

**Approved Minutes of the Meeting of Heritage Western Cape
Built Environment and Landscape Permit Committee (BELCom)
Commenced at 08:30 and held on Thursday, 10 November 2022 via
Microsoft Teams**



1. Opening and Welcome

Note: Due to the Chairperson, Mr. Graham Jacobs being unable to attend the meeting, and tendering apologies, Ms Waseefa Dhansay presided over the election of an Acting Chairperson in terms of the rule 12(5) of the Rules of Order and Conduct at Meetings of HWC. The Committee elected Mr Shawn Johnston to chair the meeting.

The Acting Chair, Mr Shawn Johnston, officially opened the meeting at 08:30 and welcomed everyone present.

2. Attendance

Committee Members:

Mr Dennis Belter (DB)
Ms Helene van der Merwe (HvdM)
Mr Shawn Johnston (SJ)
Prof Walter Peters (WP)

Members of Staff:

Ms Colette Scheermeyer (CSc)
Ms Nosiphiwo Tafeni (NT)
Mr Olwethu Dlova (OD)
Ms Waseefa Dhansay (WD)
Ms Cecilene Muller (CM)
Ms Zikhona Sigonya-Ndongeni (ZSN)
Ms Khanyisile Bonile (KB)
Ms Chane Herman (CH)
Ms Corne Nortje (CN)
Ms Penelope Meyer (PM)
Ms Sneha Jhupsee (SJ)
Ms Muneerah Solomon (MS)
Mr Robin George (RG)
Mr Thando Zingange (TZ)

Visitors:

Mr Johan Cornelius
Mr Alexis van der Merwe
Ms Louise Hyde
Mr Paul Clark
Ms Elize Mendelsohn
Mr Peter Buttgens
Ms Ursula Rigby
Mr Jason De Villiers
Mr Bruce Wilson
Mr Johan Slabber
Mr Mike Scurr
Mr Tom Linder

Mr Piet Louw
Ms Lydia van der Merwe
Ms Ohna Clark
Mr Bryce Henderson
Mr Chris Snelling
Mr Ashley Lillie
Mr Martin Bey
Ms Katlego Motena
Mr Luke Emery
Mr Richard Summers
Mr Sean Hayden
Mr Niaz Ahmed

Apologies

Mr Graham Jacobs (GJ) (Chair)

Absent

None

4. Approval of Agenda

4.1 Dated 10 November 2022.

The Committee approved the agenda dated 10 November 2022.

5. Approval of Minutes of Previous Meetings

5.1 BELCom Minutes dated 26 October 2022

The Committee reviewed the minutes dated 26 October 2022 and resolved to approve them with minor amendments.

6. Disclosure of conflict of interest:

6.1 Recusals

- DB: item 13.2

7. Confidential Matters

None

8. Administrative Matters

8.1 Outcome of the Appeals and Tribunal Committees

Nothing to report.

8.2 Report back on Stop Works Orders and Charges:

Nothing to report.

8.2.1 Union Castle Building

The Committee reported back on the site inspection that was undertaken on 27 October 2022.

COMMENT:

The request for a meeting between HWC and the V&A Waterfront Company management will be made through HWC.

8.3 Formal Protection of Buildings refused for Demolition

Nothing to report.

8.4 Compulsory Repair Orders follow up

8.4.1 Moravian Church management i.t.o. the response for Wupperthal

No response received yet, HWC staff following up with Moravian Church leadership.

8.4.2 Palace Barracks, Simon's Town

No response received, nor to our knowledge has any work taken place in terms of the CRO, HWC following up with DPW in terms of this, and other, cases.

9. Standing Items

9.1 Report back on Close-Out Reports

Nothing to report.

9.2 Report back on HWC Council Meetings

Nothing to report.

9.3 Discussion of agenda

Noted

9.4 Proposed Site Inspections

- Proposed Total Demolition of Erf 355, 5 Bickley Road, Sea Point
- Proposed Total Demolition on Erf 55193, 24 Bishoplea Road, Claremont
- Proposed Additions and Alterations on Erf 149294-Re, Old Power Station & Pump House Building, Dock Road, V&A Waterfront
- Wupperthal: The Committee resolved to undertake a site visit on Tuesday, 22 November 2022 (GJ, SJ, WP and HvdM).

