

# **Heritage Agreement between The Evangelical Lutheran Church, 98 Strand Street, Cape Town and The South African Heritage Resource Agency**

## **1. Introduction**

1.1 The Evangelical Lutheran Church (ELC) at 98 Strand Street, Cape Town owns all the properties on erf 9245 within the CBD area of Cape Town.

1.2 The ELC is the oldest practicing church building in Cape Town and along with what was originally the Sexton and the Pastors houses, represents three of the most well-known historical buildings in central Cape Town and are an important part of the living heritage of this city.

1.3 While a number of the properties on erf 9245 are of 20<sup>th</sup> century construction, three of the buildings and their associated spaces are 18<sup>th</sup> century and were listed as Historical Monuments in the late 1940's which led to their provisional classification as a National Heritage site in 2013.

1.4 The purpose of this heritage agreement is to identify and state the processes and procedures that will be used for the care, maintenance and preservation of all the ELC properties on erf 9245 and the ELC archives.

## **2. ELC Properties**

2.1 The following is a list of the properties on erf 9245:

- a. Martin Melck House and courtyards, 96 Strand Street.
- b. The Evangelical Lutheran Church and courtyards, 98 Strand Street.
- c. The Sexton's House and courtyard, 100 Strand Street.
- d. The ELC Offices, 19 Buitengracht Street.
- e. HiQ, 19A Buitengracht Street.
- f. The Kansai Plascon Complex and courtyard, Waterkant Street.

## **3. Current Usage of ELC Properties**

3.1 Martin Melck House (The Gold Museum), The Sexton's House (Netherlands Consulate), HiQ (commercial business) and The Kansai Plascon Complex (office accommodation) and their associated courtyards are leased out with formal lease agreements being in effect.

3.2 All leaseholders are required by the terms of their lease to ensure that their respective buildings are maintained in good order, not to conduct any unauthorized work on the buildings and to return the buildings at the end of a lease in the same state and condition they were at the beginning of the lease.

3.3 In January 2016, all leaseholders were provided with written instruction from the ELC Council of the processes and procedures to be followed to ensure that the care and maintenance of our properties meets National Heritage requirements.

3.4 All tenants are restricted by the terms of their lease to conduct only the approved business within the leased premises and must ensure that they have all the required licenses and permits for the conduct of such business.

3.5 The Church was first used in December 1780 and continues to be used as a place of worship to this date. The Church is also open to members of the public and guided tours are provided supported by a recently produced guide book which is on sale. We also hold appropriate musical events and the Church can be hired for weddings, baptisms and funerals.

3.6 The Church archives have been completely documented and our heritage specialists carry out reference searches for members of the public. We plan to digitize all the written material in the archives and to move the archives to the Church office complex when funds are available. The archives are not open to the general public.

#### **4. ELC Organisation**

4.1 The Church is run by an annually elected Council of up to 12 members headed by the Chairman.

4.2 The Council together with the Pastor are directed and empowered by the congregation to run all aspects of the Church including pastoral, financial, maintenance and staff issues.

4.3 A Business Manager deals with all aspect of the running and maintenance of the ELC properties and reports monthly to the ELC Council. The Business Manager provides direct liaison between the ELC Council, the tenants and our Heritage professionals.

#### **5. General Maintenance Issues – Modern Buildings**

5.1 The maintenance of the 20<sup>th</sup> century buildings will be on an as and when required basis and would include all normal maintenance issues – plumbing, electrical, painting etc. which would not normally require heritage approval.

5.2 Maintenance requests are raised by the tenants to the Business Manager who then obtains a minimum of two quotations for the work to be carried out. These quotations and the Business Manager's recommendations are then passed to the ELC Chairman for Council approval.

5.3 Any planned modifications or alterations to these building structures must first be approved by the Business Manager, the ELC Council and our appointed Heritage professionals before any work can be carried out.

