



**APPROVED MINUTES OF THE MEETING OF HERITAGE WESTERN CAPE (HWC)
ARCHAEOLOGY, PALAEOLOGY AND METEORITES COMMITTEE (APM)
HELD ON 7 APRIL 2021, WEDNESDAY ON MICROSOFT TEAMS CAPE TOWN AT 09:00 AM**

1. Opening and Welcome

The Chairperson, Dr Lita Webley (LW), officially opened the meeting at 9:00 and welcomed everyone present.

2. Attendance

Members

Dr Lita Webley (LW)
Ms Emmylou Bailey (EB)
Dr Jayson Orton (JO)
Ms Cecilene Muller (CM)
Mr John Gribble (JG)

Members of Staff

Ms Aneeqah Brown (AB) Secretariat
Ms Stephanie Barnardt (SB)
Ms Waseefa Dhansay (WD)
Ms Zikhona Sigonya (ZS)
Ms Colette Scheermeyer (CS)
Ms Cathy-Ann Potgieter (CAP)
Ms Nosiphiwo Tafeni (NT)

Visitors

Ms Jenna Lavin (item 17.1)
Mr Nic Wiltshire (item 17.1)
Mr Jonathan Kaplan (item 20.1, 20.2 & 20.3)

Observers

None

3. Apologies

Dr Wendy Black
Dr Ragna Redelstorff (RR)

Absent

None

4. Approval of Agenda

4.1 7 April 2021

The Committee approved the agenda dated 7 April 2021 with additions and amendments.

5. **Approval of Minutes and Matters Arising from Previous Meeting**

5.1 **3 March 2021**

The Committee reviewed the minutes dated 3 March 2021 and resolved to approve the minutes with no additions or amendments.

6. **Disclosure of Interest**

6.1 Item 18.1 - JO

7. **Confidential Matters**

7.1 None

8. **Appointments**

8.1 None

9. **Administrative Matters**

9.1 **Outcome of the Appeals**

CAP reported back on the outcomes of the following Appeals matters:

- **Proposed redevelopment of Erven 45530 and 45531, Nursery Road.
HM/CAPE METROPOLITAN/ROSEBANK/ERVEN 45530 & 45531
Case No: 21020206:** Case was referred back from the Tribunal to approve the plans. The Appeals Committee resolved to approve the proposal.
- **Erf 905 and Remainder Erf 904 Vredehoek for Calgro M3 Developments
HM/CAPE TOWN METROPOLITAN/VREDEHOEK/ERVEN 904 and 905
Case No: 18071104AS0713M:** Objectors appealed the IACom approval of the Heritage Impact Assessment (HIA) for the development on Nazereth House. The Appeal was dismissed, and the Committee held that IACom was correct in holding that the HIA complied with the National Heritage Resources Act (NHRA).
- **Proposed Total Demolition of Erven 24514 and 24515, 10 Parow and Milner Streets, Maitland
HM/CAPE TOWN METROPOLITAN/MAITLAND/ERVEN 24514 AND 24515
Case No: 20100602KB1127E:** The objectors appealed the HOMs decision to approve the development on the grounds that they were not given an opportunity to participate, and that the development will have a substantial impact on the living heritage of the community. The Appeal was dismissed, and the Committee held that insufficient heritage grounds were submitted to justify upholding the Appeal.

9.2 **Conservation Management Plan (CMP) Amsterdam Battery**

Nothing to report. SB to follow up.