9.5 Site Inspections Undertaken

- Union Castle Building, 3 Dock Road, V&A Waterfront.
- Proposed Additions and Alterations on RE of Erf 194, 331A and 331B Beach Road, Bantry Bay.
- Proposed Additions and Alterations on Erf 145939, 8 Hiddingh Avenue, Newlands.
- Proposed Additions and Alterations on Farm 15251/1, Dunstone Country Estate, Wellington.

10. Appointments

None

MATTERS DISCUSSED

11 PROVINCIAL HERITAGE SITES: SECTION 27 PERMIT APPLICATIONS

11.1 None

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

12.1 Proposed Total Demolition of Erf 355, 5 Bickley Road, Sea Point: NM HM/CAPE TOWN METROPOLITAN/SEA POINT/ERF 355

Case No: HWC220101701TZ

Application documents were tabled.

FUTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Wednesday, 16 November 2022 at 12:45 (GJ, SJ, DB, WP and HvdM).

TZ

12.2 Proposed Total Demolition on Erf 55193, 24 Bishoplea Road, Claremont: MA HM / CAPE TOWN METROPOLITAN / CLAREMONT / ERF 55193

Case No: 22070704KB0704E

Application documents were tabled.

Mr Johan Cornelius (heritage consultant), Mr Piet Louw (architect and urban designer), Mr Alexis van der Merwe (Upper Claremont and Residents and Ratepayers Association), Ms Lydia van der Merwe (Upper Claremont and Residents and Ratepayers Association) and Ms Louise Hyde (Upper Claremont and Residents and Ratepayers Association) were present and took part in the discussions.

FUTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Wednesday, 16 November 2022 at 12:00 (GJ, SJ, DB, WP and HvdM)

KB

12.3 Proposed Total Demolition on Erf 1005, 9 McFarlane Street, Hermanus: NM HM/OVERSTRAND/ OVERBERG/ HERMANUS/ERF 1005

Case No: HWC22100712MS1017

Application documents were tabled.

Ms Muneerah Solomon introduced the case.

Ms Ohna Clark (architect) and Mr Paul Clark (owner) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is not conservation worthy and situated outside an HPOZ.
- Overstrand Heritage and Aesthetics Committee (OHAC) does not support the proposed demolition and recommends an adaptive reuse approach.
- Members of the Committee expressed support for the OHAC position.

RECORD OF DECISION:

The Committee resolved to approve the demolition as the building has insufficient heritage significance to warrant retention.

MS

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

13.1 Proposed Additions and Alterations on Erf 145939, 8 Hiddingh Avenue, Newlands: MA HM/CAPE TOWN METROPOLITAN/ NEWLANDS/ ERF 145939

Case No: 22092601CH0928E

The Committee reported back on the site inspection that was undertaken on 7 November 2022. See attached annexure SI1.

Mr Johan Cornelius (heritage consultant) and Mr Bryce Henderson (architect and owner) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is a grade IIIB resource and situated outside an HPOZ.
- CoCT supports the proposals.
- Newlands Residents Association supports the proposals.
- According to the plan as submitted bathrooms will be installed on top of restored timber floors. It was noted that removal of the floorboards for restoration would provide

opportunity for localised insertion of more waterproof and durable bathroom floor options and so reduce future water damage risk to timber floors.

RECORD OF DECISION:

C1001, C1002, C2000, C3000, dated 4 November 2022 and prepared by Studio BHD as not negatively impacting heritage significance.

On condition that:

1. The two windows of the south western gable of the Victorian House are retained;
2. The proposed balustrade to the balcony to be of contemporary design;
3. That the proposed masonry closure of the door from the garage to the cottage be recessed to retain a memory of the opening; and
4. Lime renders and mortars are used on all historic soft clay masonry.

Revised drawings to be submitted to HWC for approval.

CH

**13.2 Proposed Additions and Alterations on RE of Erf 194, 331A and 331B Beach Road, Bantry Bay:
MA
HM / CAPE TOWN METROPOLITAN / BANTRY BAY / RE OF ERF 194**

Case No: 22090501CN1005E

DB recused himself and logged off from MS Teams.

