

**APPROVED MINUTES OF THE MEETING OF HERITAGE WESTERN CAPE (WHC),
ARCHAEOLOGY, PALAEOLOGY AND METEORITES COMMITTEE (APM)
Held on Tuesday, 1 March 2017 at the 3rd Floor Boardroom,
Protea Assurance Building, Greenmarket Square, Cape Town at 09:00**

1. OPENING AND WELCOME

The Chairperson, Dr Antonia Malan, officially opened the meeting at 09:15 and welcomed everyone present.

2. ATTENDANCE

Members

Dr Antonia Malan (AM)
Dr Jayson Orton (JO)
Ms Cecilene Muller (CM)
Mr John Gribble (JG)
Dr Ragna Redelstorff (RR)

Members of Staff

Ms Colette Scheermeyer (CS)
Mr Zwelibanzi Shiceka (ZS)
Mr Andrew September (AS)
Ms Lithalethu Mshoti (LM)
Ms Heidi Boise (HB)
Ms Waseefa Dhansay (WD)

Visitors

Mr Guy Slingsby (GS)
Mr Jonathan Kaplan (JK)

Observers

None

Absent

Dr Steven Walker (SW)

3. APOLOGIES

Dr Lita Webley (LW)
Dr Mariagrazia Galimberti (MG)
Mr Jonathan Windvogel (JW)

4. APPROVAL OF AGENDA

4.1 Dated 1 March 2017.

The Committee resolved to approve the agenda with additional items and minor amendments.

5 APPROVAL OF MINUTES AND MATTERS ARISING FROM PREVIOUS MEETING

5.1 Dated 1 February 2017.

The Committee resolved to approve the minutes with no amendments.

6. DISCLOSURE OF INTEREST

6.1 JO: 12.1 and 14.1

7. CONFIDENTIAL MATTERS

7.1 None.

8. APPOINTMENTS

8.1 None

9. ADMINISTRATIVE MATTERS

9.1 Brakkloof, Robberg.

HB reported back that Mary Leslie on behalf of APM, and Guy Thomas, for IACom, will undertake a site visit on Monday, 6 March 2017.

In the discussion it was noted that:

- A decision was taken at IACom on 8 February 2017 to conduct a site visit.
- HWC was in the process of clarifying site visit procedures which delayed implementation.
- Due to the short notice, members of APM were not available for the site visit. Mary Leslie, who is suitably qualified, was requested by AM to undertake a site inspection on behalf of APM.

DECISION

The Committee endorsed the decision to appoint those representatives.

9.2 Old George-Knysna Road Upgrade

WD gave some background information on this matter.

In the discussion it was noted that:

- Public complaints were received that DTPW were in the process of undertaking road works on the historic Old George-Knysna Road (a PHS) without any authorisation from HWC.
- Stop Works order was issued.
- The Committee expressed deep concern that heritage legislation (NHRA) has been totally disregarded, particularly by other branches of provincial administration.
- WD and AS will discuss the issue on site with the IAPs and EAP on Thursday, 9 March 2017. Meanwhile the EAP has submitted a S27 application which is to be tabled at IACom next week.

DECISION

The Committee resolved to support the stop works order and site visit.

WD

9.3 Quorum issues

It was noted that unpredictable attendance at APM Committee meetings continues to raise quorate issues. The secretariat needs to know who will attend at least a week prior to the meeting. Committee members must communicate with AM and the secretariat with apologies, known absence on field work, vacation, etc. Members are reminded that there are requirements for regular attendance. This is particularly important for those APM members also on IACom.

10 STANDING ITEMS

10.1 Site Visit Reports

10.1.1. Clara Anna Fontein, Durbanville Hills.

In the discussion it was noted that:

- A Stop Works order is currently in place as landscaping work is being carried out without approval. This matter will go to the next IACom meeting.
- Monitoring by an Archaeologist (GS) has been ongoing since November. A trench was recently dug across the northern portion of the site, and artefacts were found and a 40m linear brick feature was exposed. JK reported these discoveries to HWC and a site visit by WD and AS took place.
- The exact dimension and extent of completed and proposed pipeline trenching is to be submitted to HWC.
- Mitigation is to be planned to explore the extent and nature of archaeologically sensitive areas before construction-related earthworks start. The focus areas should include the fabric exposed at the trench north of the Manor house, the footprint of the proposed club house and the area of the 'pioneer' buildings.
- Permit application and Work Plan to be submitted in time for the next APM.

