

**APPROVED MINUTES OF THE MEETING OF
HERITAGE WESTERN CAPE,
HERITAGE OFFICERS MEETING
Held on Monday, 9 January 2023 at 08:30,
Protea Assurance Building, Greenmarket Square**



1. OPENING AND WELCOME

The Chairperson, Ms Waseefa Dhansay officially opened the meeting at 08:30 and welcomed everyone present.

2. ATTENDANCE

Members of Committee

Ms Waseefa Dhansay (WD) (Chairperson)
Ms Cecilene Muller (CM) (Specialist Heritage Officer)
Ms Muneerah Solomon (MS) (Heritage Officer)
Ms Corne Nortje (CN) (Heritage Officer)
Ms Ayanda Mdludlu (AM) (Heritage Officer)
Ms Khanyisile Bonile (KB) (Heritage Officer)
Ms Sneha Jhupsee (SnJ) (Heritage Officer)
Ms Stephanie Barnardt-Delport (SB) (Heritage Officer)
Ms Natalie Kendrick (NK) (Heritage Officer)

Members of Staff

Ms Aneeqah Brown (AB) (Secretary)
Ms Zikhona Signoya (ZS) (Admin Assistant) Remote

Legal Advisor

Visitors

Mr Per Menko

Observers

3 Apologies

Ms Chane Herman
Mr Robin George
Mr Thando Zingange
Ms Penelope Meyer

Absent

None

4. Approval of Agenda

- 4.1 9 January 2023. The Committee resolved to approve the agenda with minor edits and Additions. CM moves to adopt the agenda and CN seconds.

5. Approval of Minutes of the Previous Meeting

- 5.1 12 December 2022. The Committee resolved to approve the minutes with minor edits and MS moves to adopt the agenda and SJ seconds.

6. Disclosure of conflict of interest

- 6.1 None

7. Confidential matters

- 7.1 None

8. Standing Items

8.1 Site inspections undertaken

8.1.1 Erf 518, 7 Church Street, Malmesbury

- Human remains were reported as being discovered on the site during an unsupervised excavations;
- KB, NK and SB conducted a site inspection on 19 December 2022
- Representatives from HWC undertook a site inspection and issued a stop work order once determined that human remains were being threatened by the development.
- HWC awaits the formal submission of an application.
- Further review of the inspection to be outlined within the site inspection report.

8.1.2 44 Strand Street, Beachfront, Saldanda Bay

- AM and NK conducted a site inspection on 21 December 2022 for potential human remains reported. Upon inspection, it was evident that the remains were non-human and belonged to a seal.
- No further action from HWC is required.

8.2 Proposed Site Inspections

None

8.3 Site Inspection Reports

None

8.4 Preparation for the upcoming Committee meetings

8.4.1 Appeals 11 January 2023

Matters are loaded

8.4.2 APM 13 January 2023

Matters are loaded

8.5 Interim and Close out Reports

None

8.6 Incomplete Applications

Under individual items

9. Administrative Matters

9.1 V&A Waterfront CMP (SJ)

Case Officer comments: (these are not final)

- Draft CMP defines 11 precincts in Waterfront
- Precincts surveyed at different scales i.e., precinct, grading buildings
- Modern structures have been graded NCW due to their modern nature, however these could be defined as part of the growing heritage of the precinct due to their architectural, technological and cultural significance of the present. To be considered.
- Heritage Management Agreement should be drafted.
- Heritage Oversight Committee to be discussed in further detail and should include a member of HWC.
- Exemption and Minor Works list to be looked at in closer detail as each precinct and building has its own heritage merits. We cannot create blanket rules and apply them to all IIIB structures, for example.
- The Development Framework (1989) document referred to in the draft CMP needs to be made available to HWC. The consultation process(es) must be clearly outline within the document.

HOMs interim comment: the 30-day public consultation process to be initiated for draft CMP, revised and resubmitted to HWC for approval process thereafter.

10. Discussion of the agenda

None

MATTERS TO BE DISCUSSED

11. MATTERS ARISING

11.1 Proposed additions and alterations on Erf 4118, 261 Bree Street, Cape Town, S34- A&A Case No: 22030901MS0317E

Ms Muneerah Solomon introduced the item.

DISCUSSION

- Information received on 21 December 2022.
- Graded IIIC
- Outside HPO
- CoCT supports the proposal.
- CIBRA does not support the proposal.
- Referred to BELCom for their expertise.

HELD OVER:

Referred to BELCom on 25 January 2023.

MS

- 11.2 Proposed additions and alterations on Erf 160566, 29 Coronation Road, Woodstock, S34-A&A**
Case No: 21110493XM0314E

Matter held over to HOMs on the 16th of January 2023 given the apologies of the case officer.

TZ

- 11.3 Proposed additions and alterations on Erf 101, 19 Kenmore Road, Tamboerskloof, S34-A&A**
Case No: HWC22113008MS1130

Item removed from the agenda.

MS

- 11.4 Proposed additions and alterations on Erf 1705,7 Glen Esk, Pinelands, S34-A&A**
Case No: 22102802MS1028

Item removed from the agenda.