The Committee reported back on the site inspection that was undertaken on 7 November 2022. See attached annexure SI2.

Ms Ursula Rigby (heritage consultant), Mr Martin Bey (representing owners of 331A - Barnward Investments (Pty) Ltd), Mr Jason De Villiers (representing owner of 331B) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is recommended as grade IIIB or IIIC resource and situated outside an HPOZ.
- The Heritage Report was commissioned as a result of the court order. The recommendations for alterations and maintenance contained in the report form the proposals which are under consideration.
- CoCT supports the proposals.
- DOCOMOMO supports the proposals.
- Cape Town Heritage Foundation supports the proposals and emphasizes that specific details should be retained.
- Sea Point for All follows the guidance given by Cape Town Heritage Foundation.
- Sea Point, Fresnaye and Bantry Bay Ratepayers and Residents Association do not comment on unauthorised work.

- It was noted that the 1986 remodelling was a substantial but well-considered intervention that left few traces of the original building's detailing in terms of interiors, joinery and fenestration.

RECORD OF DECISION:

The Committee cannot approve unauthorised work. The Committee recommends that a heritage mitigation agreement is entered into between the two owners and HWC. The recommendations as recorded in the heritage report and BELCom site visit report are to be utilised as the basis in formulating the heritage mitigation agreement between the owners of property 331A and property 331B and HWC.

The BELCom recommends a grading of IIIC.

CN

13.3 Proposed Alteration and Addition on Farm 15251/1, Dunstone Country Estate, Wellington: MA HM/CAPE WINELANDS/DRAKENSTEIN WELLINGTON/FARM 15251/1

Case No: 22072709KB0811E

The Committee reported back on the site inspection that was undertaken on 7 November 2022. See attached annexure SI3.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is not graded and is situated inside the Bovlei Heritage Overlay Zone.
- The application includes unauthorised work by a previous owner and proposed further alteration work by the current owner.
- Drakenstein Municipality supports the proposals.
- Drakenstein Heritage Foundation does not support the proposal, objecting to proposed enclosure of the stoep and clarity about the age and significance of the fireplace to be demolished.
- Paarl 300 did not support the proposal, requesting additional information regarding the significance, layering and fabric of the buildings as well as heritage indicators to inform the proposals.

RECORD OF DECISION:

The Committee cannot approve the unauthorised work.

The Committee resolved to approve the proposed design work not yet carried out as indicated on drawings numbered PLAN NO-992 Rev B, dated 11 November 2021 and prepared by Andre Carstens Architecture as not negatively impacting heritage significance.

KB

13.4 Proposed Additions and Alterations on Erf 159564, 46 Strand Street, Cape Town: NM HM/CAPE METROPOLITAN/CAPE TOWN CBD/ ERF 159564

Case No: HWC22053103KB

Application documents were tabled.

Ms Khanyisile Bonile introduced the case.

Mr Bruce Wilson (architect) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is graded IIIB and in an HPOZ.
- CIBRA supported the proposals.
- CoCT supported the proposals.
- HOMs referred to BELCom to evaluate possible visual impacts of the proposed additional floors to the top of the building.
- There was some discussion regarding the detailing where existing and proposed new work join.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings numbered A (LA) 1000, A (LA) 1001 A (LA) 1002 A (LA) 1003, A (LA) 1004, A (LA) 1005 dated 12 May 2022 and prepared by Bruce Wilson as not negatively impacting heritage significance.

KB

13.5 Proposed Additions and Alterations on Erf 29381, 7 Hilton Road, Mowbray: NM HM/CAPE TOWN METROPOLITAN/MOWBRAY/ ERF 29381

Case No: 22092808MS0929E

Application documents were tabled.

Ms Muneerah Solomon introduced the case.

Mr Luke Emery (owner and architect) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is a grade IIIC resource and situated outside an HPOZ.
- RAMPAC supports the revised proposals.
- CoCT does not support the proposals, however, may not have had sight of the revised proposals yet.

RECORD OF DECISION:

The Committee resolved to approve the application as indicated on drawings 1-01-4, DR-A-2-01-4,9-01-3 dated 27 July 2022 and prepared by Jarryd Knight as not negatively impacting heritage significance.