11. POLICY AND PROCEDURES

11.1 Human Remains Policy

11.1.1 Repatriation and Restitution Workshop

Members of the Committee who attended the Repatriation and Restitution Workshop hosted by Iziko Museums, reported back as follows:

- The workshop was a valuable and informative exchange between institutions holding human remains and academics, heritage authorities, and cultural and heritage organisations.
- Primary focus was on what to do with 'unethically collected' human remains, which is largely a matter for museums.
- 'Ethically collected' (or archaeological) remains are those that relate to HWC's concerns.
- The outstanding issue for HWC is the identification and participation of Interested and Affected Parties (I&APs) in legal processes and decision making.
- It is clear that the understanding of rights and responsibilities by some South Africans is lacking and information and awareness needs to be promoted among cultural and heritage communities and administrators.
- The HWC permitting decisions are sometimes difficult to make without adequate knowledge of other institutions' policies and the lack of communication between the relevant parties.
- It was noted that Provincial Government is introducing a Regulatory Impact Assessment policy that will ensure adequate public consultation takes place.

Recommendation

HWC is to draft a Human Remains Policy. JW is requested to engage with the managers of the Burial Grounds and Graves Unit and APM Units of SAHRA.

11.1.2 Prestwich

It was noted that:

- CS reported that the Rockwell developers had approached HWC regarding the possibility of hosting a display of artefacts from the Prestwich Street excavation in the building.
- Policy on the Management of Human Remains in Iziko Collections (2005) (recognised current local best practise) states: "6. BURIAL GOODS Artefacts directly associated with human skeletons will be subject to the same provisions as the human remains with which they are associated". In other words, they must be kept with the skeletal remains and treated in exactly the same way.
- There are also artefacts from Prestwich Street that are associated with the site in general (such as surface scatters or remnant shell middens) and not directly associated with human remains.
- Prestwich Memorial Management composition and procedures should be urgently reviewed. Curation of human remains and a permanent repository for the burial goods are of concern. The I&APs do not appear to be represented.

DECISION

The Committee commend the Rockwell developers for their continued engagement with public interest in the Green Point Burial Ground Project. HWC is currently developing a Policy to deal with human remains and burial goods issues and therefore is unable to comment on the idea at present.

11.2 Management of Archaeological Material

It was noted that:

- The matter will be discussed in the new financial year.

11.3. Repository Workshop

It was noted that:

- The matter will be discussed in the new financial year.

11.4 Meteorites Management Policy

RR is in the process of drafting a meteorite permitting policy.

It was noted that:

- Difficulties comprise non-compliance by collectors (both amateurs and researchers), large ill-defined collection areas and land owner permission, and storage of meteorites.

RECOMMENDATIONS

The committee advised that the existing permitting system and requirements should stand, with conditions in terms of reporting and mapping of finds.

RR

MATTERS DISCUSSED

12. PERMIT APPLICATIONS

12.1 Proposed Extension of Permit for Archaeological Excavations on Erf 4292, Betty's Bay HM/OVERSTRAND/BETTY'S BAY/ERF 4292

Case No: 17022006AS0220E

Permit Extension Application by Dr. Jayson Orton was tabled.

JO recused himself and left the room

In discussion it was noted that:

- An issue recurs with regard to the requirements for motivation and approval of permit extensions. Section 35 does not specify permit extension timeframes.
- A permit issued by HWC in terms of the HWC Regulations is valid for a period not exceeding three years. It can be renewed once for another three years as long as the request is submitted within the three year period for which the permit was granted.
- Beyond that, or if the original permit is lapsed, a new permit application must be submitted to HWC.
- It was noted that a permit extension application should be supported by an up-to-date progress report and clear motivation in terms of research interests, as in this case.

