will apply current conservation theory and vision to the site.

TS

9. Appointments

- 9.1 The Committee noted the appointments for item E.12.2 at 11H00 and E.11.1 at 14H30.

FIRST SESSION: TEAM WEST PRESENTATION

W.10 PROVINCIAL HERITAGE SITES: SECTION 27 PERMIT APPLICATIONS

**W.10.1 Proposed New Building, Erf 237, 33 Kerk Street, Elim: NM
HM/ELIM/ERF 237/33 KERK STREET**

Case No: 130507RN07E

The Committee members gave a report back on their site visit.

DECISION

The Committee resolved to refuse the proposal given its impact on the townscape. A revised proposal with a double pitched roof and 'af-dak' would be supported but this needs to be accompanied by a cross section through the site from Church Street to Mark Plein.

RN

**W.10.2 Proposed Alterations, Erf 237, 31 Sand Street, Elim: NM
HM/ELIM/ERF 237/31 KERK STREET**

Case No: 130315RN05E

The matter was withdrawn.

RN

**W.10.3 Proposed Total Demolition and New Building, Erf 237, 13 Kerk Street, Elim: NM
HM/ELIM/ERF 237**

Case No: 130514JW25E

The Committee members gave a report back on their site visit.

DECISION

The Committee resolved to approve the total demolition as the building is beyond repair.

The Committee agrees in principle to the sketch proposal for the replacement building but requires that the roof be half-hipped and that the existing windows and door of the street elevation be re-used. Final plans must be submitted.

JW

**W.10.4 Proposed Alterations and Additions to Church Clock on Erf 237, Kerk Street,
Elim: MA
HM/ELIM/ERF 237 /KERK STREET**

Case No: 130507JW08E

The Committee members gave a report back on their site visit.

DECISION

The Committee resolved to approve the proposal

JW

**W.10.5 Proposed Alterations to Church Toilets, Erf 237, Kerk Street, Elim: MA
HM/ELIM/ERF 237 /KERK STREET**

Case No: 130507JW07E

The Committee members gave a report back on site their visit.

DECISION

The Committee resolved to approve the proposal.

JW

**W.10.6 Proposed Alterations and Additions, Erf 237, Boom Street 42, Elim: NM
HM/ELIM/ERF 237/BOOM STREET 42**

Case No: 130709JW15M

An Application for permit, prepared by P.H Temmers, dated 31 May 2013, plans and photographs was tabled

Mr Jonathan Windvogel made a power-point presentation

In discussion it was noted that:

- Elim Opsienersraand supports the proposal.

DECISION

The Committee resolved not to approve the proposal. The scale of the proposal will have a considerable negative impact on the streetscape.

JW

**W.10.7 Proposed Alterations and Additions to Complex, Oude Leeskamer, Erf 1288,
182 Dorp Street, Stellenbosch: NM
HM/STELLENBOSCH/ERF 1288**

Case No: 130626TG02M

A Heritage Assessment prepared by Aikman Associates, dated June 2013, an application for a permit prepared by Henry Aikman, dated 26 June 2013, photographs and plans prepared by Fred De Kock & Partners Architects, dated April 2009 were tabled.

Ms Tamar Shem-Tov made a power-point presentation.

Mr Henry Aikman and Mr Fred De Kock were present and took part in discussion.

The item was withdrawn as requested by the applicant.

TG

W.11 STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR TOTAL DEMOLITION

**W.11.1 Proposed Total Demolition, Erf 64505, Terraced Houses, 12-18 Bell Road, Claremont: MA
HM/CLAREMONT/ERF 64505**

Case No: 130508JW11E

A Heritage Statement prepared by Ron Martin Heritage Consultancy, undated was tabled.

Mr Jonathan Windvogel made a power-point presentation.

Mr Ron Martin was present.

In discussion it was noted that:

- City of Cape Town has no objection to the proposal.

DECISION

The Committee decided the building to be ungradable.

