



**APPROVED MINUTES OF A MEETING
OF HERITAGE WESTERN CAPE (HWC)
INVENTORIES, GRADING AND INTERPRETATION COMMITTEE (IGIC) HELD ON THE
9TH OF FEBRUARY 2024, AT 09H00 VIA MICROSOFT TEAMS**

1. Opening and Welcoming

The Chairperson, Mr. Ron Martin, opened the meeting at 9:00 and welcomed everyone present.

2. Attendance

IGIC Committee

Mr. Ron Martin (RM)
Mr. Glynn Alard (GA)
Ms. Jenna Lavin (JL)
Ms. Laura Milandri (LM)

HWC Staff

Mr. Jonathan Windvogel (JW)
Ms. Cecilene Muller (CM)
Ms. Xola Mlwandle (ML)
Ms. Nosiphiwo Tafeni (NT)
Ms. Sneha Jhupsee

Legal Advisor

Ms. Penelope Meyer (PM)
Ms Naushina Rahim

Visitors

Mr Clive Theunissen
Ms Berendine Irgang
Ms Melodie Campbell
Ms Amelia Lombard
Mr Cindy Postlethwayt
Ms Maurietta Stuart
Ms Samantha Dryer
Ms Claire Abrahamse

Ms Harriet Cliff
Ms Bridget O'Donoghue
Ms Nicole Visser
Dr Nicholas Bauman
Mr John Gribble
Mr Neil Schwartz
Ms Tali Bruk
Mr Stephan de Kock

3. Apologies

None

Absent

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None

Dr. Wandile Kasibe (WK) Has resigned as a member of the IGIC Committee.

4 Acceptance of the Code of Conduct

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

4.1.1 All Committee Members accepted and re-affirmed their commitment to the Code of Conduct

5 Approval of the agenda dated 9th February 2024.

5.1 The Committee resolved to approve the agenda dated 9th February 2024 with minor edits J.L moved to adopt the approval of the agenda and L.M seconded.

6 Approval of the previous minutes

6.1 The Committee resolved to approve the minutes dated 3rd of November 2023 with minor edits J.L moved to adopt the approval of the agenda and G.L seconded.

6.2 The Committee resolved to approve the minutes dated 23rd of November 2023 with minor edits G.A moved to adopt the approval of the agenda and J.L seconded.

7 Disclosure of conflict of interest

7.1 J.L 17.1,17.2, 17.3 and 10.7

8. Confidential Matters

8.1 None

9 Appointments

9.1 None

10 Administrative Matters

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

Appeals Matters

**Proposed Emergency Roof Replacement on Erf 1427, 2 Shand Street, Swellendam
"De Companjie Guesthouse"; NM**

Appeal against BELCom's decision.

DECISION

Condonation is granted.

The appeal is upheld.

**Proposed Total Demolition and Replacement Structure on Erven 977 & 978, 11 & 13
Virginia Avenue, Vredehoek; NM**

Appeal against BELCom's decision.

DECISION

The appeal is dismissed.

**Proposed Additions and Alterations on Erven 567 and 568, 31 Belvedere Avenue,
Oranjezicht: NM**

Appeal against BELCom's decision.

DECISION

The appeal is upheld.

- 10.2 UCT Conservation Framework -Heritage Agreement. **PM**
- 10.3 Report Back on Boebezaks Kraal Site meeting
- 10.4 Procedure for Exemption from S34 of NHRA
- 10.5 Registration form -Conservation Bodies. **CM**
To be presented at the next HWC Council Meeting on the 22nd of February 2024.
- 10.6 2024 CoCT Application- Competence Recognition. **PM**
To be presented at the next HWC Council Meeting on the 22nd of February 2024.
- 10.7 DE Novo Estate-Stakeholder request. **CM**
The letter by Mr. Gouws was tabled at the IGIC Committee for noting.
- 10.8 HWC Thematic Framework Workshop Report: **CM**
Reported on the rationale for the workshop, the discussions and the outcomes of the HWC workshop at the Castle of Good Hope on the 26th of January 2024.