DECISION

The Committee approves the extension of the existing permit.

AS

12.2 Proposed Sampling and Analysis of Human Remains from Milnerton Beach Collection, Iziko Museums

Permit Application by Prof. Susan Pfeiffer was tabled

In discussion it was noted that:

- An application for analysis and dating of human remains was submitted by Prof. Pfeiffer. AS informed her that public consultation is required, resulting in Prof. Pfeiffer starting the process.
- The human remains are in the possession of IZIKO, which has given permission for analysis and dating. The isotopic investigation is in collaboration with Prof. Sealy at the University of Cape Town (UCT).
- An application has been made to SAHRA for an export permit to the University of Toronto.
- Descriptions of the samples have been provided.
- AS to ask the responsible Iziko staff member if it is possible to provide a map or the location/s from which the human remains were originally recovered. This is not a condition of approval but is just for HWC record purposes.

DECISION

After the results of public consultation have been submitted and reviewed, HWC will make a decision.

13 PERMIT REPORTS

13.1 None

14 SECTION 38 WORKPLAN APPLICATIONS

14.1 Proposed Archaeological Mitigation for Sites KBK201/007, 009 & 011 and HBK2017/007, 017 & 018, GD2017/004, 005 and RFE2017/008, Namakwa Sands, Brand-Se-Baai, Vredenal District

In discussion it was noted that:

- This is an on-going project of mapping and mitigating archaeological resources.
- Previous Workplans and reports have been approved for various sites.
- The Workplan covers testing and rescue mitigation of already identified archaeological sites.
- Standard palaeontological procedures were required in the EMP and it is assumed that these are being implemented. Nevertheless, HWC requests that broad feedback on the status or results of palaeontological monitoring on site by the ECO or by the appointed palaeontologist should be sent to HWC.

DECISION

The Workplan is approved.

14.2 Work Plan for Proposed Additional Services and Infrastructure for the Jacobsbaai Abalone Farm, Portion 18 of Farm 108, Jacobs Bay, Saldanha Bay

In discussion it was noted that:

- An application was received by Jonathan Kaplan for testing identified development areas as recommended by IACOM.
- The IACOM decision supported Alternative 3 with conditions for archaeological mitigation.
- HWC is to ascertain whether Alternative 3 is in fact the preferred option in terms of the EIA process and has been given Environmental Authorisation by DEA&DP.
- Any required deviation from the decision made by IACOM must be considered by HWC.

DECISION

The Workplan is approved subject to Alternative 3 being confirmed as the final development option.

15 SECTION 38 WORKPLAN REPORTS

15.1 Workplan Report for Proposed Housing Estate on the Remainder of Erf 743, Prince Albert

The Committee noted the following:

- Based on the findings of the Workplan report, the Committee is of the opinion that the grading of the site is Grade IIIC.

DECISION:

Workplan report is accepted.

16 SECTION 38 (8) TO OTHER AUTHORITIES

16.1 Archaeological Monitoring Report for Outbuildings, Farm Ratel River 300, Cape Agulhas, Overberg

The Committee noted the following:

- The report was of archaeological monitoring of the extensive redevelopments / rebuilding programme at Ratelrivier. Four site visits were made over the monitoring period (April to August 2016).
- The Committee expressed concerns that the archaeological monitoring appears to have been done retrospectively and sporadically whereas monitoring should take place at the time of disturbance of archaeological material and built fabric.

DECISION

The Committee accepted the report.

17 SECTION 27: PROVINCIAL HERITAGE SITE

17.1 None.

18 REQUEST FOR EXCEPTION/OPINION/ADVICE

18.1 None.

19 REPORT BACK FROM OTHER MEETINGS WHEN RELEVANT

19.1 None.

20 OTHER MATTERS

20.1 None

21. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolutions and decisions and the minutes will be circulated for editing.

22 CLOSURE

The meeting adjourned at: 14H15

23 DATE OF NEXT MEETING:

5 April 2017 (at 09h30)

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____