

**APPROVED MINUTES OF A MEETING
OF HERITAGE WESTERN CAPE (HWC)
INVENTORIES, GRADING AND INTERPRETATION COMMITTEE (IGIC) HELD ON THE
10TH OF MAY 2024, AT 10H00 VIA MICROSOFT TEAMS**

1. Opening and Welcoming

The Chairperson, Mr. Ron Martin, opened the meeting at 10:00 and welcomed everyone present.

2. Attendance

IGIC Committee

Mr. Ron Martin (RM)
Mr. Laura Milandri (LM)
Ms. Jenna Lavin (JL)L(11-12)
Ms. Emmylou Bailey (EB)
Mr Robyn Humphreys (RH)
Ms Lynn Abrahamse (AB)

HWC Staff

Mr. Jonathan Windvogel (JW)
Ms. Cecilene Muller (CM)
Ms. Colette Scheermeyer (CS)
Ms. Nosiphiwo Tafeni (NT)
Ms Aneeqah Brown (AB)
Ms. Sneha Jhupsee
Ms Chiara Singh (CS)
Ms Emily Vowel (EV)
Ms. Nuraan Vallie (NV)
Ms. Waseefa Dhansay (WD)
Ms. Corne Nortje (CN)

Legal Advisor

Ms. Penelope Meyer (PM)

Visitors

Dr Antonietta Jerardino
Dr Lita Webley
Ms Katie Smuts
Dr Peter Kantor
Mr David Hart
Dr Janette Deacon

Prof Andrew Smith
Ms Quahnita Samie
Dr Antonietta Jerardino,
Mr Johan Cornelius
Ms Harriet Cliff

3. Apologies

Dr. Jacob Cloete (JC)

Absent

4 Acceptance of the Code of Conduct

4.1 Declaration for members to re-affirm their commitment to the Code of Conduct

5 Approval of the agenda dated 10th May 2024.

5.1 The Committee resolved to approve the agenda dated 10th May 2024 with minor edits JL moved to adopt the approval of the agenda and EB seconded.

6 Approval of the previous minutes

6.1 Dated 9th February 2024

7 Disclosure of conflict of interest

7.1 Recusals

8. Confidential Matters

8.1 None

9 Appointments

9.1 None

10 Administrative Matters

10.1 Report back on Appeals and Tribunals. **PM/ NR**

Tribunals Matters

-

10.2 Athlone Power Station Tribunal Ruling **JW**

Mr Jonathan Windvogel gave the presentation for report back and noting

10.3 Drakenstein MSDf comment ratification **JW**

The comment taken via email was ratified by the committee

COMMENT

The Inventories, Grading and Interpretation Committee (IGIC) noted that the Drakenstein Municipality previously completed a heritage survey. However, the heritage survey needs to be updated as it was approved by Heritage Western Cape in 2016. The IGIC also noted that the current heritage survey primarily focuses on the built environment and requires the inclusion and further assessment of the intangible heritage within the municipal area, as this was not addressed particularly in terms of the more recent history of the municipal area. Therefore, intangible heritage, social and spiritual significances require more thorough investigation.

This includes significant associations with places such as public memory, traditional practices and political struggle. This is an important aspect of the heritage of the municipal area and will need to be addressed in future work and in the further development of the database. This will require a separate methodology including oral history research and stakeholder participation.

Social value including symbolic and spiritual value also needs to be adequately assessed in the current survey and as a result is largely under-represented. Again, this is largely due to the historical built environment focus of the current survey and the absence of detailed social research.

The assessments of heritage significance were not based on detailed historical research but largely on the inspection of physical fabric. Social historical factors were not the primary determinant in most cases. The theme of 'ritual and tradition' was identified to require further investigation. Further, the pre-colonial period and archaeological resources did not form part of the scope of the previous heritage survey.

The research required to now be included as part of an updated heritage survey are:

- A detailed oral history research study which should be fully supported by a thorough stakeholder participation process and include the theme of ritual and tradition.
- A social history research study which should be fully supported by a thorough stakeholder participation process.
- A pre-colonial period and archaeological research study and survey which maps these heritage resources for sustainable and proactive management.

These studies should consider, inter alia,

- The social history and oral history studies should not be identifying only the relationships to the built structures already identified, but also to natural places and spaces and routes in the Drakenstein municipal area which support traditions of ritual or other indigenous knowledge systems or practices - e.g. Saron's Leiwater System.
- The archaeological study should consider sustainable and effective management of rock art specifically.
- A more integrated, detailed and considered response to the management of Bainskloof Pass is required, specifically the protection of the "Preekstoel" under serious threat from heavy articulated trucks which continue to pass through.

The municipality should also in terms of Section 31 of the NHRA investigate the need for the designation of Heritage Areas in order to protect any place of environmental or cultural interest.

10.4 Draft Langeberg MSDF comment ratification **JW**

The comment taken via email was ratified by the committee.

The Inventories Grading and Interpretation Committee (IGIC) has noted that an attempt has been made to include heritage inventory information in the Municipal Spatial Development Framework (MSDF) (pages 66 and 67). However, insufficient evidence has been provided for this committee to determine how these heritage resources have been identified and through what process. As such, the IGIC has insufficient information to determine if the heritage inventory work completed satisfies HWC's requirements as communicated in the "Grading: Implications and Management Guideline" (2016) (attached).

Considering the above, the IGIC concludes that the Langeberg Municipality does not have a completed heritage survey of the resources in the municipal area and therefore does not meet the requirements of Section 30 of the National Heritage Resources Act 25 of 1999 (NHRA). Please find HWC's comments below:

1. The MSDF does not meet the requirements of Section 30(5) of the NHRA, which states that:
"At the time of the compilation or revision of a town or regional planning scheme or SDP, a planning authority shall compile an inventory of the heritage resources which falls within its jurisdiction and submit such inventory to the relevant provincial heritage resource authority, which shall list in the heritage register those heritage resources which fulfil the assessment criteria".
2. The municipality is reminded that in terms of Sections 30 and 31 of the NHRA it must provide for the protection of heritage resources in its area of jurisdiction through the provisions of its Planning Scheme or By-laws (which should be approved by HWC).

3. In addition, in terms of Section 31 of the NHRA the municipality should investigate the need for the designation of Heritage Areas to protect any place of environmental or cultural interest.

We encourage relevant officials from the Langeberg Municipality to engage with HWC regarding opportunities for appropriate heritage resource management through the MSDP process such as the consideration of cultural landscapes and intangible heritage that is significant for local communities and the protection of heritage resources of local significance. For example, when discussing the creation of public spaces, maybe these should be aligned to sites of significance for multiple communities in the region and should facilitate place making so that communities feel included.

10.5 Exemptions for Airport Industrial and Mitchells Plain DFA report back **JW**

Mr Jonathan Windvogel gave the presentation for report back and noting

11 Standing Items

11.1 Report back on Council Meetings.

Council decided that the IGIC and BELCom to have a joint meeting for the UCT and the V&A Waterfront items. The meeting took place on the 3rd of May 2024.

11.2 Site Inspections Undertaken & Report

None

11.3. Proposed Site Inspection

None

12 Policy Matters

12.1 Procedure for exempting a defined geographical area from the provisions of s34 of the National Heritage Resource Act (NHRA) (ACT 25 of 1999) **JW**

Mr Jonathan Windvogel gave the presentation.

Mr Davit Hart, Ms Harriet Clift, were present and took part in the discussion.

Matter to be finalized via email

MATTERS TO BE DISCUSSED

13 Proposed nominations of Provincial Heritage Sites

13.1 Farm 40 Boebezaks Kraal, Kasteelberg

Application for PHS nomination

Mr Jonathan Windvogel gave the presentation.

Dr Lita Webley, Prof Andrew Smith, Ms Quahnita Samie and Dr Antonietta Jerardino were present and took part in the discussion.

DISCUSSION

The following was discussed:

- The proposal was previously tabled at various IGIC Committee meetings in 2022 and 2023.
- The matters were referred to be heard at this IGIC meeting following the recommended engagement with Mr Kotze

- The Committee noted that the scientific value of the site is worthy of being graded a Grade II heritage resource
-
- A meeting was held on the 12th of January 2024 between the HWC CEO and Mr Kotze
- A report back of the meeting was given at the IGIC meeting of 17 February 2024.

The Committee noted

- The Committee supports the proposed boundaries and supports the proposed Grade II grading of the site for its archaeological significance as well as its landscape significance.
- The Committee notes the email sent by Mr Kotze 10 May 2024, objecting to the proposed declaration of the site as a PHS.

RECOMMENDATION

The Committee recommends to Council that, as all actions prescribed by S27 of the NHRA have been taken, HWC proceeds to declare the site as a PHS in terms of S27(6) of the NHRA. The committee supports the proposed boundaries as indicated in the nomination dossier.

JW

14.1 Provincial Heritage Site plaque replacement

14.1 None

15 Sections 27, 28, 29, 30 & 31 Formal Protections

15.1 None

16. Section 29: Proposed provincial protection for discussion

16.1 Baboon Point Buffer Zone, Ptn Erf 66, Erf 596, Ptn of Erf 63, Ptn Verlorenvlei No 6/8, Ptn Verlorenvlei No 8/8 & Ptn Verlorenvlei 8 Rem, Elands Bay, Western Cape

Application for Protection

Ms. Cecilene Muller gave the presentation.

Dr Antonietta Jerardino, Mr Peter Kantor and Ms Quahnita Samie were present and took part in the discussion.

