

**APPROVED MINUTES OF THE SPECIAL MEETING OF
HERITAGE WESTERN CAPE,
APPEALS COMMITTEE**

Held on Thursday, 28 May 2020 via Microsoft Teams, scheduled for 09:00

1. Opening and Welcome

The Committee nominated Ms Katherine Dumbrell as acting chairperson. The Acting Chairperson opened the meeting at 09:05 officially and welcomed everyone present.

2. Attendance

Committee Members:

Ms Katherine Dumbrell (KD)
Dr Nicolas Baumann (NB)
Dr Antonia Malan (AM)

Members of Staff:

Ms Colette Scheermeyer (CSc)
Ms Penelope Meyer (PMe)
Ms Cathy-Ann Potgieter (CAP)
Dr Mxolisi Dlamuka (MD)
Ms Aneeqah Brown (AB)
Ms Ameerah Peters (AP)
Mr Jonathan Windvogel (JW)
Ms Nuraan Vallie (NV)

Visitors:

Ms Adelaide Combrink
Mr Anton Slabbert
Ms Laila Mahomed
Mr Johan Cornelius
Mr Nicholas Smith
Mr Gavin Grieve
Mr Raymond Schneider

Observers:

None

3. Apologies

Dr Andre van Graan
Advocate Mandla Mdludlu

Absent

None

4. Approval of Agenda

4.1 Dated 28 May 2020

The Committee approved the agenda dated 28 May 2020.

5. Disclosure of Interest

5.1 None

6 Matters Arising

6.1 None

7. New Matters

7.1 Proposed Additions and Alterations To Erf 1444, 24 Davenport Road, Vredehoek (Section 34) HM/ CAPE TOWN METROPOLITAN/ VREDEHOEK/ ERF 1444

Matter from BELCOM

Case No: 198080508WD0807E

Appeal documentation was tabled.

Ms Adelaide Combrink, , Mr Anton Slabbert, Ms Laila Mahomed, Mr Johan Cornelius, Mr Nicholas Smith, Mr Raymond Schneider and Mr Gavin Grieve were present and took part in the discussion.

DISCUSSION:

In summary, the committee noted and took the following into account:

- Mr Slabbert on behalf of one of the appellants (Seymour Views Body Corporate) advised that he was ready to proceed and raised concerns about the cost implications for his client of postponement.
- Ms Mahomed on behalf of the City of Cape Town stated that although the City had objected to the late notice of the meeting and had had insufficient time to prepare for the meeting because she and Ms Combrink did not have sight of Mr Smith's response until the previous day (27th May 2020) they were nevertheless prepared to proceed as all parties were present.
- Mr Smith, on behalf of the respondent, noted the short notice of the meeting and stated that as a result of the objections of the City of Cape Town, he had prepared an argument of postponement but due to time constraint with other commitments on the day he would prefer not to proceed to a hearing of the matter.
- HWC apologized for the late notice of the meeting which was due to a misunderstanding and staff constraints. They also stated that Mr Smith's letter had been sent to the official at the City who had submitted the appeal on behalf of the City of Cape Town. The Committee noted the need for HWC and City of Cape Town to develop a clear communication protocol for cases involving the City where the City is the appellant.
- The Committee was of the opinion that the matter should be postponed to a set date in order to obviate any possibility of prejudice to any party caused by the late notification of the meeting.

DECISION:

The matter was postponed to the 4th of June 2020 at 9am.

Waseefa Dhansay

8. Other Matters

9. Adoption of decisions and resolutions

The Decisions and Resolutions of the meeting were unanimously accepted by the Committee.

13. Proposed next date of the meeting:

4 June 2020

14. Closure: The meeting adjourned at: 10:37

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON *K Dumbrell*

DATE 17 June 2020

SECRETARY A. Brown

DATE 17 June 2020

APPROVED