

# APHP

ASSOCIATION OF PROFESSIONAL  
HERITAGE PRACTITIONERS

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## MINUTES OF THE MEETING HELD

on Friday 25 January 2019 at 2:00 pm in Heritage Western Cape Offices at Protea Assurance Building, Greenmarket Square Cape Town

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### PRESENT:

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Mxolisi Dlamuka	CEO HWC
Waseefa Dhansay	Acting Assistant Director: Professional Services HWC
Jenna Lavin	APHP Chairperson
Mike Scurr	APHP Exco
Ursula Rigby	APHP Exco
Emmylou Rabe Bailey	APHP Exco

### AGENDA:

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1. DRAFT PROVISIONAL BILL
  2. ANSON SQUARE AND BOKAAP JUDGEMENTS
  3. RESPONSE TIMES TO HWC APPLICATIONS
  4. CHAIRING OF MEETINGS
  5. APPEAL DECISIONS
  6. SAHRIS/HIMS
  7. ACCESS TO ARCHIVES
  8. RELATIONSHIP BETWEEN HWC AND APHP
  9. SECTION 30 AND 31 REGULATIONS
  10. APHP CONFERENCE IN APRIL 2019
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### WELCOME:

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JL thanked MD and WD for their time and put forward two additional items to the agenda which had originally been proposed in September 2018 – namely items 9 and 10.

### DISCUSSIONS:

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#### 1. DRAFT PROVISIONAL BILL

APHP had provided comment on the Draft Bill Framework/Draft Bill and asked for an update regarding progress with the Bill.

MD noted that the process should have been approved by Cabinet by now, but was taking longer than anticipated for good cause. There has been consultation with AMAFA in Natal and comments received have been taken into account. Comments received were noted as being predominantly positional comments and not related to legal concerns. It was decided not to research or undertake studies, as suggested by the APHP, around the problem areas. MD explained that input was obtained via assessment of the SAHRA database and via Council members' exit- statements and all this information had been taken into account in the drafting process. MD assured APHP of opportunities for further comment once the drafting process has been finalised and again once the Draft Bill has been published. MD is confident that the Bill will address concerns raised thus far.

## **2. ANSON SQUARE AND BOKAAP JUDGEMENTS**

APHP asked for an interpretation from HWC with regard to these Judgements as the opportunity to workshop the outcomes had not materialised.

MD confirmed that a document exists within HWC which clarifies the HWC position on the Anson Case.

WD noted that this document had been circulated to HWC Council members.

JL asked if this information could be made available to APHP members in order to provide an understanding around the HWC position currently influencing decision making. The intentions being that APHP members would value insights into HWC's argument and stance in both the cases noted above.

MD suggested that these judgements could be work-shopped at the APHP April Conference.

## **3. RESPONSE TIMES TO HWC APPLICATIONS**

APHP opened a discussion around complaints received from members regarding response times and the need for communication to members around these matters of concern.

MD confirmed that application response times are legislated and although there have been backlog's in the system, these have been cleared and operations are smoother.

WD confirmed this and added that HWC have worked hard at improving response times once decisions have been made. Response times to NID's are still problematic and in some instances responses have been misdirected to Land owners and not applicants or Practitioners.

MD and WD informed APHP that new application forms are being work-shopped and these will alleviate this particular confusion as they call for applicant/practitioner details regarding response communications.

## **4. MEETING PROCESSES AND PROTOCOL**

APHP discussed matters pertaining to lengthy meetings and potential time restraints to agenda's with the view to avoiding participants waiting for hours for items to be heard at Committee meetings.

MD responded by noting that meeting chairmanship is a fluid process and personal in terms of style and management and therefore not easily dictated in such instances where members are of the public are making representations. Time limit suggestions and guidelines as "protocol notes" were discussed and it was suggested that such notes be incorporated into the agenda's as guidelines for visitors.