5.4 All maintenance work will be in keeping with the nature, structure and overall effect of the surrounding buildings.

5.5 The ELC is building partnerships with approved maintenance organization to ensure that the quality and standard of maintenance work is in keeping with our long term goals for the maintenance and preservation of all buildings.

## **6. Heritage Maintenance Issues – 18<sup>th</sup> Century Buildings**

6.1 The ELC is very aware of the need to preserve and maintain our older buildings and all work conducted on Martin Melck House, the Church or the Sexton's House and their associated courtyards will be dealt with as heritage issues.

6.2 All proposed work and the processes and procedures to be followed will be reviewed by our Heritage professionals to ensure that the methodology is appropriate and meets with the standards of the National Heritage Act.

6.3 The ELC will ensure that only approved and agreed processes and procedures conducted by appropriately qualified and trained personnel will be used for the preservation and maintenance of these buildings.

6.4 Maintenance requests are raised by the Business Manager who then obtains a minimum of two quotations for the work to be carried out. These quotations and the Business Manager's recommendations are then passed to the ELC Chairman for Council approval and to our Heritage professionals.

6.5 As with our newer buildings, any proposed modifications or alterations to these building structures must first be approved by the Business Manager, the ELC Council and our Heritage professionals before any work can be carried out.

6.6 All work carried out will be monitored and approved at key milestones by our Heritage professionals to ensure it complies with agreed standards.

6.7 All proposed work that could in any way alter or affect the structure or fabric of these buildings will first be submitted to SAHRA for approval before any such work is carried out.

## **7. Short Term Heritage Maintenance Issues**

7.1 As with any building, there are constant and continuous maintenance requirements. The ELC will conduct this maintenance in accordance with the following list and all processes and materials will be approved by our Heritage professionals:

a. ***External painting of all buildings.*** This will use lime wash paint to either G. Fagan specification (Midas SA Special Limewash) previously used or those approved by our heritage professionals. We may use alternative silica based paint products as used on St. Mary's Cathedral if these are approved by SAHRA as they provide far better long term protection in a city environment. All work will be carried out by qualified specialists from an approved company and will be done at an appropriate time of year.

b. ***Repainting and repair of windows.*** This will use approved undercoat and topcoat paint and will be applied by qualified painters from an approved company. All old putty will be removed and replaced. Any damaged wood will be assessed for its structural integrity and sympathetic repairs will be conducted maintaining the maximum amount of the original wood. If repairs to the woodwork cannot be made and the window is in a state of collapse, a new window will be manufactured to the same design and style as approved by our heritage professionals, and installed. This work will be carried out at an appropriate time of year.

c. ***Internal and external plasterwork.*** The plasterwork will be maintained and repaired using a lime plaster mix to specification 1 part cement, 2 lime and 6 to 8 sand and lime putty which will be applied by qualified plasterers from an approved company. The objective is to maintain the largest possible amount of the original plaster. We may use alternative silica plaster products from the Keim company if these are approved by SAHRA as they provide far better long term protection in a city environment. This work will be carried out at an appropriate time of year. The wall of the Sextons' House on Buitengracht has at some point in the past been repaired in areas with a hard plaster mix which requires the use of modern PVA or acrylic paints which will continue to be used.

d. ***Internal and external woodwork.*** The woodwork will be treated as and when required using appropriate paints and wood preservers. Any damaged wood will be assessed for its structural integrity and sympathetic repairs will be conducted maintaining the maximum amount of the original wood. If repairs to the woodwork cannot be made and it is in a state of collapse, a new item will be manufactured to the same design and style as approved by our heritage professionals, and installed. This work will be carried out at an appropriate time of year.

e. **The Church clock and bells.** The clock and bells will be assessed annually for their condition and any maintenance or remedial work will be identified and carried out by approved professionals from an approved company.

f. **Roofing.** The roofing on all buildings will be inspected annually and any maintenance issues identified will be rectified by qualified roofers from an approved company.