MS

- 11.5 Proposed total demolition on Erf 814, 1 Atholl South, Camps Bay, S34-TD**
Case No: HWC22112905MS1129

Item removed from the agenda.

MS

- 11.6 Proposed additions and alterations on Erf 754,10 Crescent Road, Pinelands, S34-A&A**
Case No: HWC22112411MS1125

Item removed from the agenda.

MS

- 11.7 Proposed Powerline on Weltevrede 170/10, Steenrotsfontein 168/1 &168/3, Quaggasfontein 1166, and Aude Volks Kraal 164/REM, Beaufort West, S38(8)- HIA**
Case No: HWC22102702NK1027

Ms Natalie Kendrick introduced the item.

DISCUSSION

- Item was heard at IACom on the 7th of December 2022.
- The commenting period is now concluded, no comments were provided by any IAPs

DECISION

The Committee endorsed the Heritage Impact Assessment prepared by Dr Orton dated 7 November 2022 as well as the recommendations of the HIA for authorisation on conditions as follows:

1. The Fossil Chance Finds Procedure must be incorporated into the project EMP;
2. An archaeological pre-construction survey must be carried out focusing on those areas not yet surveyed;
3. The powerline must be shifted towards the southwest off the ridge near Blythe Street; and
4. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

**11.8 Proposed Solar Farm on Steenrotsfontain 168/1 &168/3, Quaggasfontein 1166, and Aude Volks Kraal 164/REM, Beaufort West, S38(8)- HIA
Case No: HWC22102703NK1027**

Ms Natalie Kendrick introduced the item.

DISCUSSION

- Item was heard at IACom on the 7th of December 2022.
- The commenting period is now concluded, no comments were provided by any IAPs

DECISION

The Committee endorsed the Heritage Impact Assessment prepared by Dr Orton dated 7 November 2022 as well as the recommendations of the HIA for authorisation on conditions as follows:

1. The Fossil Chance Finds Procedure must be incorporated into the project EMPr;
2. An archaeological pre-construction survey must be carried out focusing on those areas not yet surveyed and especially PV areas 3 and 5;
3. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

NK

**11.9 Proposed additions and alterations on Erven 1109, 449, 1084, 1085, The Pinelands Primary School, 10 Central Square, Pinelands, S34-A&A
Case no: 22061321SJ0621E**

Ms Sneha Jhupsee introduced the item.

DISCUSSION

- Information received on 29 November 2022.
- Graded IIIB
- Inside HPO
- CoCT Supports the proposal

DECISION

The Committee resolved to approve the application as the proposal does not negatively impact on heritage resources.

SJ

**11.10 Proposed additions and alterations on Erf 1006, 11 McFarlane Street, Eastcliff, S34-A&A
Case No: HWC22102711SJ1123**

Ms Sneha Jhupsee introduced the item.

DISCUSSION

- Information received on 15 December 2022.
- HOMs graded NCW
- Outside HPO
- Overstrand Heritage Aesthetics Committee supports the proposal.

DECISION

The Committee resolved to approve the application as the proposal does not negatively impact on

heritage resources.

SJ

**11.11 Proposed additions and alterations on Erf 160928, 14 Avenue Grande, Newlands, S34-A&A
Case No: HWC22112503SJ1128**

Ms Sneha Jhupsee introduced the item.

DISCUSSION

- Information received on 20 December 2022.
- Graded NCW
- Outside HPO
- Newlands Residents Association supports the proposal.
- CoCT supports the proposal.

DECISION

The Committee resolved to approve the application as not negatively impacting on a heritage resource.

SJ

**11.12 Proposed additions and alterations on Erf 1783, 20 Elizabeth Road, Pinelands, S34-A&A
Case No: HWC22112808SJ1129**

Ms Sneha Jhupsee introduced the item.

DISCUSSION

- Information received on 15 December 2022.
- Graded NCW
- Outside HPO
- CoCT supports the proposal.
- The Committee noted that work has started.

DECISION

HWC cannot condone illegal work. Section 51 letter to be issued.

SJ

**11.13 Proposed additions and alterations on Erf 95368, 129 Hatfield Street, Gardens, S34-A&A
Case No: HWC22142814SJ1129**

Ms Sneha Jhupsee introduced the item.

DISCUSSION

- Information received on 15 December 2022.
- Graded IIIA
- Inside HPO
- CoCT supports the proposal.
- CIBRA supports the proposal.

DECISION

The Committee resolved to approve the application on condition that;

1. Work be monitored by a suitably qualified architect with heritage experience.
2. A close-out report to be submitted within 30 days of practical completion.

SJ

11.14 Proposed additions and alterations on Erf 51, 2 Porter Road, Stellenbosch S34-A&A
Case No: 22092301KB2301

Ms Khanyisile Bonile introduced the item.

DISCUSSION

- Information received on 28 December 2022.
- Minor works application
- Graded NCW
- Outside HPO

DECISION

The Committee resolved to approve the application as the proposal does not negatively impact on heritage resources.