9.3 Groot Winterhoek Kennisgewing Belanggeroep Deelname Process - Decision to be ratified

- The Committee reviewed the draft document and have the following comments to make:
 - The Committee noted that the Cultural Heritage section (Section 2.5.1.) requires a number of revisions. Specifically, the terminology is incorrect, and the references are generally out of date. Detailed comments below:
 - Page 42 Line 7: “The Western Cape mountains were inhabited by Hunter-gatherers (Khoisan) as long ago as 90 000 years”. Khoisan or Khoesan is a generic term meaning San, who were hunter-gatherers, and Khoikhoi (latest spelling is Khoekhoen) who were pastoralists, who only arrived 2000 years ago. The term Khoisan is incorrect in this context and it is recommended that San descendants or hunter-gatherers is used instead.
 - Page 42 Line 17: “Close to the end of the Stone Age, approximately 2 000 years ago”. This is incorrect, the LSA continued into the 19th century.
 - Page 43 Line 10: There are fifteen recorded rock art sites...In Section 3.5.6 Cultural Resource Management (page 57) it is noted that the Reserve is applying the Management Guidelines for Rock Art Sites in Nature Conservation Areas in the Western Cape by Dr J Deacon dated 1993. However, this needs to be updated for the appropriate recording and management of rock art;
 - Page 43 Line 19: “by the 17th century they (Khoikhoi) were established in the area and their population numbers far exceeded those of the San (Maingard 1931)”. It is difficult to know this. The reference is outdated.
 - Page 43 Line 33: “nomadic black Portuguese farmers known as Makatese”. They were not Portuguese. These were groups of Sotho or Tswana descent, also historically called the Mantatees who, as a result of the Mfecane, spread southward and worked on farms, building stone walling, etc.
 - There is a lack throughout the document of any reference to non-rock art pre-colonial heritage or archaeological sites although this must be present.
 - The emphasis in the document is focussed on tangible heritage and in this case rock art. Intangible heritage is not identified or discussed.
 - In Table 5.1. one of the key conservation targets is “Artificial and Historic Structures” with reference to tangible heritage features older than 70 years such as De Tronk buildings and graves. The state of the buildings and graves is recorded as being Poor. Further, the report notes that the heritage structures and graves at De Tronk are not adequately maintained (Page 71). It is clear that historic structures are not being conserved in terms of the NHRA.
 - Section 3.5.6 - Cultural Resources Management: This section seems to confuse managing public access to the wilderness for cultural and heritage purposes with the meaning more usually given to the term CRM, namely actual management of cultural resources. Although the section then references Janette Deacon’s “Management Guidelines for Rock Art Sites in Nature Conservation Areas in the Western Cape”, it is not clear whether CRM is understood, or the requirements / management obligations in terms of identifying and managing heritage resources that accrue to Cape Nature as the management authority for this wilderness area.
 - It is noted with concern that it will not be until 2031 that a Heritage Management Plan for the area will have been developed.
- The comments from the APM Committee have been submitted to Cape Nature and will be incorporated in their revised management plan.

- The Committee recommends that HWC enters into a MOU with Cape Nature. This matter should be raised at Council.
- It was recommended that HWC hosts a workshop with the reserve managers of Cape Nature to familiarise them with the requirements of the NHRA.

RECOMMENDATIONS:

The management plan for the Groot Winterhoek must develop an inventory or provide a road map for the establishing an inventory, of all heritage resources (both tangible and intangible heritage associated with places), within the reserve so that they can be properly and effectively managed, as required in terms of the National Heritage Resources Act, No 25 of 1999. It is preferable that this is undertaken by someone with the necessary heritage experience.

9.4 Proposed Sand Mine on Portion 30 of Farm 369 Farm Klein Soeblatters Vlake, Still Bay - Decision to be ratified

DISCUSSION

Amongst other things, the following was discussed via email:

- The Committee considered the email by Dr J Orton (dated 18 March 2020). In his response to the APM Comment of the 3 March 2021, in which he noted that the mitigation strategies (i.e. recommendations) are on Page 30 of the HIA report (dated 13 February 2021).
- The Committee considered the proposed mitigation strategies and noted that a Workplan application will be expected (in due course) in which the detailed mitigation strategy will be presented for approval.

FINAL COMMENT

The Committee endorsed the recommendations on Page 30 of the HIA (dated 13 February 2021).

9.5 Proposed Construction of Bovenvlei Dam on Portion 9 of Farm Berg Rivier (Boven Vlei) No 151 Malmesbury - Decision to be ratified

Committee has considered the revised Workplan application.