11 Standing Items

- 11.1 Report back on Council Meetings.
 - 11.1.1 No report.
- 11.2 Site Inspections Undertaken & Report
 - 11.2.1 None
- 11.3. Proposed Site Inspection
 - 11.3.1 None

12 Policy Matters

- 12.1 None

MATTERS TO BE DISCUSSED

13 Proposed nominations of Provincial Heritage Sites

- 13.1 De Poort Jukskei Courts, Paarl
 - Documents tabled S27 Nomination Form & Motivation
 - Ms. Cecilene Muller gave the presentation.
 - Mr Clive Theunissen, was present and took part in the discussion.

DISCUSSION

The following was discussed:

- The application is for a PHS nomination.
- The site is situated in Paarl.
- The Committee notes that, based on the information presented there is the potential for Grade II significance.
- The Committee notes that the information provided is not sufficient to proceed with the application.
- The Committee notes that further research is required, and that extensive consultation would be necessary.

FURTHER REQUIREMENTS

The committee is of the view that there is insufficient information before the committee to make an informed decision to proceed with the section 27 process. The applicant is requested to provide further in-depth research together with evidence of the claims made in the nomination form.

CM

13.2 Dutch Reformed Mother Church, Robertson

Documents tabled S27 Nomination Form & Motivation

Ms. Cecilene Muller gave the presentation.

DISCUSSION

The following was discussed:

- The site is a former NHC site and National Monument dated back to 1905.
- The application is for a PHS nomination.
- The site is a Dutch Reformed Church in Robertson.
- The Committee notes that the information provided was insufficient to support a Grade II grading

FURTHER REQUIREMENTS

The committee is of the view that there is insufficient information before it to make an informed decision to proceed with the section 27 process. The applicant is requested to provide further in-depth research together with evidence of the claims made in the nomination form.

CM

14 **Provincial Heritage Site plaque replacement**

14.1 None

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

15.1 None

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16. Proposed provincial protection

16.1 None.

17. Proposed Exemptions

17.1 Exemption report for Atlantis Exemption Area

Documents tabled Exemption Report

Ms. Jenna Lavin recused herself and left the meeting.

Ms Melody Campbell gave the presentation.

Ms Melody Campbell, Ms Harriet Clift, Petra Broddle and Mr David Hart were present and took part in the discussion.

DISCUSSION

The following was discussed:

- The application is a proposal for exemption from S34 and 38 of the NHRA.
- The subject item was discussed at the previous IGI Committee meetings on the 23rd of June and the 17th of August 2023.
- CoCT invited all the relevant stakeholders to the IGIC meeting and they are aware of the meeting happening today.
- The very high-level overview of the audit findings in terms for Atlantis DFA in the Report dated 24th of January 2024.
- CoCT recommends that all built structures older than 60 years for section 34 and section 38 be exempted.
- The Old Mamre Road (R304) and the mature Eucalyptus trees Graded as III be listed on the Heritage Register under Section 38.
- A request was made that the IGIC committee provide feedback regarding the proposed Grade II heritage resources which has been identified.
- Dotted lines indicated on a map is the proposed exemption area that aligns to the boundary of the DFA.
- Reference was made to correspondence dated the 17th of August 2023 where IGIC committee members requested that CoCT elaborate on the settlement pattern history of Atlantis, which the CoCT have done.
- The different historic and heritage layers were mentioned from the First Nations to the VOC than British occupation and ultimately the development of Atlantis as an outcome of apartheid government and the Group Areas Act in the 1970s.
- It was noted that the HWC Chance Finds Protocol need to be in place due to the significant fossils known from the Palaeontological Varswater Formation.
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RECORD OF DECISION

The committee recommends that:

1. The Atlantis proposed Exemption Area as outlined in the report be exempted in terms of S34(3) of the National Heritage Resources Act, 1999, (Act 25 of 1999) ("the NHRA") from

requirements of S34(1) of the NHRA and that the necessary notice be published in the Provincial Gazette.

