



**APPROVED MINUTES FOR THE MEETING OF HERITAGE WESTERN CAPE, APPEALS COMMITTEE**  
**HELD ON WEDNESDAY, 2<sup>ND</sup> APRIL 2025, MICROSOFT TEAMS, SCHEDULED FOR 08:30**

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**1. Opening and Welcome**

The Chairperson, Mr Gregory Ontong, officially opened the meeting at 09:00 and welcomed everyone present.

**2. Attendance**

**Committee Members:**

Mr Gregory Ontong (GO)  
Ms Corlie Smart (CS)  
Dr Andre van Graan (AvG)  
Ms Claire Abrahamse (CA)

**Members of Staff:**

Ms Nosiphiwo Tafeni (NT)  
Ms Penelope Meyer (PM)  
Ms Colette Scheermeyer (CSc)  
Ms Sneha Jhupsee (SJ)  
Ms Chane Herman (CH)  
Ms Stephanie Barnardt (SB)  
Ms Emily Vowles (EjV)  
Ms Sofia Vy Menell Briel (SVMB)  
Mr Ruan Brand (RB)  
Ms Chiara Singh (CSI)

**Visitors:**

Mr Ashley Lillie  
Mr Matodzi Albert Silidi

Mr Chris Snelling  
Mr Willem Bruwer

**3. Apologies**

Mr Stuart Hermansen (SH)

**4. Acceptance of the Code of Conduct**

Members re-affirmed their commitment to the Code of Conduct

**5. Approval of Agenda**

**5.1 Dated 2<sup>nd</sup> April 2025.**

The Committee resolved to approve the agenda dated 2<sup>nd</sup> April 2025. AvG 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 5<sup>th</sup> March 2025**

- 7.1 The Committee resolved to approve the Minutes dated 5<sup>th</sup> March 2025. CS moved to adopt the approval of the minutes and AvG seconded.

## **8. Confidential Matters**

Appointment of additional member.

## **9. Administrative Matters**

### **9.1 Outcome of the Tribunal and Recent Court Decisions**

None

### **9.2 Report back from HWC Council**

GO reported back on the Council meeting held on 21 February 2025.

### **9.3 Site Visits undertaken/Site Inspection Report(s)**

#### **9.4 Potential Site Visit**

9.4.1 None

### **9.5 Discussion of attendance at any upcoming Tribunal meetings**

- 9.5.1 There is a Tribunal hearing in respect of 17 Feldhausen Road, Claremont set down for:  
Site Inspection at 10 h 00 on 25 April 2025.  
Hearing on 2 May 2025 at 10 h 00 AvG will attend.

### **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**

### **11.1 Proposed Total Demolition on Erf 56314, 64 Newlands Road, Claremont. HM / CAPE TOWN METROPOLITAN / CLAREMONT / ERF 56314 Case No: HWC24071820CN1122**

Ms Chane Herman introduced the item.

Mr Ashley Lillie, for the appellant noted *inter alia* the following;

- This is a de novo appeal.
- This building was probably built in 1929; the current owner has kept good photographic records of it.
- Subsequent to the site inspection, additional photographs were made available.
- The building has been substantially altered over the years.
- Disagrees with the grading of IIB as windscreen and cursory surveys do not pick up the nuances of a building.

- The Committee is requested to apply their minds to the building as it is; it is not a product of the period.
- Regarding the application of the Gees judgement: Conservation bodies appear to think that having sight of the replacement building is required, this is not what the Gees judgement provides for.
- The general environment within which the property is located is not a heritage resource.
- There is no relationship between the IIIB graded surrounding buildings.
- References made to a proposed Kenilworth HPOZ are irrelevant.
- It would be unreasonable for HWC to start imposing restrictions on designs on new houses in this area.

The UCRRA was not present, and reference was made to their written submissions on record.

## **DISCUSSION**

- The replacement of the roof after the fire affected the dormer window surrounds.
- The single storey section at the ground floor is a much later addition and constructed after the fire. There used to be a totally different entrance.
- The roof is in a very bad state.
- If the building was found not suitable for demolition, it would have to have sufficient significance to be placed on the heritage register.
- The Arts and Crafts elements of the house have been drastically altered.
- There are insufficient elements in the interior of the house to warrant a grading of IIIB.
- As a result, the question is whether the house contributes to the streetscape and whether the area within which the property is situated has heritage significance and as such is worthy of protection.
- The property has very high hedges and the house is placed to the rear of the large site and as a result it makes no contextual contribution.
- Regarding the heritage significance of the area: There is only one heritage resource in the immediate area and it is adjacent to the building. There are several modern contemporary buildings in the area. The context can therefore not be considered to holistically have heritage significance and be worthy of conservation as a heritage area.
- Because the area within which the property is located has no heritage significance, is not worthy of protection and the house is not conservation worthy, the Gees judgement does not apply to this property and there is no reason why HWC can require that a replacement structure should be approved by HWC.

## **DECISION**

The appeal is upheld, and the demolition of the structure is approved without conditions.

**CN**

### **11.2 Proposed Alterations, Additions and Partial Demolition on Erf 168487, 124 Waterkant Street, Cape Town HM / CAPE TOWN METROPOLITAN / CAPE TOWN / ERF 168487 Case No: HWC24102411CH1125**

After submissions were made to the committee whether a site inspection is required or not, the committee discussed the submissions in camera. The committee resolved to undertake a site inspection on 30 April 2025 at 09 h 00 (GO and AvG).

**HELD OVER TO THE NEXT MEETING**

**CH**

**12. Other Matters: For Noting**

- 12.1 Proposed Additions and Alterations on Erf 1397, Bonne Esperance Boutique Guest House, 17 Van Riebeeck Street, Stellenbosch.  
HM/CAPE WINELANDS/STELLENBOSCH/ERF 1397  
Case No: HWC24100916CH1011**

The matter was not ready to be heard and will be tabled at the meeting of 7th May 2025.

**FOR NOTING**

**CH**

- 13. Proposed next date of the meeting to be held online: 7 May 2025**

- 14. Adoption of decisions and resolutions**

**Closure:** The meeting was adjourned at 11:45.

**MINUTES APPROVED AND SIGNED BY:**

**CHAIRPERSON**  **DATE** 7 May 2025

**SECRETARY** \_\_\_\_\_ **DATE** 2025