

**APPROVED MINUTES FOR THE MEETING OF
HERITAGE WESTERN CAPE,
APPEALS COMMITTEE**
Held on Wednesday, 11th October 2023, MS Teams, scheduled for 09:00

Opening and Welcome

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

Attendance

Committee Members:

Mr Gregory Ontong (GO)
Ms Corlie Smart (CSm)
Dr. Andre van Graan (AvG)
Dr Nicolas Baumann (NB)

Members of Staff:

Ms Penelope Meyer (PM)
Ms Naushina Rahim (NR)
Ms Chane Herman (CH)
Ms Waseefa Dhansay (WD)
Ms Sneha Jhupsee (SJ)
Ms Xola Mlwandle (XM)

Visitors:

Item 9.1

Mr Reinier Visser (Appellant, CIFA)
Mr Richard Summers (Attorney for Applicant, Jesus Christ of Latter-Day Saints)
Ms Kathy Dumbrell (Heritage practitioner for Applicant)
Mr Duncan MacMillan (Applicant representative)

Apologies

Ms Nosiphiwo Tafeni (NT)
Mr Stuart Hermansen (SH)

3. Absent

None.

4. Approval of Agenda

4.1 Dated 11th October 2023.

The committee unanimously resolved to approve the Agenda dated 11th October 2023.

5. Approval of Minutes of Previous Meeting

5.1 Appeals Minutes dated 13th September 2023

The Committee unanimously resolved to approve the Minutes dated 13th September 2023.

6. Disclosure and Conflicts of Interest

6.1 Recusals General

None.

7. Confidential Matters

None.

8. Administrative Matters

8.1 Outcome of the Tribunal Committees and Recent Court Decisions

PM (legal advisor) reported back on the Tribunal decision handed down in the Newlands Rugby Stadium appeal.

8.2 Report back from HWC Council

None.

8.3 Site Visits Undertaken

8.3.1 None.

8.4 Potential Site Visits

None.

8.5 Discussion of the Agenda

9 Matters Arising

9.1 Proposed Temple on Erf 160695, 80 Liesbeek Ave, Observatory. HM / CAPE TOWN METROPOLITAN /OBSERVATORY/ERF 160695 Case No: HWC21053105AM0608E

Appeal against IACom's decision to approve the proposed development of the temple.

Ms Naushina Rahim introduced the item, including:

The further requirements set by the Appeals Committee on 12 July 2023:

"The Committee required a revised SDP that relocates and fragments the current gatehouse and service building to ensure an unobstructed view cone of the side elevation of the reconstructed baroque parapet of the Homestead from a point midway across the site on Liesbeek Avenue."

The revised proposal submitted by the Applicant proposed the relocation and fragmentation of the gatehouse and service building based on the following:

1. Visual Assessment of Guardhouse Options report dated September 2023 prepared by Square One Landscape Architects, and
2. Heritage Assessment Visual Assessment of Guardhouse Options report dated September 2023 prepared by Kathy Dumbrell on behalf of Vidamemoria.

The Appellant, Mr Visser (CIFA) presented the views of CIFA regarding proposal Options 1 and 2.

The Applicant attorney (Jesus Christ of Latter-Day Saints), Mr Richard Summers and Ms Kathy Dumbrell (Heritage Practitioner), presented on the two options stating how in their opinion each met the committee's further requirements.

DISCUSSION

Amongst other things, the following was discussed by the Committee:

- The presentation of the two options with images as put forth by the Applicant's heritage practitioner.
- Option 2 was considered to result in a less obstructed view cone of the side elevation of the reconstructed baroque parapet of the Homestead, than option 1.
- Concerns over the design of the imposing masonry piers of the boundary fence which is different from the original application.
- The new design of the perimeter fence was not included in the original application.
- The new design will result in a more obstructed view cone of the side elevation of the parapet of the Homestead than the design submitted on figure 4.6.5 of Annexure E.SQ1.

DECISION

Option 2 is supported, except for the design of the perimeter fence.

The appearance and design of the perimeter fence must comply with the design submitted in the document of July 2022, referred to as Annexure E.SQ1, Page 60, Figure 4.6.5. Specifically, that the piers be steel and not masonry.

Any soft landscaping interventions should not intrude on the view towards the homestead.

NR

10. New Matters

10.1 None

11. Other Matters which are for noting only.

- 11.1 Section 34 Permit issued in respect of Doves Funerals & Mortuary facilities at Erf 16337, 267 Victoria Road, Salt River**
HM/CAPE TOWN METROPOLITAN/SALT RIVER/ ERF 16337
Case No: HWC22052709CH0316

CH

12. Proposed next date of the meeting:

8 November 2023

13. Adoption of decisions and resolutions

The Committee unanimously resolved to adopt the decision and resolution dated 11th October 2023.

Closure: The meeting was adjourned at 11:15

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON



DATE 28 November 2023

SECRETARY _____ DATE _____ 2023