The Committee resolved to approve the total demolition.

JW

**W.11.2 Proposed Total Demolition, Erf 172912, Vasco da Gama Tavern, Alfred Street, Cape Town: NM
HM/CAPE TOWN/ERF 172912**

Case No: 130611TG14E

A Phase I Heritage Impact Assessment Report prepared by Chris Snelling, dated June 2009, an application for permit, photographs, comments from the Heritage Resources Section, City of Cape Town, dated 16 May 2013 and a Heritage Statement prepared by Ashley Lillie were tabled.

Ms Tamar Shem-Tov made a power-point presentation.

Mr Tim Hart recused himself.

Mr Ashley Lillie was present and took part in discussion.

In discussion it was noted that:

- That an application under Section 36 (burials) had been made to SAHRA

- This application, under Section 34 (sixty year-old structures), is made to HWC
- The significances of the building, site and environs must be taken into account 'jointly and severally' in assessing the significance of the heritage resource(s) and the impacts of any development proposal, including demolition, on that significance.
- The significance here is great and is complex; and the potential for controversy is considerable
- Although comments of IAPs have been sought, not all parties have responded
- The heritage statement has been received from Mr Lillie very recently, too recently to have been circulated and read by the committee members
- Co-operative-governance interaction between SAHRA and HWC needs to take place before a decision can be made.

RESOLUTION

The Committee resolved not to decide on the matter until there has been interaction between HWC and SAHRA on how to deal with the significances of the site.

TG

W.12 STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR PARTIAL DEMOLITION/ALTERATIONS

W.12.1 Proposed Alterations and Additions, Erf 176791, 1 New Church Street, Cape Town: NM: HM/CAPE TOWN/ERF 176791

Case No: 130717RN19E

A Heritage Statement prepared by Gabriel Fagan Architects, dated July 2013, an application for a permit prepared by P.I Fagan, dated 15 July 2013 and plans prepared by Fagan Architects, dated 05 April 2013 were tabled.

Mr Ronny Nyuka made a power-point presentation.

DECISION

The committee resolved that the significance to be Grade IIIC.

The Committee resolved to approve the proposal.

RN

W.12.2 Proposed New Shop and Restoration of Existing Warehouse, Erf 1552, 1549 and 2812, New Shop, 48B High Street, Oudtshoorn: NM HM/OUTSHOORN/ERF 1552, 1549 AND 2812

Case No: 130604RN02E

An Application for permit prepared by Annette Steenkamp, dated 28 May 2013, photographs, plans prepared by ASA Architects and Annette Steenkamp, dated 15 April 2013 and comments from Heritage Oudtshoorn Erfenis were tabled.

Mr Ronny Nyuka made a power-point presentation,

Mr Annette Steenkamp was present and took part in discussion.

In discussion it was noted that:

- The Oudtshoorn Heritage Foundation supports the proposal.

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DECISION

The Committee decided the grading of the building to be grade IIIB.

The Committee resolved to approve the proposal subject to the re-design of the steel verandah as a free standing structure separated from the stone building. Final plans are to be submitted and stamped by case officer.

RN

W.12.3 Proposed Restoration to Homestead on Farm 153, Old Bethlehem, Dwars River Valley, Groot Drakenstein: MA HM/VREDEHOEK/ERF 1444

Case No: 111109NN07M

A Rev 2 Restoration Motivation prepared by Elisabeth Davies Architect, dated 17 July 2013 and Structural & Archaeological Investigations & Assessment of the Walls and Floors, prepared by H.N. Vos, dated April 2013 were tabled.

Ms Tamar Shem-Tov made a power-point presentation.

Ms Elisabeth Davies was present and took part in the discussion.

In discussion it was noted that:

- The SHF, SIG and SAHRA supported the proposal.

RESOLUTION

The committee decided the grading of werf to be grade II and it is located within a Grade I context.