- The total of 9 square metres for each site is too low to produce sufficient stone artefacts for a meaningful analysis of the material.
- Careful “excavation” and point plotting of the x/y and z co-ordinates of each stone artefact in this context (the sites being disturbed and bioturbated) will not provide useful information
- No mesh size for the sieve has been provided in the revised Workplan

The Committee cannot accept the revised Workplan and proposes the following methodology in order to speed up the process:

- A minimum of 50 square metres is required for each site.
- A 2m x 2m grid is set up over each site, and that the top surface 10cm of each square is removed with a shovel and sieved (in a sieve with a 3mm mesh). The recovered material from each square is packaged separately.
- The Workplan report contains a preliminary assessment of the stone artefacts recovered from the site and meets the minimum requirements of APM

9.6 Proposed TRONOX Namakwa Sands, Brand-Se-Baai, Ptn 1 Rietfontein 151, Vredendal - Decision to be ratified

The Committee considered the application (dated June 2019) submitted by email and the following was discussed:

- The Committee was unclear about whether an integrated HIA had been submitted as the purpose of the HIA cover letter and its relationship to the Phase 1 Archaeological Impact Assessment (Appendix 3) by Habitat Landscape Architects (dated 1 June 2019) are not explained.
- If the HIA cover letter is intended to be an integrated HIA, it was observed that its recommendations (i.e. buffer zones around significant archaeological sites) are different from the recommendations (in Table 1 and in Section 11) of the Phase 1 Archaeological Impact Assessment and it is not clear which recommendations the Committee are required to approve.
- If the Phase 1 AIA is considered the Heritage Impact Assessment, then it does not comply with the requirements for an integrated HIA, as it does not consider the socio-economic benefits of the application as required by S38(3). The palaeontological recommendations as listed in the PIA by Pether (dated September 2019) are not integrated into the final report.
- There are no proper assessment of impacts and each receptor class has not been assessed.
- The Phase 1 AIA does not conform to the minimum standards for an archaeological impact assessment for reasons listed below.
- The Cultural Landscape assessment provides insufficient historical information including aerial photographs or maps, to assess the landscape significance which is also not graded.
- The Committee noted the survey density of the two areas is too low (undertaken by 2 people over 4 days) to make an informed decision about the identification of all heritage resources. For example, the consultants admit that both areas surveyed are covered in thick sand, and that archaeological material is clearly present where the sand has been stripped away or dug into. Yet they claim that their survey obtained “a thorough understanding of the archaeological and historical contexts as well as the distribution of heritage resources that include archaeological sites and artefacts over the landscape” (Page 41). There are large areas which were not assessed. These must be assessed before mining commences.
- The Committee noted that the descriptions of archaeological sites in Table 1, which lists the archaeological sites on the two farm portions, describes sites as “lithic scatters” or “shell middens”. The Table provides no age estimate, no mention of artefact raw material and no description of associated material such as bone, ostrich eggshell, etc. There are also no photos of sites included in the table of sites, as is the norm in these reports. There is not sufficient

information to make an informed decision of whether archaeological sites may be destroyed or not.

- In this regard map resolution is too poor to be able to make out which site is which. The image quality is also poor in many of the photos of lithics.
- The significance column in Table 1, which refers to “research potential” is not an assessment based on the merits of the site itself.
- The graveyard in Table 1 is graded as NCW (Not conservation worthy). This is clearly incorrect.
- The Committee queried several references to SAHRA in the Phase 1 AIA report and recommendations with regards to a permit for the exhumation of the Pool graves and the reporting of chance finds such as engraved rocks. HWC is the responsible heritage authority in the Western Cape.
- The Committee questioned providing approval for the relocation of the graves before consultation with the descendants.
- The recommendations in Section 11 of the Phase 1 AIA report, as well as the cover letter for the HIA, need to be revised to clearly articulate mitigation strategies (i.e. surface collections, test excavations, partial or full excavations) as well as which sites will be conserved, which should be mitigated and which may be destroyed without further study. There also needs to be a clear statement on the rehabilitation of the landscape.

FURTHER REQUIREMENTS

The Committee requires (1) an integrated Heritage Impact Assessment and (2) a revised Archaeological Impact Assessment which meets the HWC Minimum Standards for APM reports. The Committee approved the PIA report (Pether, September 2019).

9.7 Committee Documentation Access

WD explained that the items for the agenda would, in future, be posted to One Drive. There was a request that copies be posted to the blog, as this provided a useful archive of previous reports. HWC will review the possibility of collating previous cases – this will be more effective once SAHRIS has been rolled out to HWC.

10. Standing Items

10.1 Erf 4998, Sayers Lane, Simons Town (Reburial)

SB has been in contact with ACO Associates regarding the data from Leiden University and with the developer regarding further development on site.

10.2 Kasteelberg Nomination

JW noted that the Kasteelberg Provincial Heritage Site (PHS) nomination had not been submitted to IGIC before. LW reported that she had sent the revised nomination form to two external referees (Profs Smith and Sadr) and she was working on the revised document to be submitted to APM.

10.3 Accidental Finds of Skeletal Remains- Tygerberg Hospital

- The legal advisor has indicated that a full public participation will not be required for the initial investigations of the recently discovered human remains, under the emergency Section 36 application
- However, no remains may be removed during the investigations and a full public participation process will be required if they need to be removed and reburied.
- A full Section 36 Application will be required if any human remains are uncovered, that includes the reburial plan.

10.4 Erf 4292, Bobartia Road, Betty's Bay – SB to provide an update

SB noted that she has not been able to contact the landowner regarding possible development plans for the property, but has been in discussions with the local authority with respect single residential developments in the area and impacts to archaeology.

10.5 Site Inspection

10.5.1 Proposed Site Inspection

10.5.1.1 Erf 64, Baboon Point Cave, Elands Bay- JW to provide an update

- JW reported that due to the pressures of work the site inspection will take place on 30 April 2021.
- The training of onsite monitors has been completed and the funds for their stipend have been transferred to the Elands Bay Museum.
- EB to contact SB with regard to the site inspection for Elands Bay.

10.5.1.2 Bosman's Crossing- SB to provide an update

- SB reported that the planned site inspection will take place on 15 April 2021 and she will report back at the next meeting.

10.6 Site Inspection Report

11. Report back on Council

12. Policy and Procedures

12.1 SAPS and HWC Accidental Finds Protocol and Procedure

- SB is in discussion with Dr Gibbon of FACT
- SB is developing a permit for the transportation of human remains.

12.2 Draft - Guideline for Applications for Disturbance of Human Remains

- Nothing to report back.

12.3 Updating minimum standard of AIA protocol

- Legal team is presently studying the document prior to its submission to Council.

12.4 Circulation/Workshop of accidental finds of human remains protocol

- SB is working with FACT to set up a workshop.

MATTERS DISCUSSED

13. SECTION 35 PERMIT APPLICATION

13.1 Proposed analysis of material and excavation at Klipdrift Complex, Portion 20 of Farm 516, De Hoop Nature Reserve, Swellendam: NM HM/SWELLENDAM/DE HOOP NATURE RESERVE/PORION 20 OF FARM 516

Case No: 21022407SB0224E

Permit Renewal application

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The permit had expired in November 2020 but the extension has been granted due to COVID-19.
- SB noted that the permit reference number has been changed.

DECISION

The Committee approved the application by Prof Henshilwood of the University of the Witwatersrand dated 20 March 2021 to extend the permit granted on 14 January 2021 for a further 3 years.

14. SECTION 35 PERMIT REPORTS

14.1 Report on the 2018 archaeological excavations at Klipdrift Shelter: NM HM/SWELLENDAM/DE HOOP NATURE RESERVE/PORION OF FARM 516 Case No: 17100301AS1003E

Permit Report

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee discussed the requirements of the permit which included providing HWC with copies of all publications which result from the excavations and analysis.

COMMENT

The Committee noted the 2018 excavation report.

15. SECTION 35 REGISTRATION OF REPOSITORIES

15.1 None

16. SECTION 36 PERMIT APPLICATION

16.1 None

17. SECTION 38 WORKPLAN APPLICATIONS

17.1 Proposed Construction of Bovenvlei Dam on Portion 9 of the Farm Berg Rivier (Boven Vlei) No. 151, Malmesbury: MA

HM/WEST COAST/ SWARTLAND / MALMESBURY / PTN 9 OF THE FARM BERG RIVIER (BOVEN VLEI) NO. 151

Case No: 18011824SB0124E

Revised workplan application and associated documentation prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the case.

Ms Jenna Lavin and Mr Nic Wiltshire were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee commented that the excavation does not have to be limited to a single 7m x 7m block but should respond to the archaeology and should cover the densest parts of the artefact scatter.
- The excavations will cover the top 10cm and will not extend beyond 50cm.

COMMENT

The Committee endorsed the amended workplan application dated 29 March 2021 with the following methodology:

- The applicants will demarcate an area of 7m x 7m around each GPS point (1209 and 12101). The artefacts evident on the surface of this area will be collected, and their approximate location recorded. Note that this 7m x 7m area may have to change based on what is actually found on site in terms of the slope and exposures from mole burrows in order to obtain the best results possible – the archaeologists' best judgement will be applied
- They will then excavate the subsurface material of the 7m x 7m grid at least to 10cm in depth to determine whether any subsurface artefacts are present. The material will be sieved (in a sieve with a 3mm mesh) and any artefacts identified will be collected. Each artefact will be individually bagged and tagged on site after sieving.
- Should any further material continue below 10cm the excavation will descend to greater depths but not exceeding 50cm – should this occur the applicants could recommend that the site(s) be regraded and appropriate conservation or further mitigation measures are

drawn up in light of the likely higher gradings that these sites may require. Further consultation with HWC will be required if this is the case.

The bagged and tagged artefacts will be photographed and recorded in a database that will be uploaded to SAHRIS as per the requirements of Iziko. A brief preliminary report on the collected artefacts that meets HWCs minimum standards will be submitted to HWC and Iziko for the record.

SB

18. SECTION 38 WORKPLAN REPORT

**18.1 Proposed development on Erf 178544, 2 Glen Darrach Road, Rondebosch: MA
HM/CAPE TOWN METROPOLITAN/ RONDEBOSCH/ERF 46115
Case No: 17112411ZK1128M**

Monitoring report prepared by ASHA

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- Monitoring was undertaken of the demolition of a number of tennis courts, which were demolished for the construction of a new university residence.
- The ground surface had been significantly disturbed during the construction of the original tennis courts and there was very little historical material from the site.

COMMENT

The Committee approved the monitoring report by ASHA Consulting dated March 2021.

SB

19. SECTION 38 (4) HIA

19.1 None

20. SECTION 38 (8) TO OTHER AUTHORITIES

20.1 Proposed agricultural development on portion 12 of farm 481 Scherpen Heuwel near Worcester, Cape Winelands: NM

HM/ CAPE WINELANDS / DRAKENSTEIN / WORCESTER / PORTION 12 OF FARM 481

Case No: 20091516SB102E

HIA and associated documentation prepared by ACRM

Mr Jonathan Kaplan was present and took part in the discussion.

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- No significant archaeological remains were recorded.
- Paleontological impacts are expected to be low because there will be no deep excavations into the fossiliferous Whitehill Formation.
- The HIA did not assess the cultural landscape. A brief consideration of visual impact was included albeit with no assessment of significance according to the NHRA as required. No potential historical significance of the site was assessed.
- 5 or 6 graves were recorded on the edge of area 2 and they must be protected during the development.
- The majority of the Committee approved the report. There was 1 dissension on the grounds of possible non-compliance with NHRA Sec 38(3)

FINAL COMMENT

The Committee endorses the AIA (by ACRM dated February 2021) and the PIA (by Almond dated February 2021) with the following recommendations;

1. That the Fossil Finds Protocol be implemented
2. That the ECO informs HWC of any fossils which are uncovered.
3. That the graves on the edge of area 2 are fenced and a 20m buffer maintained.