KB

11.15 Proposed additions and alterations on Erf 594,7 Blinkwater Road, Camps Bay S34-A&A
Case No: HWC22101909KB1021

Ms Khanyisile Bonile introduced the item.

DISCUSSION

- Information received on 28 December 2022.
- Graded NCW
- Outside HPO
- CoCT supports the proposal.
- Camps Bay and Clifton Residents and Ratepayers Association supports the proposal.

DECISION

The Committee resolved to approve the application as the proposal does not negatively impact on heritage resources.

KB

11.16 Proposed additions and alterations on Erf 66979,9 Lonsdale Road, Wynberg S34-A&A
Case No:22092809KB0928E

Item removed from the agenda pending comments from I&APs.

KB

11.17 Proposed additions and alterations on Erf 94992, 101 Kloof Street, Gardens, S34-A&A
Case No: 22092201KB0922E

Ms Khanyisile Bonile introduced the item.

Mr Per Menko, the owner, was present and took part in the discussion.

DISCUSSION

- Information received on 25th December 2022.
- Graded IIIA
- Referred to BELCom for their expertise.

HELD OVER

Referred to BELCOM on 25 January 2023.

KB

11.18 Proposed additions and alterations on Erf 10888, 10 Dalton Road, Fish Hoek, S34-A&A Case No: HWC22111003CN1110

Ms Corne Nortje introduced the item.

DISCUSSION

- Information received on 12 December 2022.
- Graded NCW
- Outside HPO
- CoCT supports the proposal.

DECISION

The Committee resolved to approve the application as the proposal does not negatively impact on heritage resources.

CN

11.19 Proposed additions and alterations on Erf 571, 17 Sydney Road, Green Point, S34-A&A Case No: 22020807CN0210E

Under investigation – case officer to conduct a site inspection to ascertain what work has commenced and refer back to the Committee.

CN

11.20 Proposed housing development Erf 9459 Plettenberg Bay, S38(8)-HIA Case No. 21090309NK0217E

Ms Natalie Kendrick introduced the item.

DISCUSSION

- Information received on 8th of October 2022
- Required the Visual Impact Assessment

DECISION

The Committee requires an integrated HIA (incorporating the VIA) as well as the updated set of recommendations.

NK

12. NEW MATTERS

12.1 Proposed Diep River Pipeline, Diep River S38(8)-NID Case No: HWC22121307AM1215

Ms Ayanda Mdludlu introduced the item.

DISCUSSION

- Low and moderate sensitivity.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

**12.2 Proposed prospecting mine on Erf 150, Farm Karoetjie Kop, S38(8)-NID
Case No: HWC22120612AM1207**

Ms Ayanda Mdludlu introduced the item.

DISCUSSION

- Palaeontology- a mixture of very high, moderate and low significance.
- Archaeology- An AIA report by ACO in 2000 identified surface shell scatter of moderate density with small amounts of OES fragments and quartz flakes.
- The Committee is of the opinion that heritage resources will be impacted on.

DECISION

The Committee resolved to require an HIA which complies with S38 (3) of the NHRA, and which includes the following specialist studies;

1. Archaeological Impact Assessment
2. Paleontological Impact Assessment

AM

**12.3 Proposed mixed use development on Erf 4243, 21 Mossel Street, Mossel Bay, S38(4)-NID
Case No: HWC22111808AM1207**

Ms Ayanda Mdludlu introduced the item.

DISCUSSION

- Palaeontology- low palaeosensitivity
- Archaeology- low archaeology as area is fairly exploited by nearby building materials store, warehouses and walking paths.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

AM

**12.4 Proposed quarry on Portion 1 of Farm Modderdrift 239, Beaufort West, S38(8)-NID
Case No: HWC22112106AM1209**

Ms Ayanda Mdludlu introduced the item.

DISCUSSION

- **Palaeontology**- very high palaeosensitivity. The Project includes one locality option with MODERATE and LOW sensitivities.
- **Archaeology**- a survey conducted over the site found no archaeological sites or objects of cultural significance were identified in the project area.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

AM

**12.5 Proposed sand mine on Portion 3 of Farm 249, Klipfontein, Mossel Bay, S38(8)-NID
Case No: HWC22113004AM1205**

Ms Ayanda Mdludlu introduced the item.

DISCUSSION

- Palaeontology- Unknown and low palaeosensitivity. Previous palaeontological studies in the area have discovered resources not anticipated within this mining area as it is a previously mined area. The Wankoe Formation is of LOW palaeontological sensitivity (Kaplan 2021). The proposed sand mine footprint is not paleontologically sensitive and no further Palaeontological studies are recommended.
- Archaeology- Previous archaeological studies in the area have discovered resources. Kaplan reports the presence of Stone Age implements from all three phases of the Stone Age (ESA, MSA and LSA) meaning that materials are temporally mixed and hence of low significance or Not Conservation Worthy.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

AM

**12.6 Techno Park Avenue and Adam Tas Road, Farm No. 377, Street Parcel Re/9190,
Portion 4 of Farm Fleurbaai No. 1040, the remainder of Farm Troughend No. 284
Portion 1 of Farm Troughend No. 284, the remainder of Farm No. 279S38(8)-NID
Case No: HWC22120803AM1209**

Ms Ayanda Mdludlu introduced the item.

DISCUSSION

- Palaeontology- unknown, zero, low and moderate palaeosensitivity.
- Archaeology- A Hilary Deacon survey of a nearby property showed Acheulian artefacts but no other archaeological remains. As the context is disturbed and the finds isolated the significance is rated as low.
- The Committee is of the opinion that heritage resources will be impacted on.
- The Committee is concerned about the impact to the cultural landscape as well as the historic cottages and lack of assessment thereof as it is proposed to be demolished. Further assessment would be required.

DECISION

The Committee resolved to require an HIA which complies with S38 (3) of the NHRA, and which includes the following specialist studies;

1. Assessment of the built environment and cultural landscape.

AM

**12.7 Proposed development on Portion of Farms Ganse Vallei 444, Rem 7(Portion 191), 43 and 104, Plettenberg Bay, Knysna District S38(8)-NID
Case No: HWC22120811CM1208**

Ms Cecilene Muller introduced the item.

DISCUSSION

- Two structures graded IIIIC, of which the historic built envelopes are older than 60 years is located on the easternmost part of the property.
- Three options were indicated for the proposed development, with Alternative 1 being the preferred option.
- Existing infrastructure will be retained with two new dwellings, a 100-seater restaurant and vineyards to be established.
- Archaeological Surveys undertaken by Deacon, Hart, Kaplan and Webley since 2001 in the area identify ESA and MSA stone tools which occur in secondary context and have low significance.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

CM

**12.8 Proposed upgrade of DR1285 on Elgin Valley Road, Farm Krabbe Fonteyn No. 464. Including Portions 48, 49 & 51 Farm Kromme Rivier No. 446. Including Portion 18. Farm De Hoop No. 466. Including Portions 1, 2, 4, 7, 8, 10 & 11. Farm No. 465. Including Portions 1, 3, 6, 9, 10, 17, 18 & 22. Farm No. 447, Farm No. 1038S38(8)-NID
Case No: HWC22120207CM1201**

INCOMPLETE APPLICATION:

Streetscape images required.

CM

**12.9 Proposed additional dwellings on Erf 1264, Antonisfontein, Simondium, Paarl, S38(4)-NID
Case No: HWC22120209CM1207**

Ms Cecilene Muller introduced the item.

DISCUSSION

- The proposed development entails the construction of two worker houses next to an existing house, which was constructed in the early 2000's.
- No archaeological, palaeontological heritage resources will be impacted.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

CM

**12.10 Erf 7290, Lorraine Street, Courtrai Paarl, S38(4)-NID
Case No: HWC22120504CM1207**

INCOMPLETE APPLICATION:

Full Section 34 application required.

CM

12.11 Proposed sand mine on Portion 2 of Farm Matjeskuils No 733, Division Paarl, S38(8)-NID
Case No: HWC22120608CM1206

Ms Cecilene Muller introduced the item.

DISCUSSION

- NEMA is triggered (Department Mineral Resources (WC30/5/1/3/2/10312MP)
- Proposed development on approximately 3.95 ha fallow land, with 29 trail holes being dug to estimate the depth of the sand deposit.
- Impact will temporary, after two years the mined area will be rehabilitated.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

CM

12.12 Proposed agricultural activities on Portion 3 of Farm 585, Portion 1 and Rem 1 of Farm 586, Hemel en Aarde Valley, Caledon, S38(8)-NID
Case No: HWC22120805CM1208

Ms Cecilene Muller introduced the item.

DISCUSSION

- NEMA is triggered (Department of Environmental Affairs Development Planning (Western Cape); Department of Mineral Resources (National); Department of Environmental Affairs (National).
- Drilling and development of three new production boreholes, redrilling and replacement of defunct production boreholes, deepening of existing boreholes and drilling a new monitoring borehole (T4/7).
- Production boreholes will be housed in partially subterranean concrete chambers which will be fenced off.
- Boreholes will have connector pipelines linking them to existing Hemel and Aarde bulk water supply pipelines.
- Electrical supply will be obtained from the ESKOM feedline.
- Consent was obtained from all three landowners.
- The enclosed and isolated Hemel en Aarde Valley was used as a leper colony in the first half of the 19th century, Fransen (2004) notes that nothing besides a few ruins remains of the leper colony.
- The development area is part of scenic, Grade III cultural landscape with underlying palaeontological sensitive Bokkeveld Shale (Ceres Group) according to the SAHRIS Palaeo-sensitivity map.
- Notwithstanding, the rock unit is weathered and void of fossils, while in situ archaeological materials are not expected.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

CM

**12.13 Proposed mixed-use development on Portion 426 of Farm 292, Vredendal, S38(4)-NID
Case No: HWC22120106CM1201**

Ms Cecilene Muller introduced the item.

DISCUSSION

- A shopping centre with Gross Building Area amounting to 6 872m² is proposed on currently vacant land
- 237 parking pays are planned for the south and west of the proposed shopping centre.
- An electrical substation and stormwater retention pond is proposed is also proposed.
- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

The Committee resolved that no further studies are required.

CM

**12.14 Proposed retail development on Erf 4352, Cnr of Piesang Valley Road and N2, Plettenberg Bay, S38(4)-NID
Case No: HWC22120213CN1213**

Ms Corne Nortje introduced the item.

DISCUSSION

- The Committee is of the opinion that no heritage resources will be impacted on.

DECISION

1. The Committee resolved that no further studies are required. Protocol for finds to be included.
2. Section 34 application to be submitted for the demolition.

CN

**12.15 Proposed consolidation and subdivision on Erven 17, 18, 19, 247 and 252, Hoop Street, De Rust, S38(4)-NID
Case No: HWC22112805CN1219**

INCOMPLETE APPLICATION:

Internal images and SG diagram required.

CN

**12.16 Proposed rezoning on Erven 564, 2759 and 6809, Corner of Voortrek and R60 Swellendam, S38(4)-NID
Case No: HWC22120813CN1209**

Ms Corne Nortje introduced the item.

DISCUSSION

- Referred to IACom for their expertise.

HELD OVER:

Referred to IACOM on 18 January 2023.

CN

12.17 Proposed rezoning on RE of Erf 2063, Hoogte Road, Wilderness, S38(4)-NID

Case No: HWC22120609CN1219

INCOMPLETE APPLICATION:

Trust resolution and SG required.

CN

12.18 Proposed enlargement of the existing Draai Dam on Farm 573, Doornkloof Draai Dam, S38(8)-HIA

Case No: 22022223NK0224E

Ms Natalie Kendrick introduced the item.

DISCUSSION

- The HIA was written by David Halkett and dated April 2022, and the PIA is authored by Professor Bamford and dated April 2022
- With regards palaeontology- the dam is mostly on Quaternary alluvium closer to the river and there is no concern for significant fossils. However, the southern part of the project, where agri expansion is proposed, lies on highly sensitive Adolfspoort formation. However only excavation would expose fossils below the surface. Bamford notes that the project would be advantageous if it does expose fossils. Chance finds protocol is recommended
- There are no other impacts to heritage resources, and the project fits with the agricultural character of the surrounds.
- There are no objections from the municipality or I&APs.

DECISION

The Committee resolved to endorse the HIA as meeting the requirements of Section 38 (3) and the recommendations on page 26.

NK

12.19 Erf 3991, Hartenbos Diaz Beach Proposed Residential Development, S38(8)-HIA

Case No. 22041102NK0425

Ms Natalie Kendrick introduced the item.

DISCUSSION

- The HIA was written by Stefan de Kock and Dr Webley, it is dated December 2022
- The proposal is for a mixed residential development including houses, duplexes and apartments
- The subject property is situated 4.5km northwest of the historic core of Mossel Bay town, 300m west of the coastline, 350m south of the narrow Blinde River valley
- Basic historical background research did not identify or highlight significant heritage-related themes pertinent to this particular portion of land
- There were no archaeological resources identified
- The surface sands are unlikely to preserve fossils
- From a broader urban perspective, the study area borders an existing post-1950 residential development to the north, south and east. A railway line separates Erf 3991 from commercial development (also post-1950) to the west. The Mossel Bay Municipality SDF (2018) identifies "New Development Area 12 could potentially be utilised as a railway station with high density development" (2018:435). There are no heritage indicators from this perspective that may impede against the proposed development of Erf 3991, Hartenbos.
- There is no impact to any built environment.

DECISION

The Committee resolved to endorse the HIA as meeting the requirements of Section 38 (3) and the recommendations on page 18.

NK

12.20 Proposed residential development on Portions 5; 13; 14; 17 and 19 of the Farm Saxenburg 419, Kuilsriver, S38(8)-HIA (Interim Comment) Case No: 22020810NK0308E

Ms Natalie Kendrick introduced the item.

DISCUSSION

- The HIA was written by Cindy Postlethwayt and dated December 2022
- The impacts to heritage would be on the visual landscape. All the buildings for demolition were graded NCW, and most of the erven making up the site is graded as NCW except for Portion 5 of farm 419 where it creates the urban/rural edge is graded as IIIB.
- The HIA supports the principle of the Development Framework for the proposed and recommends that we endorse the HIA subject to a heritage-related impact assessment of the proposed SDP for Portion 5 of Farm 419
- With regards to I&AP's the comment from the city have been supported in their entirety and included in the recommendations. Stellenbosch municipality did not provide a comment.
- Referred to IACom for their expertise.

COMMENT

Referred to IACom on 18 January 2023.

NK

12.21 Portions 1 – 20 of Welgevoden 274, Proposed New Swartberg Village, Oudtshoorn, S38(8)-NID Case No: HWC2212101NK1221

Ms Natalie Kendrick introduced the item.