MD acknowledged that incoming Committee members could be work-shopped on meeting management methodology and such matters in order to work towards a system requiring less general waiting time. Agenda items could potentially be grouped into late morning/mid-day/late afternoon slots for participants and this would assist all participants/visitors in more efficient personal time management.

## **5. APPEAL DECISIONS**

APHP enquired about the alleviation of delays with Appeal decisions. MD noted that the delays were caused by the prior lack of guidelines regarding reasons for decisions. The problem has been addressed and matters regarding Appeal decision documentation and communications are now more efficient.

## **6. SAHRIS/HIMS**

APHP enquired about the potential for on-line applications and the integrations of HIMS with SAHRIS.

MD encouraging feedback regarding the roll out of HIMS and the adoption of the SAHRIS system. An operation system is being designed and the intention is to test the system with applicants of varying levels of technical competency in order to identify and streamline systems. When the system is rolled out, assistance will be provided at the counter to applicants.

## **7. ACCESS TO ARCHIVES**

APHP highlighted two areas to address – one being access to Roeland Street Built Heritage information which is held there for the CoCT. Another is access to application information for analysis and research at provincial level – i.e. access to all applications for a particular province.

The former issue – access to Roeland Street Archive currently involves access via the City with forms completed and signed by property owners. Direct access by APHP members/ researchers would be beneficial however – succinctly put “one never knows what one will find until one finds it”.

MD noted that this would require a PAJA application and suggested two contacts within the WC Governmental system with whom to discuss the matter.

The latter issues – access to recent applications for analysis purposes as input in provincial spatial planning and development purposes is not possible at this stage. JL noted however that all HIA's up until 2015 have been loaded onto the SAHRIS database.

MD noted that ultimately the HWC archive ideally must be integrated into SAHRIS – the same would apply to all other PHRA's.

## **8. RELATIONSHIP BETWEEN HWC AND APHP**

JL noted the importance and benefits to all in good relationships between APHP and HWC and stressed APHP's commitment to fostering this and moving APHP forward from its current standing with a more diverse contributing membership base. APHP has a very real deep vested interest in an effectively run heritage authority.

MD noted HWC's desire to develop relationships with not only APHP but with all communities and organisations. JL noted that APHP's relationship was unique in that it provided a means to communicate with members and applicants and to direct a focus on Heritage into broader and more diverse areas of concern.

It was noted by all that activities behind the scene at HWC are immensely positive and it would be of great interest for APHP's members to receive an update on matters discussed here today and in moving forward.

JL discussed new accreditation rules and the thinking which brought these into play and volunteered to send all the recent information to MD for interest. APHP extended an invitation to the CEO and others to join the APHP. It was agreed that relationships should be strengthened and that dialogue is important and necessary in this endeavour.

## **9. SECTION 30 AND 31 REGULATIONS**

APHP queried progress with respect to Regulations 30 and 31 and the challenges around Built Form Registers and Inventories with the view to understanding how these challenges could be overcome to enable the lifting of Section 34 controls in certain areas.

MD outlined the process to date whereby Draft Regulations were gazetted in 2018 but are currently being revisited and reworked in order to iron out some problem areas regarding consultation with land owners and general consultations. New Draft Regulations will be split and published again in the gazette. It is anticipated that they go to Council for signing in sometime in March this year. The process is intended to be tested in Parow.

## **10. APHP CONFERENCE IN APRIL 2019 (FRI 5, SAT 6 and SUN 7 APRIL)**

APHP extended a personal invitation to HWC members to attend and present at the Conference and the matter was discussed with enthusiasm by both parties. MD suggested that APHP identify areas of participation and forward some topics to HWC for potential presentations by officials. Topics discussed were:

Rhodes must Fall (presentation by Heidi Boisse)

Repatriation of remains (presentation by Charlene Houston)

Amongst others

The meeting concluded at 4:00pm with thanks and gratitude all around for time spent in discussion on matters of dual interest.

End.