The Committee resolved to approve the proposal in principle subject to the submission of the final drawings, and details and specifications involving the input of an experienced conservation architect.

TG

W.12.4 Proposed Alterations and Additions to Cottage on Erf 1745, Dirkie Uys Street, Franschoek: MA HM/FRANSCHOEK/ERF 1745

Case No: 130301TG04E

An application for permit prepared by E. Da Silva, dated 27 February 2013, plans and photographs was tabled.

Ms Tamar Shem-Tov made a power-point presentation.

Mr Eugene Da Silva was present and took part in discussion.

In discussion it was noted that:

- The revised proposal addresses the concerns of the committee previously raised.
- The Stellenbosch Municipality's Planning and Advisory Committee supports the revised proposal.
- Franschhoek Valley Conservation Trust did not support the previous proposal.

DECISION

The Committee decided the grading of the building to be grade IIIB.

The Committee approves the revised proposals, dated July 2013.

TG

W.12.5 Proposed Restoration of the Front Gable Wall and Partico, and Storm Water Disposal System, Erf 9549, Somerset West Methodist Church, 47 Andries Pretorius Street, Somerset West: NM HM/SOMERSET WEST/ERF 9549

Case No: 130626TG27

An Application for a permit prepared by Gabriel Fagan, dated 26 June 2013, plans and photographs were tabled.

Ms Tamar Shem-Tov made a power-point presentation.

Mrs Martine Robinson, Rev Jean Murcott and Mr Charles Murcott were present and took part in discussion.

In discussion it was noted that:

- City of Cape Town and Renaissance Heritage Foundation support the proposal.

DECISION

The Committee decided the grading of the building to be grade II.

The Committee resolved to approve the proposal.

TG

W.13 HERITAGE AREAS: SECTION 31 CONSENT APPLICATIONS

W.13.1 None

W. 14 PROVINCIAL PROTECTION: SECTION 29 PERMIT

W.14.1 None

W.15. PROVINCIAL PROTECTION: SECTION 28 REFUSAL

W.15.1 None

W.16 HERITAGE REGISTER: SECTION 30 PROCESS

W.16.1 None

W.17. PUBLIC MONUMENTS & MEMORIALS: SECTION 37 PROCESS

W.17.1 None

W.18. REQUESTS FOR OPINION/ADVICE

W.18.1 None

W.19. Other Matters

W.19.1 None

SECOND SESSION: TEAM EAST PRESENTATION

E.10 PROVINCIAL HERITAGE SITE: SECTION 27 PERMIT APPLICATIONS

**E.10.1 Proposed Additions and Alterations, Erf 237, 31 Boom Street, Elim: NM
HM/ELIM/ERF 237**

Case No: 130326ZS37E

The Committee members gave a report back on their site visit.

DECISION

The Committee resolved to refuse the proposal as the building and its thatched roof appears to be relatively intact and in good condition.

ZS

**E.11. STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR TOTAL
DEMOLITION**

**E.11.1 Proposed Total Demolition, Glonor Court, 24 Davenport Road, Erf 1444,
Vredehoek: NM
HM/VREDEHOEK/ERF 1444**

Case No: 130612NN16E

The Committee members gave a report back on site visit.

Mr Chris Snelling and Johan Cornelius were present and took part in discussion.

In discussion it was noted that:

- Various Committee members had visited the site and had communicated their opinions by email.
- Copies of this email communication had been circulated to all parties prior to the meeting.
- The majority of the committee members did not support demolition.
- The City is in the process of conducting a heritage survey of Vredehoek.

DECISION

The Committee resolved to refuse the application.

The Committee resolved that the CEO approach the City Council in order to ensure that either the City Council or HWC has sufficient information and assessment to make a "consideration" as to the boundaries (or not) of a Heritage Area in terms of Section 31 in three months' time, that is, on 23 October 2013.

NN

**E.11.2 Proposed Total Demolition, 23 Valley Road, Erf 63694, Kenilworth, Cape Town:
NM
HM/KENILWORTH/ERF 63694**

Case No: 130619NN16E

An application for a permit was tabled

Ms Ntombi Nkoane made a power-point presentation

Ms Marlies Kappers was present and took part in discussion

DECISION

The Committee decided the building to be ungradable.

The Committee resolved to approve the total demolition.

NN

**E.12 STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR PARTIAL
DEMOLITION/ALTERATIONS**

**E.12.1 Proposed Alterations and Restorations on Residence Waterkant, Erf 9641, 157
Waterkant Street, Cape Town: MA
HM/CAPE TOWN/ERF 9641**

Case No: 130508ZS03E

An application, supporting documents and plans prepared by Martin Kruger Associates, dated 02 May 2013 was tabled

Mr Zwelibanzi Shiceka made a power-point presentation

Mr Martin Kruger was present and took part in discussion

In discussion it was noted that:

- The revised proposals addressed the previous concerns of the Committee.

DECISION

The Committee resolved to approve the revised proposals.

ZS

**E.12.2 Electricity Refurbishment Work in Jacobs Ladder, St James, Cape Town
HM/CAPE TOWN/ST JAMES/JACOBS LADDER**

A report prepared by NW E Consulting Engineers, dated 14 December 2012 was tabled

Mr Tim Hart recused himself.

Mr Shaun Dyers made a power-point presentation.

Mr Roadwell Mpongo and Mark Duvenage from City of Cape Town were present and took part in discussion. Mr Tim Hart, representing concerned residents, also took part in the discussion.

In discussion it was noted that:

- A Stop Works Order was issued under Section 34, dated 24 June 2013.

RESOLUTION

The Committee decided the grading of the staircase to be grade IIIB or C and is located within a HPOZ.

Following considerable discussion regarding the jurisdiction of HWC in this matter, it was agreed that the stairs can be defined as a structure older than 60 years but that clarification would be necessary to establish whether the development triggers S38(1). It was agreed that the Committee will make a decision by email in order to resolve the matter as soon as possible.

SD

E.12.3 Proposed Alterations and Additions, Erf 160461, 3A Meyer Street, Claremont: NM HM/CLAREMONT/ERF 160461

Case No: 130723NN29E

An application for a permit and plans prepared by P Josephs Design, dated February 2013 were tabled.

Ms Ntombi Nkoane made a power-point presentation.

DECISION

The Committee decided the building to be ungradable.

The Committee resolved to approve the proposal.

NN

E.12.4 Proposed Alterations and Addition, Erf 98967, 43 Lion Street, Bo-Kaap, Cape Town: MA HM/BO-KAAP/ERF 98967

Case No: 130521ZS12E

Plans prepared Team Architecture, dated 13 March 2013 (drwg no: LAD.100.01) was tabled

Mr Zwelibanzi Shiceka made a power-point presentation.

Mr Ashley Lillie and Mr Antony Abote were present and took part in discussion.

DECISION

The Committee resolved to approve the proposal subject to final building plans being in generally accordance with the plans submitted.

E.13 HERITAGE AREAS: SECTION 31 CONSENT APPLICATIONS

E.13.1 None

E.14 PROVINCIAL PROTECTION: SECTION 29 PERMIT

E.14.1 None

E.15 PROVINCIAL PROTECTION: SECTION 28 REFUSAL

E.15.1 None

E.16 HERITAGE REGISTER: SECTION 30 PROCESS

E.16.1 None

E.17 PUBLIC MONUMENTS & MEMORIALS: SECTION 37 PROCESS

E.17.1 None

E.18 REQUESTS FOR OPINION/ADVICE

E.18.1 None

E.19 Other Matters

E.19.1 None

20. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolution and decisions.

21. CLOSURE

The meeting adjourned at **17H15**

22 DATE OF NEXT MEETING:

28 August 2013

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____