

**Approved Minutes of the Meeting of Heritage Western Cape
Built Environment and Landscape Permit Committee (BELCom)
Commenced at 08:30 and held on Wednesday, 23rd October 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)(Chairperson)
Ms Helene van der Merwe (HvdM)
Mr Graham Jacobs (GJ)
Ms Heidi Boise (HB)

Members of Staff:

Ms Waseefa Dhansay (WD)
Ms Stephanie Barnardt (SB)
Ms Chané Herman (CH)
Ms Nosiphiwo Tafeni (NT)
Mr Ruan Brand (RB)
Ms Emily-Jan Vowles (EJV)
Ms Chiara Singh (CSi)
Ms Colette Scheermeyer (CSc)
Ms Xola Mlwandle (XM)
Ms Corné Nortje (CN)
Ms Sneha Jhupsee (SJ)
Ms Penelope Meyer (PM)

Visitors:

Mr Jayson Augustyn
Mr Chris Snelling
Mr Stuart Hermansen
Mr Marius Liebenberg
Ms Sandra van der Merwe
Mr Bruce Wilson
Ms Jenny Calder
Mr Graeme Leighton
Mr Tom van Hove
Mr Tinkie Olckers
Ms Theresa Gordon
Mr Stuart Burnett
Ms Elize Mendelsohn
Mr Graham Sonnenburg

Mr Chris Heunis
Ms Lize Malan
Mr Shilo Hope
Mr Andrew September
Mr Henk Lourens
Ms Jessica Blumenthal
Mr Darsha Indrajith
Mr Bahram Manichoori
Mr Nazeema
Mr Henning Schimsne
Ms Berta Hayes
Ms Maurietta Stewart
Mr Jan Groenewald

Apologies

Mr Shawn Johnston (SJ)
Mr Simphiwe Mavumengwana (SM)

Absent

None

4. Approval of Agenda

4.1 Dated 23rd October 2024.

The Committee approved the agenda dated 23rd October 2024.

5. Approval of Minutes of Previous Meetings

5.1 BELCom Minutes dated 18 September 2024

The Committee reviewed the minutes dated 18 September 2024 and resolved to approve them without amendments.

6. Disclosure of conflict of interest:

- GJ: items 12.4, 13.2 and 13.5

7. Confidential Matters

None

8. Administrative Matters

8.1 Outcome of the Appeals and Tribunal Committees

None

8.2 Report back on Stop Works Orders and Charges:

- Farm 950-Re, Vrede & Lust Farm, Simondium.

SJ

8.3 Formal Protection of Buildings refused for Demolition

Nothing to report.

8.4 Compulsory Repair Orders follow up

For noting.

8.5 Union Castle Building, VAW: Monitoring + Socio-History Report

Ms Sneha Jhupsee introduced the case for noting.

SJ

8.5 14 Wandel Street, Gardens – Dunkley Mews, S.27.

Ms Chané Herman introduced the case for noting.

DISCUSSION:

Amongst other things, the following was discussed:

- Dunkley Mews is a late 19th c terrace building consisting of 9 units and located in the significant Wandel Street HPOZ.
- Units are mostly in use as businesses or rentals, many have been altered on the interior.

- There have been various instances of unauthorised work, including demolition of internal walls, which may be concerning in that the overall stability of the terrace may be affected.
- An engineer's report noted vertical cracks causing complete separation between front (north) and adjacent lateral walls at a number of units at first floor level.
- The issue before the committee is a S.27 Minor Works application for 'stitching' together front and lateral walls at units where this separation of elements has occurred.

CH

8.6 Erf 173153, Farbers Building, 1 Bree Street, Cape Town

Ms Sneha Jhupsee introduced the case for noting.

DISCUSSION:

Amongst other things, the following was discussed:

- Engineering drawings were submitted to HWC for demolition of existing columns located on the interior of the building, with the design for replacement concrete columns that will support the proposed multi-storey tower above the heritage building.

RECOMMENDATIONS:

The Committee recommended approval of the proposals as indicated on drawings numbered Rev Set A: 4965-INF-02A; 4965-INF-02B; 4965-INF-02C; 4965-INF-02D; 4965-INF-02E dated 05 September 2024 by Sotiralis Consulting Engineers (Pty) Ltd as not negatively impacting heritage significance.

SJ

8.7 Farm 744-Re, Marquee, Vergelegen Estate, Lourensford Road, Somerset West

Ms Sneha Jhupsee introduced the case for noting.

RECOMMENDATION

The Committee resolved to undertake a site inspection on Thursday, 7 November 2024 at 13:00.

SJ

9. Standing Items

9.1 Report back on Close-Out Reports

9.1.1 Erf 754, 8 Cheviot Place, Greenpoint

SB reported back on the site inspection that took place on 27 August 2024 and 12 September 2024.

DISCUSSION:

Amongst other things, the following was discussed:

- The heritage consultant presented monitoring reports for August and September 2024.

- Ongoing building work seeks to mitigate and recover heritage significance following unauthorised demolition and alteration work.

SB

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 on Erf 1061 RE, 12 Main Road, Hout Bay.
- Farm 744-Re, Marquee, Vergelegen Estate, Lourensford Road, Somerset West

9.5 Site Inspections Undertaken

- Proposed Total Demolition on Erf 922, 34 Durbanville Avenue, Durbanville
- Proposed Additions and Alteration: Erf 232, 134 Beach Road, Gordons Bay

10. Appointments

None

MATTERS DISCUSSED

11 PROVINCIAL HERITAGE SITES: SECTION 27 PERMIT APPLICATIONS

11.1 Farm 744-Re, Rose Garden, Vergelegen Estate, Lourensford Road, Somerset West; NM HM / CAPE TOWN METROPOLITAN / SOMERSET WEST / FARM 744-RE Case No: HWC24092512SJ1014

Ms Sneha Jhupsee introduced the case.

Mr Stuart Hermansen (heritage consultant & architect) was present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is a PHS
- The item was previously tabled at the BELCom meeting of 30 May 2024.
- The committee approved the application on 30 May 2024.
- A site inspection was undertaken by HWC Staff on 5 November 2024.
- A new application has been submitted for the replacement structure.

RECORD OF DECISION:

The Committee resolved to approve the proposal as detailed on drawings PP001 dated 8 October 2024 by HB Architects as substantially in accordance with the approval granted by the previous

permit. The replacement structure is suitable mitigation for the illegal demolition and is acceptable to BELCom.

SJ

**11.2 Proposed Alterations on Erf 2806, 16 Church Street, Tulbagh: NM
HM / CAPE WINELANDS / WITZENBERG / TULBAGH / ERF 308**

Case No: HWC24091136CN0912

Ms Corne Nortje introduced the case.

Mr Jayson Augustyn (Tulbagh Valley Heritage Foundation) and Mr Marius Liebenberg (owner) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The property is a PHS.
- It is located outside the heritage protected area of Tulbagh.
- A site inspection was undertaken by HWC Staff after receiving communication from the Witzenberg Municipality regarding unauthorised work that had occurred.
- A Stop Works order was issued on 5 September 2024.

RECORD OF DECISION:

The Committee resolved to refuse the application for the ClearVu fencing as erected. This Committee cannot condone nor approve illegal works. It was recorded that other transgressions in terms of building without approval has taken place on the site. It is regrettable that common ground and dialogue has not been achieved. The Committee therefore recommends that HWC press legal charges.

CN

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

**12.1 Proposed Total Demolition on Erf 922, 34 Durbanville Avenue, Durbanville: NM
HM/ CAPE TOWN METROPOLITAN/ DURBANVILLE/ ERF 922**

Case No: HWC24072215CH0813

Chane Herman introduced the case.

Mr Henk Lourens (Durbanville Heritage Society), Ms Sandra van der Merwe (Docomomo SA), Ms Lize Malan (heritage consultant), Mr Chris Heunis (developer) and Mr Andrew September (CoCT), were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The structure is graded an IIIB and not located within a HPOZ or a proposed HPOZ.

- Durbanville Heritage Society (DHS) objected to the demolition.
- DHS agrees with the removal of the later additions, excepting the 1981 extension designed by the original architect.
- DOCOMOMO objects to the demolition.
- The HWC comment dated 19 September 2022 in response to the Notice of Intent to Develop noted “No further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.”

RECORD OF DECISION:

The committee resolved to refuse demolition. The building is worthy of an IIIB grading, potentially IIIA, has a significant heritage value and should be placed on the heritage register.

CH

**12.2 Proposed Total Demolition on Erf 1061 RE, 12 Main Road, Hout Bay: NM
HM / CAPE TOWN METROPOLITAN / HOUT BAY / ERF 1061 RE**

Case No: HWC24091804EJV0818

Emily-Jane Vowles introduced the case.

INTERIM COMMENT:

The Committee resolved to undertake a site inspection on Thursday, 7 November 2024 at 10:00. The Committee however noted that no heritage statement or design indicators were submitted and required that the applicant provide such a week prior to the next meeting to be held on 20th November 2024.

EJV

**12.3 Proposed Total Demolition on Erf 52671, 20 Stanley Road, Claremont: MA
HM / CAPE TOWN METROPOLITAN / CLAREMONT / ERF 52671**

Case No: HWC24060513CN0614

Ms Corne Nortje introduced the case.

Ms Jessica Blumenthal (neighbour), Darsha Indrajith (neighbour), Jenny Calder and Graeme Leighton (Greater Lynfrae Civic Association), and Bruce Wilson (architect, representing the applicant) were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The application is for the total demolition of existing structures on the property.
- The site is graded IIIC and not located within a HPOZ or a proposed HPOZ.
- Neighbours and Greater Lynfrae Civic Association object to the demolition.

RECORD OF DECISION:

The Committee resolved to approve the demolition without conditions as the demolition does not negatively impact established heritage resources.

CN

**12.4 Erf 510, 7 Cavalcade Road, Green Point: MA
HM / CAPE TOWN METROPOLITAN / GREENPOINT/ ERF 510**

Case No: HWC

GJ recused himself from the meeting as a Committee member.

Ms Corn Nortje introduced the case.

Ms Graham Jacobs (heritage consultant), Bahram Manichoori (owner), Tinkie Olckers (neighbour), Tom van Hove (neighbour), Graham Sonnenburg (neighbour) and Theresa Gordon (neighbour) were present and took part in the discussion. Mr Jacobs left the meeting during committee deliberations.

DISCUSSION:

Amongst other things, the following was discussed:

- The application is for the total demolition of the existing structures on the property.
- The site is graded IIIC and falls inside a proposed HPOZ.
- The item was heard at the BELCom meeting on the 14th of March 2024, the matter was then held over for further requirements including opportunity for public engagement.
- The most recent submission presents a revised design, with a significant number of differences from the version (option 3) that was supported by BELCom and sent for public comment.
- During the meeting I&APs that were present noted various concerns regarding the proposals.
- The CoCT supported the revised proposal.

FURTHER REQUIREMENTS

The Committee requests that the current proposal be placed alongside the previous proposal and the architect to explain the changes and motivate the reason for such. The Committee cannot comment until clarity has been obtained as to why the design intent has changed from previous applications. All documentation to be consistent; i.e. 3D rendering to match architectural drawings and be accurate within the environment.

CN

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

13.1 Proposed Additions and Alteration Erf 232, 134 Beach Road, Gordons Bay: MA HM/CAPE TOWN METROPOLITAN/GORDONS BAY/ERF 232

Case No: HWC24022305SB0319

Ms Stephanie Barnardt introduced the case.

No parties were present.

DISCUSSION:

Amongst other things, the following was discussed:

- A site inspection was undertaken on 10 October 2024 by BELCom members and the assigned case officer.
- A stop works order was issued; however, the applicant/ owner refused to sign and accept it. A copy was inserted into his post box on site.
- Despite communication to the applicant as to a list of required documentation to be submitted, no documentation was received timeously.

HELD OVER:

The matter is referred to the BELCom meeting on 20th November 2024.

SB

13.2 Proposed Additions and Alterations on Portions 4 & 6 of Farm 100, Morgenhof Wine Estate, Stellenbosch (Draft Heritage Agreement): MA HM/ CAPE WINELANDS/ STELLENBOSCH/ PORTIONS 4 AND 6 OF FARM 100

Case No: HWC22053008CH0815

GJ recused himself from the meeting.

Chane Herman introduced the case.

Ms Bertha Hayes (Stellenbosch Interest Group) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is graded IIIB and falls within an IIIA landscape context and is of high local historical and architectural significance.
- The property falls outside a HPOZ.
- The application was previously heard at the BELCom meeting held on 11th of December 2023.
- The Committee resolved to approve the recommendations as stated on the Heritage Statement dated 5 November 2023 as a sound basis for a mitigation agreement between the owner and HWC.

HELD OVER:

This item will be held over to the 20th of November 2024 for further adjudication.

CH

**13.3 Proposed Additions and Alterations on Erf 179757, 3 Royal Road, Muizenberg: MA
HM / CAPE TOWN METROPOLITAN / MUIZENBERG / ERF 179757**

Case No: HWC24080131SJ0729

Ms Sneha Jhupsee introduced the case.

Mr Jan Groenewald (neighbour) was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The building is graded IIIC and while not in a HPOZ, falls directly in between two proximate and adjacent HPOZ areas.
- The matter was previously heard at the BELCom meeting on the 18th of September 2024 and at other prior meetings .
- There has been a long history of unauthorised work, including appeal, tribunal and court hearings.
- Some of the unauthorised works have been demolished in the meantime.
- A new architect has been appointed and a revised design submitted.
- Neighbours are not yet satisfied with the revised design and noted that they were given very short notice (one day) to prepare a response.
- The CoCT supported the revised design.

RECORD OF DECISION:

The Committee resolved to approve the design as indicated on drawings no ROYAL/01 Rev E & MUIZ/002 Rev E, dated 18 September 2024, prepared by M H Barnes and Associates as having met previous requirements and not negatively impacting heritage resources.

SJ

**13.4 Proposed Maintenance and Repairs on Erven 153-Re, 151-Re & 318, Sea Point Pavilion Building, Beach Road, Sea Point: MA
HM / CAPE TOWN METROPOLITAN / SEA POINT / ERVEN 153-RE, 151-RE & 318**

Case No: HWC24073003SJ0719

Ms Sneha Jhupsee introduced the case.

Ms Maurietta Stewart (CoCT), Ms Elize Mendelsohn (CoCT) and Mr David Hart (CoCT) were present and took part in the discussions.

DISCUSSION:

Amongst other things, the following was discussed:

- The site is graded IIIA and falls outside a HPOZ.
- A site inspection was undertaken by HWC Staff on Tuesday, 20 August 2024.
- The matter was heard at the HOMs meeting on the 26th of August 2024.
- HOMs issued further requirements: The committee supported the work in principle, however it requested that the information provided was to be consolidated into a cohesive and fully integrated report for Sea Point Pavilion.

RECORD OF DECISION:

The Committee resolved to approve the application for minor works as detailed in the undated report titled Annexure G Repairs and Maintenance: Principles and Practice, with specific reference to pages 5 to 8 with the inclusion of a closeout report to be submitted within 30 days of practical completion.

SJ

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 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 14:30

24. DATE OF NEXT MEETING:

20 November 2024

MINUTES APPROVED AND SIGNED BY:


CHAIRPERSON _____ DATE 20 November 2024


SECRETARY _____ DATE 20 November 2024