MS

**13.6 Proposed Additions and Alterations on Erf 149294-Re, Old Power Station & Pump House Building, Dock Road, V&A Waterfront: NM
HM / CAPE TOWN METROPOLITAN / V&A WATERFRONT / ERF 149294-RE**

Case No: HWC22102107SJ1024

Application documents were tabled.

FUTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on Wednesday, 16 November 2022 at 13:30 (GJ, SJ, DB, WP and HvdM).

SJh

14 HERITAGE AREAS: SECTION 31 CONSENT APPLICATIONS

14.1 None

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 Proposed Additions and Alterations on Erf 149294, 3 Dock Road, V&A Waterfront: MA
HM/METROPOLITAIN/CAPE TOWN/WATERFRONT/ERF 149294**

Case No: 21072020TZ0724E

The following documents were tabled:

- UCB Interim Design Review Report (for information) dated 4 November 2022 prepared by Rennie Scurr Adendorff;
- Interim Monitoring Report dated 9 November 2022 prepared by Mike Scurr;
- and Interim Monitoring report dated 9 November and prepared by Jacques Retief.

Mr Thando Zingange introduced the case.

Mr Johan Slabber (project manager), Mr Richard Summers (attorney representing V&A Waterfront), Mr Mike Scurr (heritage practitioner), Mr Sean Hayden (KMH architects), Mr Tom Linder (structural engineer) and Mr Niaz Ahmed (V&A Waterfront) were present and took part in the discussion.

ADVICE:

The Committee advised the applicant to submit a new application.

TZ

20 OTHER MATTERS

20.1 None

21. NON-COMPLIANCE

21.1 None

22. ADOPTION OF RESOLUTIONS AND DECISIONS

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

23. CLOSURE

The meeting closed at 12:20

24 DATE OF NEXT MEETING:

30 November 2022

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____

Annexure S11

S.34 Application for Alterations and Additions –
Erf 145939, 8 Hiddingh Road, Newlands – ‘Woodsprings House’
Submitted by Hélène van der Merwe and Walter Peters

HWC Case Number: 22092601CH0928E
Erf No.: 145939
Street Address: 8 Hiddingh Avenue, Newlands, Cape Town
Nature of Application: NHRA S.34 Application for Alterations and Additions
Date of Site Visit: Monday, 7 November @ 12h00-12h30
HWC BELCom Representatives: Dennis Belter, Walter Peters, Shawn Johnston & Hélène van der Merwe
HWC Staff: -
Met on site by: The Committee members were met on site by: Johan Cornelius (heritage consultant)?
(owner & architect)
Grading: Not graded by CoCT, not in an HPOZ.

Reasons for Site Inspection:

This application was tabled at the BELCom meeting on 26 October 2022. During the meeting the Committee was made aware of a letter written by an I&AP who is an historian, Ms Lauren Muller, explaining why the subject building may be much older than was thought and that its core could possibly even date from the 1st part of the 19thc. Therefore, the Committee resolved to undertake an inspection.

Observations:

The building is Victorian in appearance and in need of repairs.

The site is layered containing earlier structures incorporated into the Victorianised expression, with additions dating from the 1920s, and some of unknown date but clearly built much more recently.

The Victorianised part building displays decorative fretwork on the gable ends & some fine sash windows with very narrow glazing bars, many of which need some repairs, especially of cills and external shutters. Timber floors and especially substructure have suffered from damp and need replacing.

The roof is of slate and is leaking in a number of places which has caused damage to interiors. Thin Welsh slates have been sourced for roof restoration.