g. **Electrical and plumbing.** All electrical and plumbing maintenance work will be carried out by approved professionals from an approved company. Appropriate certificates of compliance will be provided. All buildings will be “baselined” for electrical safety within 12 months of adoption of this agreement.

h. **Trees.** All trees will be inspected annually and kept in an appropriate condition to prevent damage to the surrounding buildings. Any trimming will be done in the most sympathetic manner. The work will be carried out by approved professionals from an approved company.

i. **Pest Control.** Pest control will be carried out using appropriate and approved methods and this will be carried out by approved professionals from an approved company. These requirements will be reviewed annually.

j. **Brass work.** All brass work within the Church will be maintained using approved processes and materials as directed by our heritage professional.

k. **Fire Prevention.** All buildings will be inspected to ensure they comply with appropriate fire safety regulations and have the required certificates. In addition, all fire fighting equipment will be inspected annually to ensure it is in working order.

## **8. Long Term Heritage Maintenance Issues**

8.1 It is our intention to carry out the following work over the next 10 – 20 years depending on our budget.

a. The removal of the plywood boards from the church ceiling to return it to it’s original configuration.

b. The design, construction and installation of a more permanent high altar.

c. The removal of new built structures in our courtyards and the enhancements of these courtyards to better benefit the nature of the buildings.

d. The repair or replacement of the urns on the Church tower.

- e. The repair or replacement of windows in the Church roof area.
- f. The replacement of the painted glass in the Church circular window with appropriate stained glass.

## **9. Heritage Plans**

9.1 We will provide appropriate and approved heritage training to selected members of our staff, congregation so that they can professionally take care of our heritage and be properly prepared to work in their required heritage functions e.g. as guides, researchers and maintenance specialists. We plan to set up a training facility to provide artisan training in heritage maintenance.

9.2 We will provide public access to the Church and create displays and exhibitions to inform visitors and Church members in an appealing, in depth manner of our heritage.

9.3. We will engage with the wider community, including schools and educational institutions, to help them understand their roots.

9.4 We will ensure that our archives are maintained as per the recommendation of our heritage professionals as detailed in the Outsiders Within project documentation.

9.5 We will digitally capture our archives and make them available to appropriate and approved researchers for a fee which will go towards the maintenance of our archives.

## **10. Business Planning**

10.1 We will produce both a short term and long term financial plans to ensure the long term care and maintenance of our buildings and archive.

10.2. We will identify maintenance and business partners who best meet our requirements to ensure that we can meet our long term goals of maintaining our buildings and heritage while controlling costs.

10.3 We have established long term links with Heritage professionals to ensure that we have the necessary knowledge to ensure the long term care and maintenance of our buildings and archives.

10.4 We will conduct appropriate fund raising activities that showcase our buildings and enhance the general public's understanding of the importance of heritage buildings and how they fit into today's society. We will also approach businesses and other agencies and Heritage bodies to sponsor specific activities associated with the long term preservation of our buildings.

## **11. Our Agreement**

11.1 We the Evangelical Lutheran Church, Strand Street, 98 Cape Town agree to be bound by the above process and procedures and will maintain our properties in accordance with the relevant sections of the National Heritage Act 1999.

11.2 Signed on behalf of the Evangelical Lutheran Church, 98 Strand Street, Cape Town by:

Dudley Malgas, Chairman, ELC Council

Dated:

11.3 We the South African Heritage Resource Agency accept the above as a Heritage Agreement between the Evangelical Lutheran Church, 98 Strand Street, Cape Town and ourselves.

11.4 We further state that this agreement will remain effective until such time as an Integrated Conservation Management Plan is approved by ourselves for the preservation, maintenance and management of erf 9245 and it's archives.

11.5 Signed on behalf of the South African Heritage Resource Agency by:

Veliswa Baduza, Chief Executive Officer, SAHRA

Dated: