

**Approved Minutes of the Meeting of Heritage Western Cape
Built Environment and Landscape Permit Committee (BELCom)
Commenced at 08:30 and held on Wednesday, 28 February 2024 via MS
Teams**



1. Opening and Welcome

The Chair, Mr Dennis Belter, officially opened the meeting at 08:30 and welcomed everyone present.

2. Attendance

Committee Members:

Mr Dennis Belter (DB)(Chair)
Ms Helene van der Merwe (HvdM)
Mr Shawn Johnston (SJ)
Ms Heidi Boise (HB)
Mr Siphiwo Mavumengwana (SM)
Mr Graham Jacobs (GJ)

Members of Staff:

Ms Penelope Meyer (PM)
Ms Naushina Rahim (NR)
Mr Olwethu Dlova (OD)
Ms Waseefa Dhansay (WD)
Ms Colette Scheermeyer (CSc)
Ms Xola Mlwandle (XM)
Ms Stephanie Barnard (SB)
Ms Chane Herman (CH)
Ms Corne Nortje (CN)
Ms Sneha Jhupsee (SJ)

Visitors:

Mr Henry Aikman
Mr Stefan Olivier
Ms Cindy Postlethwayt
Mr Cahlan Williams
Ms Claire
Mr Marshall Morven Chitovhoro
Mr Johan Malherbe
Mr Tom van Hove
Ms Theresa Gordon
Ms Bridget O'Donoghue

Mr Clive Theunissen
Mr William Wiley
Ms Nicolene Visser
Mr Ashley Lillie
Mr Chris Snelling
Mr Philip Smith
Ms Stefanie Knopf
Mr Johan Cornelius
Mr Stuart Burnett

Apologies

None

Absent

None

4. Approval of Agenda

4.1 Dated 28 February 2024.

The Committee approved the agenda dated 28 February 2024.

5. Approval of Minutes of Previous Meetings

5.1 BELCom Minutes dated 31 January 2024

The Committee reviewed the minutes dated 31 January 2024 and resolved to approve them without amendments.

6. Disclosure of conflict of interest:

- GJ: item 11.4 and 12.4

7. Confidential Matters

None

8. Administrative Matters

8.1 Outcome of the Appeals and Tribunal Committees

NR reported back on the following appeals matters:

- Proposed Additions and Alterations on Erf 16337, 267 Victoria Road, Salt River, MA
- Proposed Total Demolition and Replacement Structure on Erven 977 & 978, 11 & 13 Virginia Avenue, Vredehoek; NM

8.2 Report back on Stop Works Orders and Charges:

Nothing to report.

8.3 Formal Protection of Buildings refused for Demolition

Nothing to report.

8.4 Compulsory Repair Orders follow up

For noting.

8.5 Time Out Market, V&A Waterfront: Close Out Report

Ms Sneha Jhupsee reported back, and the Committee noted the report. The Close Out Report is to be read in conjunction with the Monthly Report No. 7 submitted previously.

SJ

8.6 May 2024 Meeting Date

The Committee resolved that the BELCom meeting to be held on 29 May 2024 to be rescheduled for Thursday, 30 May 2024.

8.7 Waterfront CMP

The Committee noted that a joint meeting between IACom, BELCom and IGIC is to be organized prior to a site meeting.

8.8 HWC and CoCT

BELCom member Graham Jacobs raised a concern regarding the current relationship between HWC and CoCT in terms of the NHRA, particularly in the absence of the CoCT's comment as an I & AP after a Record of Decision has been issued by BELCom and the matter is then upheld by Appeals Committee.

9. Standing Items

9.1 Report back on Close-Out Reports

Nothing to report.

9.2 Report back on HWC Council Meetings

BELCom Chair and Council member Dennis Belter presented key points that were discussed at the Council meeting.

9.3 Discussion of agenda

Noted

9.4 Proposed Site Inspections

- Proposed Total Demolition on Erf 357, 6B Devonport Road, Tamboerskloof
- Proposed Redevelopment of Erf 173153, Farbers Building, 1 Bree Street, Cape Town (The Committee resolved to undertake a site inspection on Wednesday, 6 March 2024 (DB and HvdM)).

9.5 Site Inspections Undertaken

- Proposed Additions and Alterations on Remainder Farm 1377, Grand Provence, Franschhoek
- Proposed Total Demolition, 65 Main Road, Paarl MRA (The Committee resolved to undertake a site inspection on Wednesday, 21 February 2024 at 10:00)
- Proposed Total Demolition on Erf 173935, 4 Abingdon Road, Kenilworth

10. Appointments

None

MATTERS DISCUSSED

11 PROVINCIAL HERITAGE SITES: SECTION 27 PERMIT APPLICATIONS

11.1 Proposed Additions, Alterations and Partial Demolition on Erf 775-RE, 469 Main Road, Paarl: NM HM / CAPE WINELANDS / DRAKENSTEIN / PAARL / REMAINDER OF ERF 775

Case No: HWC24011803CN0125

Ms Corne Nortje introduced the case.

Mr Henry Aikman (heritage consultant) and Mr Clive Theunissen (Drakenstein Municipality) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is a Provincial Heritage Site and located inside the Paarl Special Character Protected Area Overlay Zone.
- The original house and barn date from the mid 19th C (date on gable 1852), with additions made in the 1880s.
- Drakenstein Heritage Foundation and Drakenstein Municipality objected to the proposals.
- Questions regarding proposed thatch roof replacement were discussed.
- The design team are working on a revised design in consultation with Drakenstein Heritage Foundation.

HELD OVER:

The item is being held over for further design at the applicant's request. Application is to be recirculated to all I&APs for comment prior to HWC submission.

CN

11.2 Proposed Additions on Remainder of Erf 2246, 163 Main Road, Paarl - Strooidak NG Kerk: NM HM / CAPE WINELANDS / DRAKENSTEIN / PAARL / REMAINDER OF ERF 2246

Case No: HWC23092717KB0928

Ms Corne Nortje introduced the case.

Mr Stefan Olivier (architect), Ms Nicolene Visser (Malherbe Rust Architects – as observer and not involved in this case) and Mr Clive Theunissen (Drakenstein Municipality) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The Strooidakkerk is a unique and highly significant building and site and located inside the Paarl Special Character Protected Area Overlay Zone.
- Interventions in the grounds should be carefully considered so as not to detract from heritage qualities or impact on burial grounds.
- The playpark, consisting of a play structure and a trampoline, has already been constructed but no permit was obtained.
- Concerns were expressed that the playpark has been placed in an area most likely to contain unmarked graves and close to existing marked graves.

FURTHER REQUIREMENTS:

The Committee notes that the heritage statement is required which must incorporate an archaeology study in respect of potential unmarked graves, prepared by a suitably qualified archaeologist. Alternative locations of the play park are to be investigated and presented to this Committee. The playpark is not to be removed without HWC approval. The applicant is granted 60 days to prepare the application and submit to HWC.

CN

11.3 Proposed Additions and Alterations on Remainder Farm 1377, Grand Provence, Franschhoek: MA HM/ CAPE WINELANDS/ FRANSCHHOEK/ REMAINDER FARM 1377

Case No: HWC23092717KB0928

Ms Chane Herman introduced the case.

The Committee reported back on the site inspection that was undertaken on February 2024. See site inspection report attached as annexure S11.

Mr Henry Aikman (heritage consultant) and Ms Claire (Stellenbosch Interest Group) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The homestead and barn date from the mid 18th c, with early 1990s additions.

- The proposals for alteration concern part of the original barn and a 1990s garage structure.
- Stellenbosch Interest Group objected to a part of the proposals. The design was amended in response to their comment.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawing numbered 1605 001; 1605 004, 1605 005, 1605 006, 1605 007 and 1605 008, Revision 2 and 3, prepared by A3D Architects and dated 16 October 2023 as not negatively impacting heritage resources.

CH

11.4 Proposed Remedial Work on Erf 177506, Stonehenge, 36 Main Road, St James: MA HM / CAPE TOWN METROPOLITAN / ST JAMES / ERF 177506

Case No: 18120514HB0306E

GJ recused himself and joined the applicant.

Ms Sneha Jhupsee introduced the case.

Mr William Wiley (owner) and Mr Philip Smith (CoCT) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is a Provincial Heritage site in a HPOZ.
- The renovation work that has taken place is deemed to have improved heritage significance.
- As per HWC's previous requirements, an arborist's report was presented to inform choices for tree replacement.
- The CoCT was not in agreement with the arborist's choice.
- A further option for tree replacement was presented.

RECORD OF DECISION:

The Committee resolved to approve the Pencil Pines (*Cupressus sempervirens* 'Stricta') as a suitable replacement for the palm trees that were removed.

SJ

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

12.1 Proposed Total Demolition on Erf 1790, 1 Dudley Road (38 Rhine Road), Sea Point: NM HM / CAPE TOWN METROPOLITAN / SEA POINT / ERF 1790

Case No: HWC23100216CN1201

Ms Corne Nortje introduced the case.

Mr Ashley Lillie (heritage consultant) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIB and located in an HPOZ. However, a grading of IIIC has been recommended by the Committee.
- The heritage significance of the existing house was queried – the original structure dates from the early 20th C but received a Cape Revival style make-over in the 1970s, as such its appearance lacks authenticity.
- A demolition permit was granted in 2005 but has lapsed. Since then, the site has been consolidated with two neighbouring erven.
- The proposed new development on the consolidated erf has been approved by CoCT.

RECORD OF DECISION:

Based on previous decisions of HWC and the validity of Council approved plans, the Committee resolved to reapprove the demolition of the final remaining building within this development.

The permit is valid for 3 years from the date of issue.

CN

12.2 Proposed Total Demolition on Erf 2645, 65 Main Street, Paarl: NM HM/ CAPE WINELANDS/ DRAKENSTEIN/ PAARL/ ERF 2645

Case No: HWC23121308CH1214

Ms Chane Herman introduced the case.

The Committee reported back on the site inspection that was undertaken on 21 February 2024.

Mr Clive Theunissen (Drakenstein Municipality), Ms Nicolene Visser (Malherbe Rust Architects), Mr Johan Malherbe (Malherbe Rust Architects) and Ms Stefanie Knopf (I&AP) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The early 20th C house is graded IIIC, located inside the Paarl Special Character Protected Area Overlay Zone.

- The house forms part of a small group of similar adjacent buildings and faces west across Main Street towards a part of protected Paarl farms with vineyards that stretch all the way down to Main Road.
- While some period features such as doors are intact, various windows have been replaced with modern windows. Parts of the house have been fire-damaged, and most of it has been water damaged.
- Drakenstein Municipality proposes incorporation of the house into new development, and if not, that proposals for a replacement structure be approved.
- Drakenstein Heritage Foundation do not object to demolition, however, do not support the replacement proposal in its current form.
- Paarl 300 noted support.
- Drakenstein Municipality require retention of the landmark oak tree.
- The recent double storey building to the south was discussed in terms of its elements that are sympathetic to the heritage character of Main Street.

FURTHER REQUIREMENTS:

The Committee requires a heritage statement to inform heritage indicators, including graphic indicators, to guide the design of a replacement building. Whilst the Committee is not opposed to demolition, additional information, analysis and investigations are required into the design of the replacement structure before a final decision can be made.

CH

12.3 Proposed Total Demolition on Erf 88535, 17 Ley Road, St James: NM HM/ CAPE TOWN METROPOLITAN/ ST JAMES/ ERF 88535

Case No: HWC23110206CH1113

Ms Chane Herman introduced the case.

Mr Johan Cornelius (heritage consultant) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The house is located in the Muizenberg St James Kalk Bay HPOZ.
- It was subject to previous council plan approvals, wherein it was noted as being not conservation worthy.
- The house has already been demolished, apparently on the strength of an engineer's report.
- Kalk Bay – St James Ratepayers and Residents Association and Kalk Bay Historical Association object to the unauthorised demolition.
- The CoCT object to the unauthorised demolition.
- This has become a legal matter.
- There is precedent for a replacement structure to be approved by HWC.