Corresponds to
1853 Newlands plan

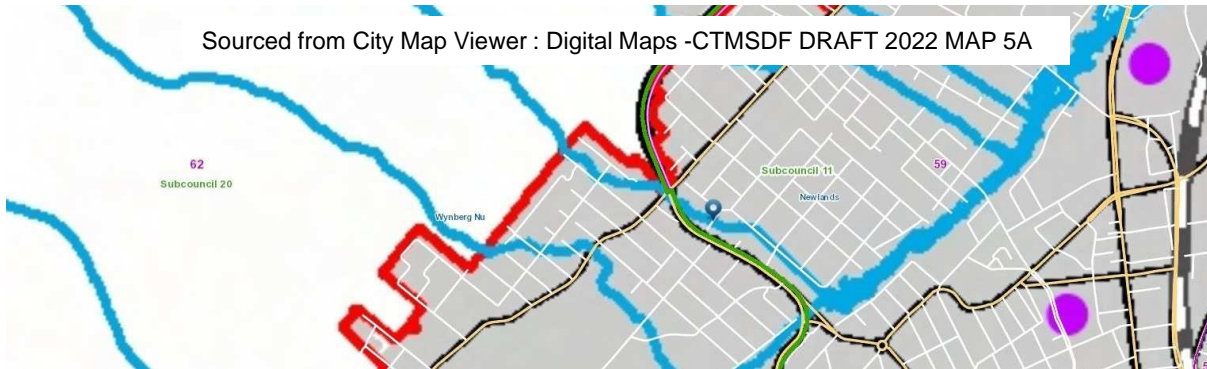


1920s

Source: Heritage Report

Further findings:

From the descriptions contained in Ms Muller's letter, there are historical records of a cluster of buildings in this location and which were associated with the Hidding Stream.

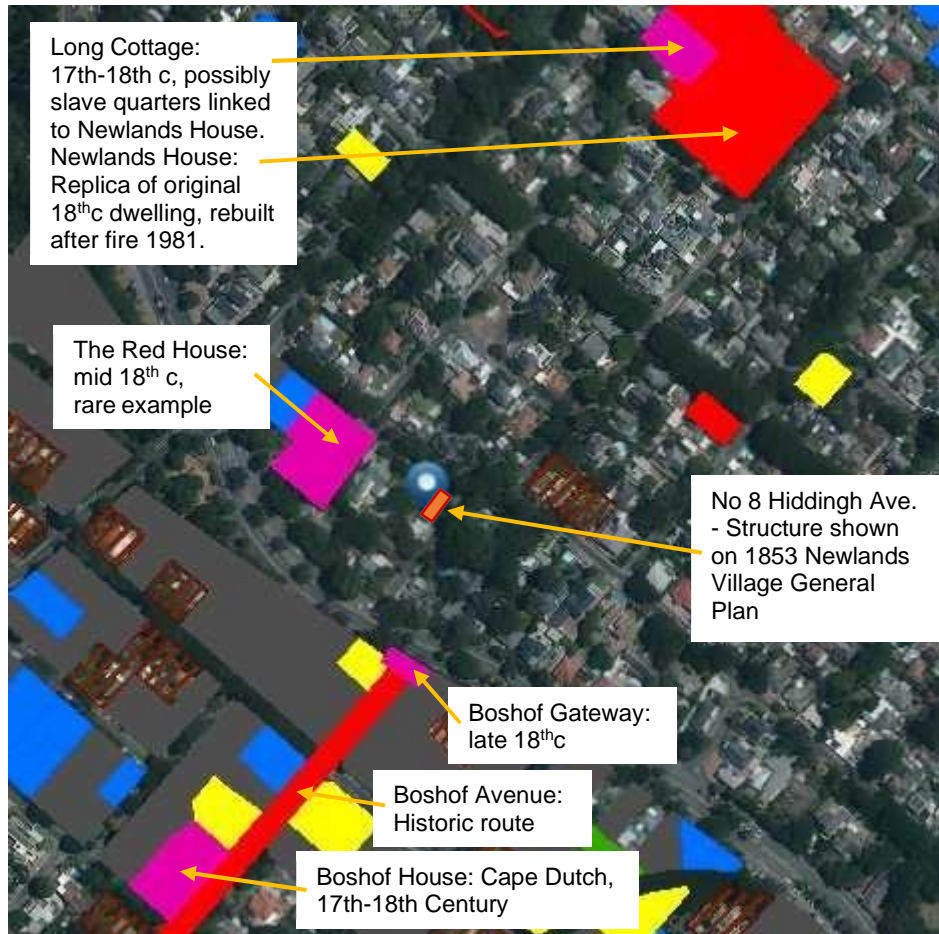


1853 Newlands Village General Plan

This points to the importance of the dwelling at No 8, and especially the part that corresponds to the 1853 map, as having a high heritage significance.

The City Map Viewer heritage overlay information helps to provide an illustration of the context described by Ms Muller.

The location of various important 17th c-18th c manor houses which still survive today, the historic routes between them and likely river crossing points, the known location of a cluster of structures that included dwellings of enslaved people, draws a picture of an earlier world.



Conclusion & Recommendation:

It is possible that the core of No 8 may be a significant remnant of an early to mid-19th c structure. Should fabric analysis done during restoration work bear out this probability, No 8 is probably worthy of a grading of at least IIIB.

Building work should be done with care and attention to discover, if possible, the extents of the oldest structure within the Victorian styled exterior.

Traditional lime mortars and renders are to be used on all historic clay brick fabric. Monitoring by an architect with appropriate heritage experience is strongly advised.

While restoration of historic elements should be done as true to original as possible, the proposed contemporary styled architectural interventions and addition located behind the house can be supported in principle.

Annexure S12

S.34 Application for Alterations and Additions – Erf 194-RE, 331A & 331B Beach Road, Bantry Bay - Atlantis.

Submitted by Walter Peters & Hélène van der Merwe

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|-------------------------------------|---|
| HWC Case Number: | 22090501CN1005E |
| Erven No.: | 195-RE |
| Street Address: | 331A & 331B Beach Road, Bantry Bay, Cape Town |
| Nature of Application: | NHRA S.34 Application for Alterations and Additions: Assessment of unauthorised work and recommendations for further work to the building façade. |
| Date of Site Visit: | Monday, 7 November @ 13h00-13h30 |
| HWC BELCom Representatives: | Dennis Belter, Walter Peters, Shawn Johnston & Hélène van der Merwe |
| HWC Staff: | Corne Nortje |
| Met on site by: | The Committee members were met on site by: <ul style="list-style-type: none">- John van der Spuy – Steer & Co Managing Agents, obo the Body Corporate;- Emerson – Caretaker;- Linda Seagal – Remax Agent, representing the owner of 331A;- Kyle Powter – silent observer, obo Remax Agents;- Stefan Seagal – Contractor. |
| Grading: | Not officially graded by CoCT, not in an HPOZ. The neighbourhood context is graded IIIB, and the building is recommended as grade IIIB or as grade IIIC by CoCT and various commenting bodies. |
| Reasons for Site Inspection: | This application was tabled at the BELCom meeting on 26 October 2022. Due to the history of unauthorised alteration work, objections and a stop works order issued by the High Court being in place, the Committee resolved to undertake an inspection. |
| Observations: | <ol style="list-style-type: none">1. The building was built in the 1930s, allegedly in the Art Deco style; was remodelled by top architects Douglas Roberts & Peter Loebenberg in 1986 and subjected to unauthorised alterations in 2012 and 2021.2. Roberts substantially altered the original interiors. No legacy of the 1930s structure could be identified during the site inspection, neither is the heritage report able to provide detailed support thereto.3. It is desirable for the integrity of the building that any interventions be made with reference to |

Robert's design, especially on the street-facing facades.

That this has not happened is visible in the 3 garage doors, which were designed to be uniform. They no longer resemble the doors with vertical patterning as shown on the 1986 drawings but are of aluminium in horizontal panels. Although all are white in colour, each is slightly different as if they may have been replaced at different times.

To the above example comes the need in the exposed conditions of the Atlantic Ocean to replace doors and door and window frames. If the originally specified product is no longer available or material of greater permanence is warranted, like the garage doors, the closest substitute should be agreed upon by the body corporate but overall unity of appearance must be retained.

If not, it is a slow but insidious process, which would erode the architectural character of this fine example of modernist remodelling.

A common approach would also be called for once the stainless steel handrails to the balconies (part of 1986 remodelling) become in need of replacement and will then need to meet with the conditions of the national building regulations, which right now is patently not the case.

Conclusions:

Although the building's overall form and scale still contributes to the streetscape, the replacement of elements without reference to the 1986 remodelling is of concern. Unless attention to detail is carefully observed, the heritage significance of 331A & 331B Beach Rd will further erode.

The Heritage Report, which is under consideration, has been commissioned as a result of the court order to provide an evaluation of the unauthorised alterations and make recommendations for appropriate replacements with a view to recovering and preserving heritage significance.