DISCUSSION

- This is a proposal is for an entire new village and all it entails as well agricultural use along the river corridors.
- The current erven forms part of the privately managed Swartberg Game Reserve and is set within an undulating rural landscape situated along the southern foothills of the Swartberg mountain range, while some of the erven have been transformed by agriculture
- Most of the portions are of low palaeo sensitivity while some are of moderate sensitivity
- No archaeological resources were identified during fieldwork by De Kock, however Dr Webley notes that areas along the river and kloofs/or gorges that intersect with the property may be of archaeological interest
- The development proposal would significantly change the character of the landscape having both a visual and possible impact to the cultural landscape
- The Committee is of the opinion that heritage resources will be impacted on.

DECISION

The Committee resolved to require an HIA which complies with S38 (3) of the NHRA, and which includes the following specialist studies;

1. Historic background research, cultural landscape analysis, a VIA and Archaeological study

NK

12.22 Kraaltjies Proposed Wind Energy Farm, Beaufort West S38(8)-NID

Case No: HWC22120107NK1201

Ms Natalie Kendrick introduced the item.

DISCUSSION

- The area is sensitive to archaeology and a number of sites have already been identified, including stone tools scatters and 2 historical burial grounds
- The wind farm will also have a visual impact on the cultural landscape
- Palaeo resources have already been identified
- The applicant recommends an HIA with an AIA a PIA and Visual impact on the cultural landscape, I support the recommendation
- The Committee is of the opinion that heritage resources will be impacted on.

DECISION

The Committee resolved to require an HIA which complies with S38 (3) of the NHRA, and which includes the following specialist studies;

1. Archaeology Impact Assessment
2. Palaeontological Impact Assessment
3. Visual Impact Assessment on the cultural landscape

NK

12.23 Proposed gravel mine on Portions 1 of the Farm Modderdrift No.239-RD, 30km

North of Klaarstroom, S38(8)-NID

Case No: HWC22120102NK1201

Ms Natalie Kendrick introduced the item.

DISCUSSION

- The site is of moderate palaeo sensitivity
- There is no HIA or AIA anywhere close to the site on SAHRIS, so the archaeology is unknown
- The co-ordinates that were provided show the site is close to the road and the mine may have visual impact
- The Committee is of the opinion that heritage resources will be impacted on.

DECISION

The Committee resolved to require an HIA which complies with S38 (3) of the NHRA, and which includes the following specialist studies;

1. Visual Impact Assessment
2. Archaeological Impact Assessment
3. Desktop Palaeontological Impact Assessment

NK

12.24 Proposed retail development on Erf 1027 in Klein Brak, Mossel Bay, Eden, S38(8)-HIA

Case No: 20111908SB0226E

Ms Stephanie Barnardt-Delport introduced the item.

DISCUSSION

- Interim comment taken via email on 13 December 2022.
- Mossel Bay Heritage raised concerns.
- Referred to APM and IACom for their expertise.

HELD OVER:

Referred to APM on 13 January 2023 and IACom on 18 January 2023.

SB

12.25 Proposed partial demolition on Erf 48781, 76 Kildare Road, Newlands, S34-Partial Demolition Case No: MS0103

Ms Muneerah Solomon introduced the item.

DISCUSSION

- Graded IIIB
- Outside HPO

DECISION

The Committee resolved to approve the application as the proposal does not negatively impact on heritage resources.

MS

13. OTHER MATTERS

14. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolutions and decisions KB moves to adopt the decisions and resolutions and SJ seconds.

15. CLOSURE 10:50

16. DATE OF NEXT MEETING

16 January 2022

Chairperson.....

Secretariat:

**HERITAGE WESTERN CAPE
SITE INSPECTION REPORT**



Erf and Address: Erf 518, 7 Church Street (Dutch Reformed Church) Malmesbury

File Number/s: HM/SWARTLAND/MALMESBURY/ERF 518

Registered owner: Dutch Reformed Church

Zoning (if known): Residential **Suggested Grading:** PHS

Nature of Application: Discovery of Human Remains

Date of site visit: 19 December 2022

HWC Representative/s: Khanyisile Bonile, Stephanie Barnardt and Natalie Kendrick (HWC Officials)

Met on Site by: Project Manager, Church Members and Other I&AP.

Reason for Site Inspection:

It was reported that during the excavation for a hall foundation which was approved as part of section 27 application in July 2022, Human remains had been uncovered. Khanyisile Bonile, Stephanie Barnardt, and Natalie Kendricks, officials of the HWC visited the site to issue a stop works order (Annexure A) to prevent further graves been exposed. A brief emergency site meeting was held for the official discussion with the Project Manager, Church members, Municipality representatives, and other I&AP (Annexure B).

Findings and Discussion:

The excavations for the new hall in the grounds of the Dutch Reformed Church in Malmesbury commenced on or about the 12th of December, 2022. The contracted archaeologist (J. Kaplan) was not informed that excavations were due to commence, which was a Condition of Approval for the proposed development (HWC Case 21022204). On December 13th, local graduate archaeologist, Anja Huisamen unexpectedly discovered that excavations for the new hall had already begun by accident. A coffin handle and isolated human bones were discovered in the excavation trench, which at that point was roughly 1,7 meters below the surface. Also discovered on the excavation's side wall was the outline of a coffin. Additionally, human rib bones were discovered nearby in spoil dumps.