2. Simultaneously with the notice referred to in (1) above, a notice in terms of S30(2) of the NHRA be published in the Provincial Gazette in terms of which the following heritage resource is placed on the heritage register:
 - The Old Mamre tree-lined avenue along the R304 which falls within the exemption area.
3. Subject to the approval of the Minister of Cultural Affairs and Sport being granted, the Atlantis proposed Exemption Area be exempted from compliance with the requirements of S38(1) of the NHRA and a notice in terms of S38(9) be published in the Provincial Gazette.

and provided further that, if there are objections from owners, those objections be reported back to this committee before being referred to Council.

JW

17.2 Exemption Report for Kuils River Exemption Area

Documents tabled Exemption Report

Ms. Jenna Lavin recused herself and left the meeting.

Ms Melody Campbell gave the presentation.

Ms Melody Campbell, Ms Harriet Clift, Petra Broddle and Mr David Hart were present and took part in the discussion.

DISCUSSION

The following was discussed:

- The application is for the proposed exemption from S34 and S38 of the NHRA.
- The subject item was discussed at the previous IGIC Committee meetings on the 23rd of June and the 17th of August 2023.

RECORD OF DECISION

The committee recommended that:

1. The Kuils River proposed Exemption Area as outlined in the report be exempted in terms of S34(3) of the National Heritage Resources Act, 1999, (Act 25 of 1999) ("the NHRA") from requirements of S34(1) of the NHRA and that the necessary notice be published in the Provincial Gazette.
2. Simultaneously with the notice referred to in (1) above, a notice in terms of S30(2) of the NHRA be published in the Provincial Gazette in terms of which the following heritage resource is placed on the heritage register:
 - The Leeuwenhof Farmstead.
3. Subject to the approval of the Minister of Cultural Affairs and Sport being granted, the Kuils River proposed Exemption Area be exempted from compliance with the requirements of S38(1) of the NHRA and a notice in terms of S38(9) be published in

the Provincial Gazette.

and provided further that, if there are objections from owners, those objections be reported back to this committee before being referred to Council.

JW

17.3 Exemption Report for Ottery Exemption Area

Documents tabled Exemption Report

Ms. Jenna Lavin recused herself and left the meeting.

Ms Melody Campbell gave the presentation.

Ms Melody Campbell, Ms Harriet Clift, Petra Broddle and Mr David Hart were present and took part in the discussion.

DISCUSSION

The following was discussed:

- The application is for the proposed exemption from S34 and S38 of the NHRA.
- The subject item was discussed at the previous IGIC Committee meetings on the 23rd of June and the 17th of August 2023.

RECORD OF DECISION

The committee recommended that:

1. The Ottery proposed Exemption Area as outlined in the report be exempted in terms of S34(3) of the National Heritage Resources Act, 1999, (Act 25 of 1999) ("the NHRA") from requirements of S34(1) of the NHRA and that the necessary notice be published in the Provincial Gazette.
2. Simultaneously with the notice referred to in (1) above, a notice in terms of S30(2) of the NHRA be published in the Provincial Gazette in terms of which the following heritage resources are placed on the heritage register:
 - The Philippi Evangelical Lutheran Church.
 - Avenue of Mature Eucalyptus Trees on the Old Strandfontein Road.
3. Subject to the approval of the Minister of Cultural Affairs and Sport being granted, the Atlantis proposed Exemption Area be exempted from compliance with the requirements of S38(1) of the NHRA and a notice in terms of S38(9) be published in the Provincial Gazette

and provided further that, if there are objections from owners, those objections be reported back to this committee before being referred to Council.

