



APPROVED MINUTES THE MEETING OF HERITAGE WESTERN CAPE, APPEALS COMMITTEE

HELD ON WEDNESDAY, 1st October 2025, MICROSOFT TEAMS, SCHEDULED FOR 08:30

1. Opening and Welcome

The Chairperson, Mr Gregory Ontong, officially opened the meeting at 08:36 and welcomed everyone present.

2. Attendance

Committee Members:

Mr Gregory Ontong (GO)
Ms Corlie Smart (CS)
Mr Mike Scurr (MSc)
Ms Claire Abrahamse (CA)

Members of Staff:

Ms Nosiphiwo Tafeni (NT)
Ms Penelope Meyer (PM)
Mr Jonathan Windvogel (JW)
Ms Sneha Jhupsee (SJ)
Ms Chiara Singh (CSI)
Ms Chane Herman (CH)
Ms Stephanie Barnardt (SB)
Emily Vowles (EJV)
Ms Sofia Vy Menell Briel (SVMB)
Mr Ruan Brand (RB)
Ms Cecilene Muller (CM)
Ms Corné Nortjé Alexander (CNA)

Visitors:

Ms Carel Botha
Mr Dale Simons
Mr Neil Le Roux

Ms Celine Oates
Mr Henrie Jonck
Mr Richard Summers

3. Apologies

Dr Andre van Graan (AvG)

4. Acceptance of the Code of Conduct

Members re-affirmed their commitment to the Code of Conduct

5. Approval of Agenda dated 1 October 2025.

- 5.1** The Committee resolved to approve the agenda dated 1 October 2025. CS moved to adopt the approval of the agenda and CA seconded.

6. Disclosure and Conflicts of Interest

- 6.1** None

7. Approval previous of Minutes dated 3rd September 2025

- 7.1** The Committee resolved to approve the Minutes dated 3rd September 2025. CA moved to adopt the approval of the minutes and MS seconded.

8. Confidential Matters

Appointment of additional member.

9. Administrative Matters

9.1 Outcome of the Tribunal and Recent Court Decisions

Report back was given by PM with regard to the Hout Bay Appeals item.

Hout Bay Appeal Discussion Summary

PM and CA provided feedback on the Tribunal site inspection and hearing. Submissions on the merits of the BELCom decision and the report by Peter Büttgens must be submitted to the tribunal. Committee members were requested to provide their input to PM to include in her heads of argument.

PM

9.2 Report back from HWC Council

None.

9.3 Site Visits undertaken/Site Inspection Report(s)

9.3.1 None

9.4 Potential Site Visit

9.4.1 Proposed development on Portion 38 of Farm 510, Jamestown, Stellenbosch. It was proposed that a site inspection be undertaken. Date: 29 October 2025, time: 2:30pm. CA and MS to attend the site visit.

9.5 Discussion of attendance at any upcoming Tribunal meetings

9.5.1 None

9.6 Discussion of the Agenda

9.6.1 None

9.7 Appointments

9.7.1 None

MATTERS TO BE DISCUSSED

10 Matters Arising

10.1 None

11 New Matters.....

11 New Matters

11.1 Proposed development on Portion 38 of Farm 510, Jamestown, Stellenbosch HM/ CAPE WINELANDS/ STELLENBOSCH/ JAMESTOWN/ PORTION 38 OF FARM 510 Case No: HWC25061710CSI0808

Appeal against HOMS's decision.

Ms Chiara Singh introduced the item.

DECISION

The meeting was held over to the next Appeals meeting dated 12th November 2025 pending site inspection. The Committee resolved to undertake a site inspection on the 29th of October 2025.

11.2 ERF 1997, 1 THORNHILL ROAD, GREEN POINT HM/ CAPE TOWN METROPOLITAN/ SEA POINT/ ERF 1997 Case No: HWC25071723XM0729

Appeal against HOMS's decision.

Ms Xola Mlwandle introduced the item.

The appellant Mr R Summers:

- The appeal was submitted on grounds of the following:
 - That the decision required that the design proposal was referred to the City of Cape Town for approval prior to the demolition. This was argued as HWC appears to be pushing the duty to the City of Cape Town and not HWC fulfilling its full mandate. The proposal is to demolish the existing structure on site and decide on how the site is to be redeveloped. The property is currently being used as a guest house.
 - That the building being altered has alterations have had a negative impact on its cultural significance over the years and that the building has a mixture of contemporary and historical features. It's currently graded a IIIC and falls within the proposed Somerset Road HPOZ.
 - The City of Cape Town requested that an assessment be made of the surrounding heritage environment and its context to establish basic heritage indicators to inform the design of an appropriate replacement structure for approval before the demolition of the building.

DISCUSSION

- The following was noted by the Committee:
 - The Committee noted that a heritage assessment was done. It was found that there was not enough heritage value or significance to the property to conserve it. The Committee noted that the street view of the area shows the site as one of the only remaining structures that is not a block of flats.
 - From a streetscape perspective there probably is no heritage context.
 - The Committee noted that, in the context, the structure is the only remaining low level two-story building; the rest of the structures within the context are higher and denser.
 - The Committee noted that the context of the streetscape does not have sufficient significance to require approval of the plans for the replacement building.
 - Approval of a replacement building, whether inside or outside of a HPOZ, can only be a requirement if the area has sufficient heritage significance to warrant the conservation of the area / streetscape.
 - The demolition approval cannot be conditional to this specific appeal.

DECISION

The appeal is upheld. Demolition is granted without conditions.

12. **Other Matters: For Noting**
12.1 None

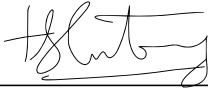
13. **Proposed next date of the meeting to be held online:** 5th of November 2025

14. **Adoption of decisions and resolutions**

The Committee unanimously adopted the decisions and resolutions, with CS proposing and CA seconding the proposal.

Closure: The meeting was adjourned at 10:22

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON  DATE 2 December 2025

SECRETARY _____ DATE _____ 2025