Five burials, including two coffins in the side wall of the excavation (on the Church side), had been discovered at the end of the day (December 13). The decision was made to remove the graves from the excavation and store them safely on the premises. There were still coffins inside the side wall *in situ*. On Thursday, December 15, seven further graves were discovered. The wooden coffins are almost completely gone and of fragmented human remains remained. Eight of the 12 graves that have been discovered so far have been collected and are being stored safely in the church on the premises until formal permit can be obtained for the recovery and reburial of the individuals in terms of section 27, 35 and 36 of the National Heritage Resource Act. The hired builder was instructed to halt all additional site excavations. The applicant stated that they planned to empty the three graves in the side walls as well as all the other graves in the open excavation once permission and relevant permits are obtained.

Recommendations:

The following is recommended by the officials:
A Formal application along with the proper consultation was recommended

Report prepared by: Khanyisile Bonile (Heritage Officer)
Archeological Team: Stephanie Barnardt and Natalie Kendrick
Date: 20 December 2022

.....
Assistant Director for Professional Services (HWC): Waseefa Dhansay
Date:.....

www.westerncape.gov.za/cas

SITE PHOTOGRAPHS:



Figure 1. Trench for new foundation of the church hall



Figure 2. 1,7m deep excavation for proposed halls foundation where the human remains were uncovered.



oloni
be



Figure 3. Soil humps from the excavation activity.



Figure 4. Proposed location for the reburial location.

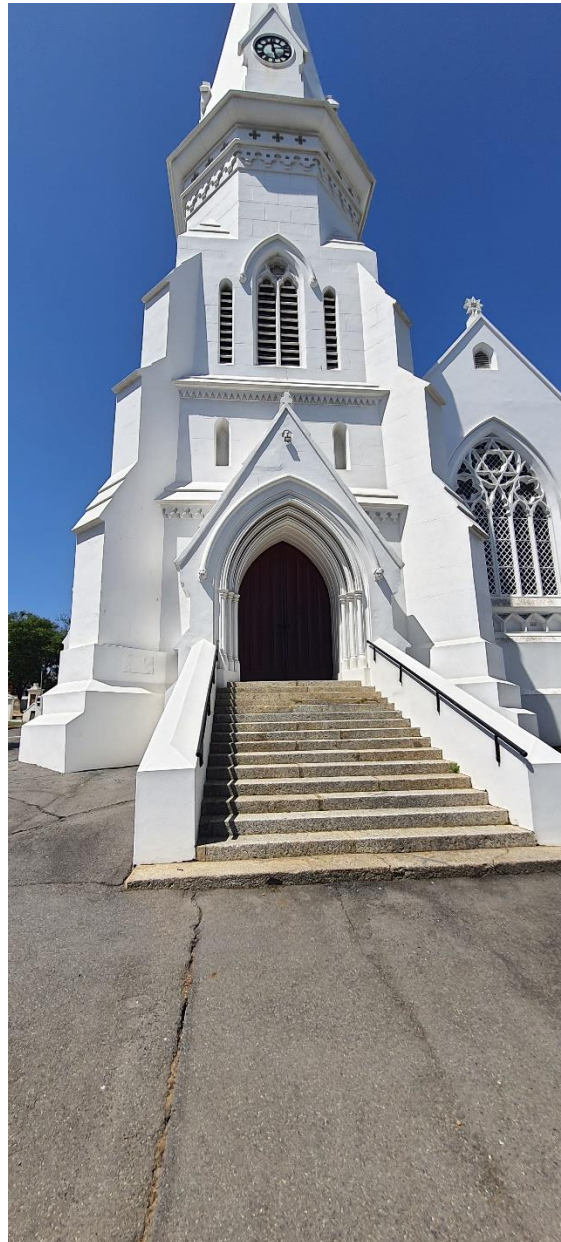


Figure 5. Church façade

Annexure A: Stop Works Order



452

Stop Works Order

Issued in terms of Section 50(10) of the National Heritage Resources Act, Act 25 of 1999, (the NHRA)

TO: THE AGENT, OWNER OR CONTRACTOR

FORMAL STOP WORKS ORDER FOR ALLEGED UNAUTHORISED OR ILLEGAL WORK OR ACTIVITY BEING CARRIED OUT ON:

ERF/FARM/STREET ADDRESS:

Erf 518, 7 Kerk St Streets, Malmesbury

Heritage Western Cape, the Provincial Heritage Authority of the Western Cape, established in terms of section 23 of the National Heritage Resources Act, 1999 (Act 25 of 1999), hereby orders the cessation of all work on the above property, in that activity is taking place which contravenes the terms and conditions of Section 27, 36 of the NHRA.

Description of unlawful activity: Discovery of unmarked graves.

Failure to comply with this Order may result in you and/or your agent being criminally prosecuted in accordance with Section 51(1) of the NHRA, and a successful prosecution could result in a fine or imprisonment or both.