DISCUSSION

The following was discussed:

- The presentation emphasized that the proposed nomination in terms of section 29 (provisional protection) was for discussion by the IGIC committee.
- The proposal is for provisional protection to include Portion erf 66, Erf 596, Portion erf 597, Portion erf 63, Portion Verlorenvlei No 6/8, Portion Verlorenvlei No 8/8 and Portion Verlorenvlei 8 Remainder, Elands Bay, Cedarberg Municipality.
- Types of heritage resources occurring in the proposed Buffer Zone, which is proposed for Provisional Protection, consists of geological, palaeontological, archaeological and the cultural landscape. The declared Provincial Heritage site of Baboon Point (Cape Deseada) in Gazette notice 6621 forms the core of the proposed Buffer Zone. The Buffer Zone is ungraded.
- The Buffer Zone that is proposed in this application for Provisional Protection was identified in the approved CMP for the Baboon Point PHS.
- The Act is clear in that Provisional Protection must occur in response to a threat and in order for the heritage authority to investigate an appropriate formal protection. The appropriate formal protection in this instance would be as a Protected Area in terms of Section 28.

HWC IGIC Minutes 10th May 2024.

- Concern was raised that in order to protect the proposed Buffer Zone as a Protected Area in terms of section 28 of the National Heritage Resources Act, no. 25 of 1999, the consent of the owner is required. In this instance, the landowners include Midnight Storm who are proposing a development within this proposed Protected Area.
- It was stated by Mr. Kantor that Heritage Western Cape, must take a view on whether a heritage resource is threatened and thus can provisionally protect in terms of section 29 of the ACT.
- Paternoster, which was provisionally protected, was used as an example. This site was subsequently declared as a PHS following the provisional protection.
- Concern was raised that the area which was nominated for provisional protection was too extensive.
- It was mentioned that the nomination of this Buffer Zone, can be seen as enabling communities to identify their heritage resources in the spirit of the ACT.
- Representatives of the community said that Midnight Storm did not take any steps to protect Erf 66 abutting the Buffer Zone, which is earmarked for mix use development in the Cederberg Spatial Development Framework.
- They also stated that the Spatial Development Framework pays lip service to the 2013 Conservation Management Plan (CMP) for the Provincial Heritage Site of Baboon Point.
- At this point it was brought to the attention of the committee that HOMS has received a section 38 application which was referred to the IACOM committee.
- The ongoing section 38 process is subject to a Heritage Impact Assessment process in terms of section 38(8) of the NHRA which will identify significant resources and determine likely impacts, as well as recommend mitigation measures to reduce any anticipated impact. **In light of this, the committee was of the opinion that provisionally protecting the Buffer Zone while the S.38 HIA process is still ongoing would be premature.** It was also noted that the HIA process is not always the most effective process for protecting heritage or including the views of other stakeholders (for example the community members applying for provisional protection of the buffer zone in this instance) when determining the heritage value of a site.

COMMENT

The committee notes the request for provisional protection, however cannot consider the request at this stage.

HWC must follow up on the recommendations of the approved CMP for the Baboon Point PHS in terms of outstanding actions.

CM

17. Proposed Exemptions

17.1 None

18. Conservation Body Registration

18.1 Molteno Reservoir Heritage Association. 22 Molten Road, Cape Town

Application to Register as a Conservation Body

Ms. Cecilene Muller gave the presentation.

Mr Johan Cornelius was present and took part in the discussion.

DISCUSSION

The following was discussed:

- This item is here for approval
- It is an application for Molteno Reservoir Heritage Association, in Cape Town to be registered as a Heritage Western Cape Conservation Body.
- Minutes dated to October 2023, indicate a resolution taken that the Molteno Reservoir Heritage Association is to be formed with immediate effect due to the "dire need of heritage preservation and conservation" in the precinct.
- Potential development, which will negatively impact on the surrounding area, is seen as a threat to the existing architectural fabric.
- Categories of heritage resources which the Molteno Reservoir Heritage Association will have an interest in are: , places, buildings, structures, equipment, landscapes, and natural features of cultural significance.
- The committee recommends that the Molteno Reservoir Heritage Association include the De Waal Park and Lower Reservoirs in their area of interest.

DECISION

The committee resolved to approve the Molteno Reservoir Heritage Association to register as a conservation body with Heritage Western Cape.

CM

19. Amendment of conservation body boundaries

19.1 None

20. Surveys/Inventories

20.1 None

21. Other

21.1 Newlands Central Improvement District (NCID), Newlands

Notification.

Mr. Cecilene Muller gave the presentation.

DISCUSSION

The following was discussed:

- The Newlands Residents Association contacted HWC indicating that they are going to change their name to the Newlands Central Improvement District (NCID) by the end of this year.
- Reason for their notification is to ensure that HWC knows that from the 1st of January 2025, they will be known as the NCID to avoid confusing applicants

COMMENT

The committee notes the change of name.

CM

22. Adoption of Resolutions and Decisions

HWC IGIC Minutes 10th May 2024.

The Committee unanimously adopted the decisions and resolutions, with JL proposing and EB seconding the proposal.

23. **Date of next meeting:** **2nd August 2024**

24. **CLOSURE: 14:22**

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON  DATE 01 October 2024

SECRETARY _____ DATE _____

APPROVED