

**APPROVED MINUTES OF THE MEETING OF HERITAGE WESTERN CAPE (HWC)
ARCHAEOLOGY, PALAEOLOGY AND METEORITES COMMITTEE (APM)
HELD ON 10 SEPTEMBER 2021, FRIDAY ON MICROSOFT TEAMS CAPE TOWN AT 09:00 AM**

1. Opening and Welcome

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

2. Attendance

Members

Dr Lita Webley (LW)

Ms Emmylou Bailey (EB)

Ms Cecilene Muller (CM)

Mr John Gribble (JG)

Dr Ragna Redelstorff (RR)

Members of Staff

Ms Nosiphiwo Tafeni (NT) Secretariat

Ms Stephanie Barnardt (SB)

Ms Zikhona Sigonya (ZS)

Mr Olwethu Dlova (OD)

Ms Ayanda Mdludlu (AM)

Ms Waseefa Dhansay (WD)

Ms Cathy-Ann Potgieter (CAP)

Ms Penelope Meyer (PM)

Visitors

Ms Jenna Lavin

Ms Shannon Bolton

Mrs Andrea Gibb

Mr Wouter Fourie

Ms Liza Janse van Vuuren

Mr Jonathan Kaplan

Miss. Omphemetse Thebe

Observers

None

3. Apologies

Dr Jayson Orton (JO)

Dr Wendy Black (WB)

Absent

None

4. Approval of Agenda

4.1 10 September 2021

The Committee approved the agenda dated 10 September 2021 with no additions.

5. Approval of Minutes and Matters Arising from Previous Meeting

5.1 1 September 2021

The Committee reviewed the minutes dated 1 September 2021 and resolved to approve the minutes with no additions or amendments.

6. Disclosure of Interest

6.1 None

7. Confidential Matters

7.1 None

8. Appointments

8.1 None

9. Administrative Matters

9.1 Outcome of the Appeals

PM reported back on the following items:

- The offer of settlement made by developers Midnight Storm with respect the proposed development at Baboon Point, Elands Bay.

10. Standing Items

10.1 Clanwilliam Dam – Removal of Rock Art Panels.

- HWC staff conducted a site inspection at the Clanwilliam Living Landscape facility in Clanwilliam and noted that the building was very rundown, but that the rock art panels are still in good condition.
- The Clanwilliam Museum are keen to house the panels but they will be stored in an outside courtyard. The Iziko Museum conservators still need to visit the museum to assess the facility. The Clanwilliam Museum does not have the funds to conserve and protect the rock art panels.
- If the panels cannot be curated/housed at the Clanwilliam museum, they will have to be moved to Iziko Museums in Cape Town and there will be additional costs involved for instance transportation. Further, HWC staff noted that it will be difficult to remove the panels from the Living Landscapes building.
- PM to investigate the documentation related to the original agreement with UCT about the curation of the panels. While the panels are housed temporarily at the Clanwilliam Living Landscape facility, the University of Cape Town has no legal obligations with respect their preservation.
- The Committee noted that if the Living Landscape building could be donated to the Clanwilliam Museum by UCT, then the panels would not have to be moved and could be preserved on site. LW to discuss with Prof Parkington the possibility of UCT donating the Living Landscape building to the Clanwilliam Museum.

10.2 Accidental Finds of Skeletal Remains

None

10.3 Criteria for long term storage of human remains - held over until October 2021

10.4 Erf 64, Baboon Point Cave, Elands Bay - Feedback to be provided

11 Site Inspection

12 Proposed Site Inspection

None

13 Site Inspection Report

13.1 Erf 4998, Sayers Lane, Simonstown

- HWC staff conducted a site inspection on the 10 August 2021 and confirmed that the development of the site was proceeding according to approved plans.
- The Committee noted that if any human remains were uncovered within the road reserve during the installation of services in future, these would have to be removed with a S35 permit.
- The City of Cape Town does not have a procedure in place to deal with these possibilities and there is a lack of communication between different departments within the City.
- It was asked whether the City of Cape Town can flag sensitive areas of high heritage significance within their internal systems.

14 Report back on Council

None

15. Policy and Procedures

None

MATTERS DISCUSSED

16. SECTION 35 PERMIT APPLICATION

16.1 None

17. SECTION 35 PERMIT REPORTS

17.1 None

18. SECTION 35 REGISTRATION OF REPOSITORIES

18.1 None

19. SECTION 36 PERMIT APPLICATION

19.1 None

20. SECTION 36 PERMIT REPORT

20.1 None

21. SECTION 38 NID

21.1 None

22. SECTION 38 WORKPLAN APPLICATIONS

22.1 None

23. SECTION 38 WORKPLAN REPORT

23.1 None

24. SECTION 38 (8) HIA

24.1 None

25. SECTION 38 (4) HIA

25.1 None

26. Section 34 - ALTERATIONS/ADDITIONS/PARTIAL DEMOLITION

26.1 None

27. SECTION 38 (1) NID

27.1 None

28. REQUEST FOR EXCEPTION/OPINION/ADVICE

28.1 None

29. SECTION 38 (8) TO OTHER AUTHORITIES

**29.1 Proposed Part 2 Amendment to the existing Environmental Authorisation for the Modderfontein WEF, near Victoria West located in both the Northern and Western Cape: MA HM/ CENTRAL KAROO / MODDERFONTEIN (RE/228)
Case No: 20210416SB0416E**

Amended layout, HIA prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the item.