JW

18. Conservation Body Registration

18.1 None

19. Amendment of conservation body boundaries

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19.1 None

20. Surveys/Inventories

20.1 None

21. Other

21.1 George Heritage Strategy and Action Plan

Documents tabled GHS Final Report

Mr. Jonathan Windvogel gave the presentation.

Ms Amelia Lombard was present and took part in the discussion.

DISCUSSION

The following was discussed:

- The item was first heard at the previous IGIC meeting on the 12th of September 2023.
- The Committee requested that the underrepresented themes listed under the heading "strategic objectives" be broadened to include narratives related to the cultural landscape and indigenous heritage of the George Municipal Area.

FURTHER REQUIREMENTS

The George Heritage Strategy and Action plan be advertised for comment by the general public.

JW

21.2 Cape Agulhas Special Development Framework 2022 – 2027

Documents tabled Cape Agulhas Spatial Development Framework

Mr. Jonathan Windvogel gave the presentation.

DISCUSSION

The following was discussed:

- The site is located within the Overberg District of Western Cape.
- The Municipality area includes, Arniston, Agulhas, Bredasdorp, Klipdale, Napier, Proteem and Struisbaai.
- One of the municipality spatial objectives are to preserve and protect the heritage resource, with a key strategy to protect the historic and cultural significant precincts and places.
- The Committee noted that the MSDF is woefully inadequate when it comes to heritage management, it is very thin, and it is unfortunate that the applicant hasn't taken the opportunity to integrate the findings of existing inventories like Elam into the MSDF.
- The Committee noted that at this point based on the information provided before the Committee, it is absolutely inadequate, and that the applicant needs to comply with the requirements of the NHRA.
- Just noted in my in my notes that most of the maps do indicate heritage areas, although they are to be confirmed by specialists.

RECORD OF DECISION

The MSDF does not meet the requirements of Section 30(5) of the National Heritage Resources Act (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"

The municipality is reminded that in terms of section 30 and 31 of the NHRA it must provide for the protection of heritage resources in their area of jurisdiction through the provisions of its planning scheme or by-laws (which should be approved by HWC)

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

JW

21.3 V&A Conservation Management Plan.

Documents tabled CMP

Ms. Cecilene Muller gave the presentation.

Dr Nicholas Bauman, Ms Maurietta Stuart and Mr David Hart were present and took part in the discussion.

DISCUSSION

The following was discussed:

- The item was previously heard at the IGIC Committee meeting on the 3rd of November 2023.
- The survey focused on Built Heritage resources situated on Erf 149294-RE, Victoria and Alfred Waterfront and approximately 90% of Grade II built resources are previous National Monuments.
- Sites and resources which need clarification regarding their status, extent of properties etc., include Chavonnes Battery, Industrial Breakwater Prison and Robben Island Embarkation building.
- The IGIC Committee made further requirements which consisted of the following:
 1. Written comment from the City of Cape Town, confirming support of the inventory's gradings.
 2. The Conservation Management Plan (CMP), which should provide guidelines for interpretation of Grade II sites.
 3. A way forward for the nomination of the Grade II sites as Provincial Heritage Sites.
- The Committee noted that the CoCT's conditions and recommendations have been met and the CoCT endorsed the CMP.

COMMENT

The role of the Heritage Oversight Committee needs to be clearly articulated in terms of what functions it would perform and in terms of what powers it would perform these functions.

The Committee cannot endorse the CMP until this question is clarified.

The Committee is concerned that a number of its previous requirements have not been met:

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- Written comment from the City of Cape Town, confirming support of the inventory's gradings.
- The Conservation Management Plan (CMP) should provide guidelines for interpretation of Grade II sites.
- A way forward for the nomination of the Grade II sites as Provincial Heritage Sites.

CM

22. Adoption of Resolutions and Decisions

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

23. Date of next meeting:

10th May 2024

24. CLOSURE: 17:05

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON  DATE 01.10.2024

SECRETARY _____ DATE _____