ISSUED BY: Andre Khonyale STAFF NO: _____

(A heritage inspector duly appointed in terms of Section 50(1) of the NHRA)

Signature: KB Date & time: 19 Dec 2022

Phone: 074181762 e-mail: khonyale@wescap.gov.za

RECEIVED BY: Heli Jubout Signature: _____

Capacity (Agent/Owner/Contractor etc.): _____

Telephone: 081 404 1313 e-mail: helicandblackem@gmail.com

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: Private Bag X9067, Cape Town, 8001 • Tel: +27 (0)21 483 5959 • E-mail: ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • Posadres: Privaatsak X9067, Kaapstad, 8001 • Tel: +27 (0)21 483 5959 • E-pos: ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo, protea Assurance, Greenmarket Square, ekapa, 8000 • Idilesi yeposi: Privaatsak X9067, Kaapstad, 8001 • Ilinombolo zomxebe: +27 (0)21 483 5959 • Idilesi ye-imeyile: ceoheritage@westerncape.gov.za

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: Private Bag X9067, Cape Town, 8001 • Tel: +27 (0)21 483 5959 • E-mail: hwc.hwc@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • Posadres: Privaatsak X9067, Kaapstad, 8001

Annexure B: Attendance Register

Denzil Holloway 0827723417
denzil.holloway@gmail.com
CHRIS MURPHY 083 540 6131
orchard@wcaccess.co.za
dejagera@swartland.org.za
louisa.hutten@uct.ac.za
Nori Sabak birchandbaleem@gmail.com
Anja Huisamen anjahuisamen@gmail.com
Jonathan Kaplan jonathan@uicm.co.za
Natalie Kendrick natalie.kendrick@westerncape.gov.za
Khensile Boule khensileboule@westerncape.gov.za

Stephanie Barnardt Stephanie.Barnardt@westerncape.gov.za
--

SITE INSPECTION REPORT – 44 Strand Street, Beachfront, Saldanha Bay

Prepared by Ayanda Mdludlu

Date of visit: 21 December 2022

HWC Representatives on site:

Ayanda Mdludlu and Natalie Kendrick

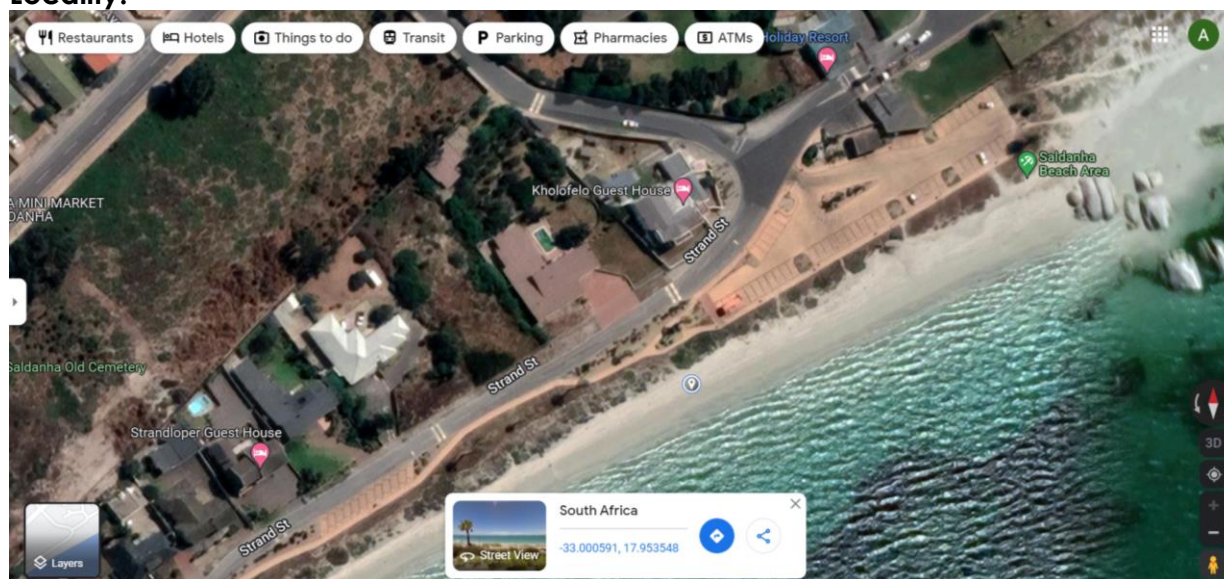
Met on Site By:

Councillor Andre Truter and three officers.

Reasons for Site Inspection:

HWC received reports of what was believed to be human remains found along the beach near a culvert. It was thought that previous rains that weekend had eroded the sand to reveal these remains.

Locality:



Background:

Upon our arrival on site, we assessed the area where the remains were said to be seen. We initially were unable to locate any bones because sand had used to temporarily cover the site. We called Councillor Truter who sent some officers to assist us in pinpointing and uncovering the bones.

Findings on site:

Once the single bone was uncovered, we determined that the bone was of a seal. No evidence of human remains was found on site.

Recommendations:

It would prove helpful for the authorities to send images of what they perceive to be human skeletal remains when making queries to HWC.

.....
Michael Janse van Rensburg
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, ekapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