FURTHER REQUIREMENTS:

HWC cannot condone illegal work especially when there has been a total demolition without a permit issued in terms of s34 of the NHRA. A letter in terms of s51 of the NHRA will only be

considered if a suitable proposal as to mitigation on how the HPOZ will not be negatively impacted by the development which replaces the unlawfully demolished structure is submitted to HWC and, if approved, incorporated in a mitigation agreement with HWC. HWC as the provincial heritage authority has the legal mandate to administer s34 applications of which this is one.

CH

**12.4 Proposed Total Demolition on Erf 510, 7 Cavalcade Road, Green Point: MA
HM / CAPE TOWN METROPOLITAN / GREEN POINT / ERF 510**

Case No: HWC23101820CN1020

GJ recused himself and joins the applicant.

Ms Corne Nortje introduced the case.

Mr Tom van Hove (architect), Mr Marshall Chitovhoro (neighbour), Ms Theresa Gordon (neighbour) and Mr Stuart Burnett (Green Point Residents and Ratepayers Association) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The house on the site is graded IIC, is not located in an HPOZ and has already been partly dismantled.
- A replacement proposal was viewed at previous meetings with further requirements to include refinement of boundary treatment.
- The revised drawings were discussed, and the Committee was in general support of the revision.
- However, not all I&APs had opportunity to scrutinise the revised design.

HELD OVER:

This item will be held over to the next BELCom meeting to enable complete I&APs participation.

CN

**12.5 Proposed Total Demolition on Erf 357, 6B Devonport Road, Tamboerskloof: NM
HM/ CAPE TOWN METROPOLITAN/ TAMBOESKLOOF/ERF 357**

Case No: HWC24020103KB0201

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Wednesday, 6 March 2024 at 12:00.

KB

**12.6 Proposed Total Demolition on Erf 173935, 4 Abingdon Road, Kenilworth: MA
HM/ CAPE TOWN METROPOLITAN/ KENILWORTH/ ERF 17935**

Case No: HWC23111408KB1120

Ms Stephanie Barnardt introduced the case.

The Committee reported back on the site inspection that was undertaken on 7 February 2024.

Mr Johan Cornelius (heritage consultant), Mr Philip Smith (CoCT) and Ms Cindy Postlethway (Lower Kenilworth Improvement District) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIC and in a proposed HPOZ.
- The CoCT, Lower Kenilworth Improvement District and many neighbours object to the demolition.
- Dating from the early/mid 20th C, the house displays Arts & Crafts features. Although this is a modest house, it was constructed with quality materials, good craftsmanship and attention to detail.
- Its original spatial arrangement is intact, with a few alterations at the back not detracting from it and has recently been neglected but could be restored to original state.

RECORD OF DECISION:

The Committee is of the opinion that the heritage resource could be a grade IIIB and not an IIIC as recorded. In the light of this, and the site inspection undertaken, the Committee refuses the total demolition. The Committee is of the opinion that the resource is worthy to be placed on the register.

KB

13 STRUCTURES OLDER THAN 60 YEARS: SECTION 34 PERMIT FOR PARTIAL DEMOLITION/ALTERATIONS

13.1 Proposed Additions and Alterations on RE of Erf 27135, 20 Trill Road, Observatory: MA HM / CAPE TOWN METROPOLITAN / OBSERVATORY / REMAINDER OF ERF 27135

Case No: HWC23091907CN1123

Ms Corne Nortje introduced the case.

Ms Bridget O'Donoghue (heritage consultant) was present and took part in the discussions.

DISCUSSION:

The house is a semi-detached Victorian graded IIC and in an HPOZ.

