

**APPROVED MINUTES OF THE MEETING OF HERITAGE
WESTERN CAPE (HWC),
ARCHAEOLOGY, PALAEOLOGY AND METEORITES COMMITTEE (APM)
Held on Wednesday, 4 September 2019 in the Boardroom, 1st Floor Protea
Assurance Building, Greenmarket Square, Cape Town at 09:00 AM**

1. OPENING AND WELCOME

The Chairperson, Dr Antonia Malan officially opened the meeting at 9:01 and welcomed everyone present.

2. ATTENDANCE

Members

Dr Antonia Malan (AMa)
Dr Lita Webley (LW)
Ms Cecilene Muller (CM) 9:20
Dr Jayson Orton (JO)
Mr John Gribble (JG)
Dr Ragna Redelstorff (RR) 9:12

Members of Staff

Ms Nosiphiwo Tafeni (NT)
Ms Penelope Meyer (PM)
Mr Lwazi Bhengu (LB)
Ms Stephanie Barnardt (SB)
Ms Waseefa Dhansay (WD)
Mr Andrew September (AS)

Visitors

Ms Katie Smuts (KS)

Mr Jonathan Visser (JV)

Observers

None

3. APOLOGIES

Dr Abigail Moffett (AMo)
Dr Wendy Black (WB)
Ms Colette Scheermeyer (CSc)

Absent

None

4. APPROVAL OF AGENDA

4.1 Dated 4 September 2019.

The Committee resolved to approve the agenda with minor amendments.

5 APPROVAL OF MINUTES AND MATTERS ARISING FROM PREVIOUS MEETING

5.1 Dated 31 July 2019.

The Committee resolved to approve the minutes with some minor changes.

6. DISCLOSURE OF INTEREST

6.1 None

7. CONFIDENTIAL MATTERS

7.1 None

8. APPOINTMENTS

8.1 None

9. ADMINISTRATIVE MATTERS

9.1 Sayers lane. Simon's Town (feedback)

JG offered to recuse himself, but the Committee requested that he stay for the discussion as no decision would be taken.

Ms Stephanie Barnardt reported back on this matter.

DISCUSSION

Amongst other things, the following was discussed and noted:

- Work has been completed in terms of requirements of the permit. The fragile remains of 165 individuals have been removed to temporary storage. Analyses of findings will continue, and a proposal for reburial will be submitted to the Committee for approval.
- In addition to the burials, scattered LSA, MSA and ESA artefacts were encountered on the site.
- The burials extend under Waterfall Road and may also be present under the adjacent houses and the Naval Barracks complex. These areas must be flagged as sensitive by the CoCT.
- The media reports during the last week of August on the archaeological work and the nature of the finds were influenced by misinformation. Following a site visit on 30 August 2019, HWC issued a press release to publicly correct the information.
- It was further noted that the archaeologists on site were prevented by the developer from engaging with the media. This practice is of concern to the Committee.
- Members of the local community and other I&APs consistently supported the project. A community feedback meeting to address the misinformation in recent media reports will be hosted by the Simon's Town Phoenix Committee on Saturday 7 September 2019, and PM offered to attend as she lives in Simon's Town.

SB

9.2 Outcome of Appeals and Tribunals

PM to continue to keep the Committee up to date on Tribunal outcomes by email, and the August Appeals decisions to be circulated to the Committee.

9.3 HWC blog and IT provision

The Committee noted a risk to HWC delivering on its operational mandate for the financial year 2019/2020 due to the HWC blog being dysfunctional, and ongoing lack of access to wifi in the boardrooms.

10.1 Site Inspections

10.1.1 Blombos Museum, Still Bay (TBA)

A site visit by AS, RR and LW on Friday the 27th of September 2019 is proposed, in terms of Recommendations under item 14.1 of the meeting dated 31 July 2019.

10.2 Site Inspection Report

10.2.1 19 Main Road, Saldanha Bay.

Report prepared by Ms Stephanie Barnardt was tabled and discussed.

Amongst other things the following was noted:

- Human remains were uncovered during alterations to a warehouse and reported to HWC by Jonathan Kaplan. The foundations of the original structure overlay the skeleton.
- A site inspection by HWC officials on 23 August resulted in the removal of disturbed remains to UCT. The rest were recorded by HWC and SAPS officials *in situ* and will be archaeologically removed by Jonathan Kaplan on 11 September 2019 as per emergency permit. All remains will be kept temporarily at the Department of Human Biology at the University of Cape Town (UCT).

10.2.2 Bruns Street, Mossel Bay

Report prepared by Ms Stephanie Barnardt was tabled and discussed.

Amongst other things the following was noted:

- Archaeological material exposed by the installation of fibre optic cable is close to a previously reported site in Rodger Street, above Cape St Blaize Cave.
- Stone artefacts were recovered and taken to the Dias Museum in Mossel Bay by a member of the public, who reported the find to HWC. A Museum employee has undertaken to report future proposed developments to HWC, and together with a local informant, it is hoped to prevent further un-planned disturbance to archaeological resources.
- A conditions assessment was conducted for Cape St Blaize PHS. A formal arrangement must be established with Mossel Bay Municipality regarding the archaeological sensitivity of the PHS precinct.

10.3 Report back on Council

Nothing to report.

11 POLICY AND PROCEDURES

11.1 SAPS and HWC Accidental Finds Protocol and Procedure & MOU with Department of Human Biology, UCT

Mr Andrew September reported back on this matter.

Approved APM Minutes 4 September 2019

11.1.1 SAPS and HWC Accidental Finds Protocol and Procedure

Amongst other things in discussion it was noted that:

- The National Health Act states that only SAPS is the first respondent to discovery of human remains, but the subsequent NHRA is the primary legislation in respect of historical or archaeological human remains and HWC is the responsible respondent. The major concerns of SAPS and HWC are to agree timing and accessibility to sites for first respondents.
- The protocol needs to establish as clearly as possible is how this dual interest in human remains is dealt with in practice between SAPS and the heritage authority, in a manner which ensures that the type of damage currently being inflicted on historical and archaeological human remains by the first respondents cannot occur in future.
- HWC requires that any disturbance or removal of accidentally found human remains can only take place under conditions of extreme threat to the remains, or if the remains are not still in situ. The only intervention permissible is minimal, and in order to decide if the remains are recent / the result of crime or historical / archaeological.

DECISION

The amended draft Protocol to be circulated to APM Committee for approval by email, and then the final version to be submitted for signature to the CEO and the relevant parties.

11.1.2 MOU between HWC and Department of Human Biology, UCT

Amongst other things in discussion it was noted that:

- HWC and Forensic Anthropology Cape Town (FACT) at UCT prepared a draft MOU regarding temporary custodianship of accidentally discovered human remains.
- Members of Committee raised concerns about permanent accessioning of archaeological human remains to a university department for biological study, and recommended that Iziko Museums should be the preferred long-term custodian.
- HWC must keep a database of remains submitted to FACT and to ensure that reports are submitted timeously. A paragraph to be added to the MOU stipulating that a deadline is set for reports to be submitted to HWC.

DECISION

Edits proposed by AMa and JO in the draft MOU were endorsed, together with those made by the Committee in discussion. The final draft to be circulated for approval by email and then the final version to be submitted for signature by the CEO and relevant parties.

AS

MATTERS TO BE DISCUSSED

12. SECTION 35 PERMIT APPLICATIONS

12.1 Proposed Destructive Analysis of *Endothiodon* Specimen housed at Beaufort West

HM / KAROO/ BEAUFORT WEST / SPECIMENS HOUSE

Case No: 19072207SB0726E

Ms Stephanie Barnardt introduced the item.

DISCUSSION

Amongst other things, the following was discussed and noted:

- The application is for a S.35 permit to conduct destructive sampling and analysis of a fossil fragment of the jaw and teeth of two *Endothiodon* specimens.
- The applicant provided a detailed motivation and description of studies proposed at the University of Stellenbosch and University of Cape Town.
- The Committee endorsed the recommendations in the consent letter from Iziko Museums dated 18 December 2018.

DECISION

The permit application for destructive sampling (thin sections) and analysis of *Endothiodon* material was approved.

SB

12.2 Proposed Excavation of Klein Hoek (KH1), Langkuil 525a HM/ LANGKUIL / ERF 525A

Case No:19073004SB0731E

Ms Stephanie Barnardt introduced the item.

Amongst other things, the following was discussed:

- A S.35 application was received to excavate a trench across an open air site on the farm Langkuil (KH1) in order to understand the Still Bay component, and to place it in the local and regional Still Bay context.
- In 2018 KH1 was surveyed as part of the Doring River Archaeology Project (DRAP), a four-year survey and excavation project led by Dr Alex Mackay of the University of Wollongong and funded by the Australian Research Council. The excavation will provide research material for post graduate studies.

DECISION

The application for a permit to excavate a trench 10m x 5m in extent at KH1, and the proposed methodology, was approved.

SB

13 SECTION 35 PERMIT REPORTS

13.1 None

14 Section 35(2) Registration of Repositories

14.1 None

15 SECTION 38 WORKPLAN REPORTS

15.1 Proposed Palaeontological Monitoring for Greenfields Link Road Project, Saldanha Bay

HM/LANGEBAAAN/R27 LINKS

Case No:130603TS02E

Mr Andrew September presented the Final Palaeontology Mitigation Report (April 2019) submitted by Dr Graham Avery.

Amongst other things, the following was discussed:

- Some significant finds related to the Uyekraal Formation, were observed and collected from piling auger samples during this monitoring phase. These will be further studied at Iziko Museums. Monitoring will continue.

DECISION

The Final Report (#5) Palaeontological Mitigation: Greenfields Link Project R45—R27 submitted by Dr Graham Avery, dated April 2019, was approved.

Any further finds from ongoing monitoring must be reported to HWC.

AS

15.2 Proposed archaeological test excavations on Portion 37 of Farm Uitkomst 23, Paternoster

HM/PATERNOSTER/PORTION 37 OF FARM UITKOMST 23

Case No:17081018AS0904E

Report on archaeological monitoring of the Wellness Suite sites presented by Mr Andrew September.

Amongst other things, the following was discussed:

- The Paternoster North Site A (PNNA) megamidden, a deep, stratified shell midden located alongside Mosselbank Street (on the Farm Uitkomst 23/37) was declared a Provincial Heritage Site (PHS) in 2009. A previous report on archaeological monitoring of the Boardwalk precinct was submitted in March 2019.
- No significant archaeological material was found during monitoring of foundation trenching in the Wellness Suites precinct, and the report concluded that no further mitigation is required. However, the Committee questioned the nature and the extent of the apparently thick grey (ash?) layer/s visible in figures 9-11 of the report.
- The Committee pointed out that other areas, such as the Spa precinct, must still be monitored.

- According to page 4 of the Report, “a Work Plan was submitted to HWC in August 2018 which outlined in detail monitoring of excavations for the construction of a public boardwalk across the Provincial Heritage Site (PHS) known as PNNA, new Wellness Suites and health spa. The Work Plan was approved on 25th August, 2018.”

DECISION

The report by ACRM titled Archaeological Monitoring, construction of Wellness Suites 1-6, Strandloper Ocean Boutique Hotel, Portion 37 of Farm Uitkomst 23, Paternoster, Western Cape, dated July 2019, is endorsed, with the further requirement that:

- The recommendation for archaeological monitoring of the Spa site is amended to require test excavations to be conducted *before* earthworks begin in order to expose, and establish the extent and possible significance of, the grey layers indicated in figures 9-11 of the report. Should there be significant archaeological content then this must be reported to HWC and a mitigation strategy devised.