SB

**20.2 Proposed Gas to Power Power-ship Project at the port of Saldanha Bay: NM
HM/ WEST COAST/SALDANHA BAY/ PORT OF SALDHANA AND SALDHANA INDUSTRY
Case No: 20092505SB1102E**

HIA and associated documentation prepared by ACRM

Mr Jonathan Kaplan was present and took part in the discussion.

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The application is to evacuate power from the power-ship at the Saldanha Bay Jetty to the Blouwater substation via 132kv powerline.
- No archaeological material was noted during the survey.
- The desktop PIA identified the sensitivity of the Langebaan formation as being high and noted the potential of the powerline footings to intersect fossiliferous material.
- The HIA did not assess the cultural landscape. A brief consideration of visual impact was included albeit with no assessment of significance according to the NHRA as required. No potential historical significance of the site was assessed.

- The cultural landscape was not assessed adequately but the majority of the Committee was of the opinion that it is highly industrialized.
- No socio-economic benefits of the development were assessed, as is required in terms of the NHRA Sec 38(3).
- No public participation process was included, which is required in terms of NHRA Sec 38(3).
- The majority of the Committee approved the report. There was 1 dissension on the grounds of possible non-compliance with NHRA Sec 38(3)

FINAL COMMENT

The Committee endorses the AIA and PIA (dated October 2020). The following recommendations must be included in the EMP:

1. The Fossil Finds Protocol must be implemented and the ECO must inspect the powerline and report any fossil occurrences.

SB

20.3 Proposed sand mine on portion 1 of farm Oude Opstal no. 468, near Robertson: NM HM/ CAPE WINELANDS/ LANGEBERG/ ROBERTSON / PTN 1 OF FARM 468 Case No: 20090305SB1012E

HIA and associated documentation prepared by ACRM.

Mr Jonathan Kaplan was present and took part in the discussion.

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- There were no archaeological remains recorded.
- The impact of the sand mine on the fossil content of the upper Witterberg Formation is considered to be marginal.
- The HIA did not assess the cultural landscape. A brief consideration of visual impact was included albeit with no assessment of significance according to the NHRA as required. No potential historical significance of the site was assessed.
- The cultural landscape assessment is not considered adequate but the majority of the Committee considers the impact to be low.
- The majority of the Committee approved the report. There was 1 dissension on the grounds of possible non-compliance with NHRA Sec 38(3)

FINAL COMMENT

The Committee endorses the AIA dated November 2020 and the desktop PIA by John Pether dated November 2020 with the following recommendations;

1. The implementation of the Fossil Finds Protocol and the ECO must report any fossil finds to HWC.

21. SECTION 38 (1) NID

21.1 None

22. SECTION 27: PROVINCIAL HERITAGE SITE

22.1 None

23. REQUEST FOR EXCEPTION / OPINION / ADVICE

23.1 None

24. REPORT BACK FROM OTHER MEETINGS WHEN RELEVANT

24.1 None

25. OTHER MATTERS**25.1 Farm De Cango 216 Oudtshoorn Directive -Request of comment on Rehabilitation Plan: NM HM/CENTRAL KAROO/ OUDTSHOORN/ FARM DE CANGO 216**

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee expressed their concern about the potential negative impacts to Efflux Cave by the illegal activity.
- The cave systems in this area are highly significant as they contain stalagmites and stalactites which are important as they contain paleo-climate and paleo-environmental information. Some also have archaeological materials in them.
- They are highly sensitive to any changes in moisture and the opening up of the cave may have negative impact on the entire cave system.

COMMENT

The APM Committee requires a HIA with a specialist study by suitably qualified specialist in speleothems. A site inspection will be required in order to assess the impact.

SB

26. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolutions and decisions.

27. CLOSURE

The meeting adjourned at: 12:40

28. **DATE OF NEXT MEETING:**

5 May 2021

CHAIRPERSON _____

L. E. Webley

DATE 5 May 2021

SECRETARY: A.BROWN

DATE: 5 May 2021

APPROVED