Amongst other things, the following was discussed:

- The Committee would like to draw the applicants' attention to the rear semi-enclosed walkway, should this be mirrored, this exterior space would become internal.
- Drawings were presented to show how the proposal may be mirrored to the other half of the house without detracting from architectural qualities and heritage significance.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawing no SR 23004-3HA-002 and SR 23004-3HA-003, dated 16 February 2024, as prepared by LDK from Studio Revolution as having met previous requirements.

CN

13.2 Proposed Restorations on Erf 5943, 8 Thomas Street, Simons Town: MA HM/CAPE TOWN METROPOLITAN/SIMONS TOWN/ERF 5943

Case No: 19051708AS0517E

The applicant withdrew the application.

CH

13.3 Proposed Additions, Alterations and Deviations on Erf 4017, 8 Vredenburg Lane, Cape Town: MA HM/ CAPE TOWN MTROPOLITAN/ CAPE TOWN CBD/ ERF 4017

Case No: HWC24020105CH0206

Ms Sneha Chane Herman introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The original single storey structure was graded IIIB, Georgian in character and is located in the Central City HPOZ.

- A previously approved plan for an apartment building is being resubmitted with two additional floors being added to line up with the top of the neighbouring building.
- City Bowl Residents' and Ratepayers' support the proposal.
- The CoCT did not comment.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawing no 04.1-CD-1, 04.1-CD-2, 04.1-CD-3, 04.1-CD-4, 04.1-CD-5, 04.1-CD-6, 04.1-CD-7, Revision A, prepared by Two Five Five Architects, dated 30 January 2024 as not negatively affecting heritage resources.

CH

13.4 Proposed Additions and Alterations on Erf 2293, 61 Bellevue Road, Higgovale: NM HM / CAPE TOWN METROPOLITAN / HIGGOVALE / ERF 2293

Case No: HWC24010812SJ0116

Ms Sneha Jhupsee introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The mid 20th C Cape Revival style house is a proposed IIIC and not located in a HPOZ or proposed HPOZ.
- City Bowl Residents' and Ratepayers' did not support the proposal.
- CoCT supported the proposal.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawing no: C001 Rev 0 and C002 Rev 0, dated 13/12/2023 prepared by VDMMA as not negatively affecting heritage resources.

SJ

13.5 Proposed Additions and Alterations on Erf 52515, 36 Cook Street, Claremont: NM HM / CAPE TOWN METROPOLITAN / CLAREMONT / ERF 52515

Case No: HWC24011618SJ0122

Ms Sneha Jhupsee introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The early/mid 20th C house is graded IIIC and not located in a HPOZ or proposed HPOZ.
- The CoCT and Greater Lynfrae Civic Association objected to the proposed additions.
- The house in question, though modest, has an intact architectural character and is deserving of a more considered approach.

FURTHER REQUIREMENTS:

The Committee considered the building to have sufficient architectural heritage significance to warrant an improved design proposal that would be more sensitive to the character of the building. The Committee recommend the applicant take cognisance of the recommendations from CoCT, I&APs and those listed below:

1. The retention of the colonnaded veranda.
2. The retention of the symmetrical façade with central entrance door and flanking windows.
3. Retention of a hipped roof.
4. Investigate alternative means to extend the building.

SJ

15 PROVINCIAL PROTECTION: SECTION 29 PERMIT

15.1 None

16 PROVINCIAL PROTECTION: SECTION 28 REFUSAL

16.1 None

17 HERITAGE REGISTER: SECTION 30 PROCESS

17.1 None

18 PUBLIC MONUMENTS & MEMORIALS: SECTION 37 PROCESS

18.1 None

19 REQUESTS FOR OPINION/ADVICE

19.1 None

20 CONSERVATION MANAGEMENT PLAN

20.1 None

21. NON-COMPLIANCE

21.1 None

22. OTHER

22.1 None

22. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee resolved to adopt the resolutions and decisions as minuted.

23. CLOSURE

The meeting closed at 14:45

24 DATE OF NEXT MEETING:

14 March 2024

MINUTES APPROVED AND SIGNED BY:


CHAIRPERSON _____

14 March 2024
DATE _____


SECRETARY _____

14 March 2024
DATE _____

APPROVED