AS

16 SECTION 38(8) WORKPLAN APPLICATIONS

16.1 None

17 SECTION 38 (8) TO OTHER AUTHORITIES

17.1 Proposed Phosphate Prospecting for Portion 2 of Farm Yzervarkensrug 127 & Farm 124, Saldanha Bay, West Coast

HM/WEST COAST/SALDANHA BAY/FARM 124 & PTN 2 OF FARM YZERVARKENSRUG 127

Case No: 19051309AS2706M

Mr Andrew September introduced the item.

Amongst other things, the following was noted:

- The tracklogs have been incorporated into the final version of the Heritage Impact Assessment, as required.

FINAL COMMENT

The revised Prospecting Heritage Impact Assessment containing the requested tracklogs, dated 2 September 2019, was endorsed by the Committee.

AS

17.2 Proposed Boulder Wind Farm, West Coast District Municipality, Western CapeHM/ VREDENBERG/ SALDANHA

Case No:18022002SB0314E

Ms Stephanie Barnardt introduced the item.

Ms Katie Smuts and Mr Jonathan Visser were present and took part in the discussion.

Amongst other things, the following was discussed:

- It was noted that all conservation bodies and I&APs were informed by email of the proposal but there was no response.
- The sensitive fossiliferous areas are not affected by the latest proposal.
- It was noted that Option 2 is the preferred option, and once the final layout has been presented, a pre-construction survey by a suitably qualified stone age archaeologist must be undertaken of the affected area. This must be a condition in the HWC comment.

COMMENT

The Committee endorsed the final Heritage Impact Assessment dated 17 August 2019, which includes additional information as required.

Once the final layout for preferred Option 2 has been presented, a pre-construction survey by a suitably qualified stone age archaeologist must be undertaken of the affected area. This must be a condition in the HWC comment.

SB

17.3 Proposed Development on Erf 1291, Sandbaai, Hermanus HM/SANDBAAI/ERF 1291

Mr Andrew September introduced the item.

Amongst other things, the following was discussed and noted:

- An archaeological walk down survey of erf 1291 Sandbaai was requested by HWC. This was in light of an earlier site assessment in 2009 that noted the degraded condition of the area and the constraints posed by thick vegetation and rubbish dumps.
- It was reported that similar, if not worse conditions pertain today. No archaeological material was observed in the proposed route for a buried powerline, and no significant impacts to pre-colonial archaeological heritage are expected. The recommendation is that no archaeological mitigation is required.

COMMENT

The Committee endorsed the walkdown report by ACRM, dated 20 June 2019, and its recommendation that no further archaeological mitigation is required..

AS

18 SECTION 38 WORKPLAN APPLICATION

18.1 None

19 SECTION 27: PROVINCIAL HERITAGE SITE

19.1 None

20 REQUEST FOR EXCEPTION / OPINION / ADVICE

20.1 None

21 REPORT BACK FROM OTHER MEETINGS WHEN RELEVANT

21.1 None

22 OTHER MATTERS

22.1 Proposed Heritage Conservation Management Plan, Erf 174483, Muizenberg Lime Works Ruins, Cape Town

Case number:N/A

Mr Lwazi Bhengu introduced the item.

Amongst other things, the following was discussed:

- The revised Heritage Conservation Management Plan titled Muizenburg Lime Works Ruins, Erf 174483, Cape Town, Western Cape, Heritage Conservation Management Plan prepared by CTS Heritage dated 1 August 2019 was previously circulated and endorsed via email.

FINAL DECISION

The Heritage Conservation Management Plan titled Muizenburg Lime Works Ruins, Erf 174483, Cape Town, Western Cape, Heritage Conservation Management Plan, prepared by CTS Heritage dated 1 August 2019, was approved.

LB

23. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolutions and decisions with minor amendments.

24 CLOSURE

The meeting adjourned at: 12:40

25 DATE OF NEXT MEETING:

2 October 2019

CHAIRPERSON_____

DATE_____

SECRETARY_____

DATE_____