Recommendations:

An understanding of the current heritage significance of the building forms the underpinning for a heritage grading. In the opinion of the members of the committee a grading of III C would be appropriate.

The members to the site inspection support the mitigation recommendations as described in Section 12 of the Heritage Report, the guiding principle being recovery where possible of details as per the 1986 remodelling, and for retaining a unified front to the building, in whole and in detail, even if more permanent building materials are used.

Annexure S13

Application for Additions & Alterations – Farm 1525/1 – Dunstone Country Estate

Submitted by Dennis Belter & Hélène van der Merwe.

| | |
|------------------------------------|--|
| HWC Case Number: | 22090909TZ0907E |
| Erven No.: | 1525/1 |
| Street Address: | Farm 1525/1 Wellington |
| Nature of Application: | Additions & Alterations |
| Date of Site Visit: | Tuesday 7 November 2022 @ 14h30 |
| HWC Belcom Representatives: | Hélène van der Merwe, Dennis Belter and Shawn Johnston |
| HWC Staff: | None |
| Grading: | Not graded by Drakenstein Municipality, proposed as IIC (Heritage Report), located in the proposed Bovlei Heritage Overlay Zone. |

Reasons for Site Inspection:

This item was tabled at the BELCom meeting of 26 October 2022, where concern was raised by I&AP's around the removal of the fireplace and the visual impact of the alterations on the area, being part of the proposed Bovlei HPOZ.

Context:

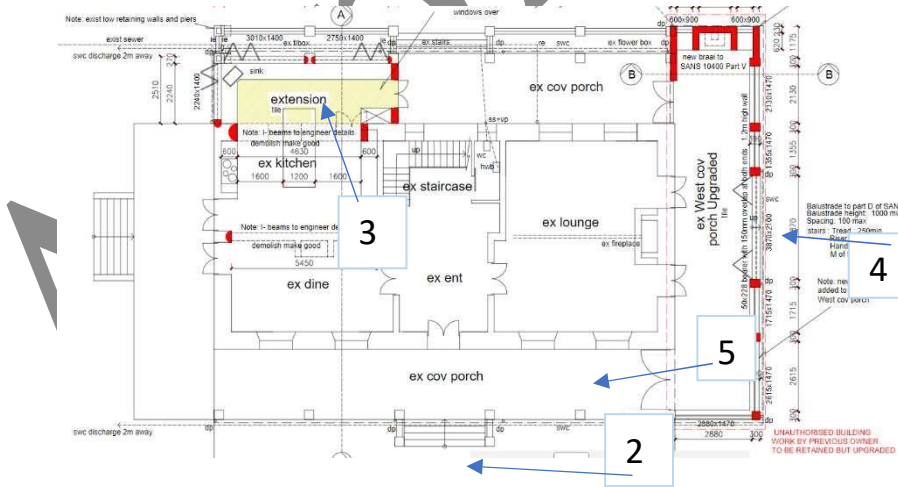
The oldest part of the building is deemed to be approximately 100 years old or more, with massive walls 550mm thick. There have been alterations including a modern second story added on top of these thick walls in late 1990s-early 2000s. The stoep and other alterations may date from this time as well. The character of any older structure has been submerged within the later additions.



1.View to side of house, windows & doors of recent date. 2.View to front of house, (original?) older front door visible.

Proposal:

The proposal entails the extension of the main building to incorporate a portion of the existing undercover patio, removal of the division wall between the dining and kitchen and then the formalization of illegal works by previous owners for the enclosure of the pool patio deck.



5.View to front stoep

3.View to area for proposed kitchen extension



4.View to pool patio



Conclusions:

The extension of the kitchen to incorporate a portion of the existing rear patio will not impact on the visual aesthetic as it is not visible from the road not the main entrance to the estate.

The fireplace is a Jetmaster – hence of no historic importance.

Whilst HWC cannot condone unauthorized work, it is recommended that criminal charges not be pressed. Regarding the formalization of the pool patio, however, the owner is encouraged to consider the complete redesign of the area to be more practical in terms of floor levels, stormwater run-off and adjusting the column placement to complement the building.

APPROVED