Ms Jenna Lavin was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- Because HWC never issued a comment on the original HIA, the Committee were requested to comment on both the authorised layout and the revised amended layout that is the subject of the Part 2 Amendment application.
- The Committee noted that the revised AIA and PIA were not included in the documents circulated before the meeting.
- A SAHRIS link for the PIA and AIA for the authorised and amended layouts to be sent to the Committee for them to consider via email.

COMMENT

The Committee will provide their comment on the amended layout via email.

SB

29.2 Proposed development of the Kolkies Solar Energy Facility Cluster on Farm Die Brak No.241 and Farm No. 240, Trouwsvier :NM HM/ CAPE WINELANDS/ WITZENBERG/ FARM DIE BRAK NO.241 AND FARM NO. 240 Case No: 21041902SB0419E

HIA and associated documentation prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the item.

Ms Liza Janse van Vuuren and Jenna Lavin were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee expressed concern about the archaeological coverage of the study area and noted that the proposed pre-construction survey would be too late to inform the design layout.
- A more detailed survey is required which provides better cover of the development footprint
- The Committee therefore requires a revised AIA with an updated track log and record of archaeological sites.
- The Committee endorses the recommendations of the PIA

COMMENT

The AIA does not meet the requirement of the minimum standards for archaeological reports, and it does not comply with S38(3) (specifically S38(3)(a) as the archaeological survey was not adequate. A revised AIA to be submitted to APM. The Committee endorses the recommendations of the PIA.

SB

29.3 Proposed Sand Mine On Portion 33 of the Farm Klipheuvel 143, Mossel Bay (Klein Brak River): NM HM/GARDEN ROUTE/ MOSSEL BAY / KLEIN BRAK RIVER / PTN 33 OF FARM 143 Case No: 21050614SB0531E

HIA and associated documentation prepared by ASHA Consulting.

Ms Stephanie Barnardt introduced the item.

DISCUSSION:

Amongst other things, the following was discussed:

- Some scatters of marine shell were recorded and the AIA included a motivation for mitigation comprising six test excavations, specifically to the northern and western corners where shell was recovered.
- Comments received from Heritage Mossel Bay supported the potential importance of the sites and the need for test excavations.
- No impact is expected on the Palaeontological heritage resources.

COMMENT

SB

The Committee endorses the recommendations on pg. 40 of the HIA (August 2021):

- 1) A Palaeontological Chance Finds Procedure must be incorporated into the EMP; and
- 2) Archaeological test excavations must be conducted under a Workplan approved by HWC. The deposits should be sieved so as to determine the density of cultural materials and food refuse. Where necessary, excavations must be expanded to capture suitable samples of the deposits; and
- 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/s must 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.

29.4 Proposed development of the Sadawa Solar Energy Facility Suite, Touwsrivier: NM HM/ CAPE WINELANDS/ WITZENBERG/ FARM MISGUNST 239 (PTN 0) Case No: 21041905SB0419E

HIA and associated documentation prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the item.

Ms Liza Janse van Vuuren , Ms Shannon Bolton and Jenna Lavin were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee expressed concern about the archaeological coverage of the study area and noted that the proposed pre-construction survey would be too late to inform the design layout.
- A more detailed survey is required which provides better coverage of the development footprint.
- The Committee therefore requires a revised AIA with an updated track log and record of archaeological sites.
- The Committee endorses the recommendations in the PIA

COMMENT

The AIA does not meet the requirement of the minimum standards for archaeological reports, and it does not comply with S38(3) specifically S38(3)(a) as the archaeological survey was not adequate. A revised AIA must be submitted to APM. The committee endorses the recommendations in the PIA.

SB

- 29.5 Proposed expansion of existing agricultural activities near Vredenburg on portion 2 of the farm Konings Vlei no. 138, portion 5 of the farm Muishond Fontein no. 137, and portion 1 of the farm Nieuwe rust no. 89: NM HM/ WEST COAST / SALDANHA BAY / VREDENBURG / PORTION 2 OF THE FARM KONINGS VLEI NO. 138, PORTION 5 OF THE FARM MUISHOND FONTEIN NO. 137, AND PORTION 1 OF THE FARM NIEUWE RUST NO. 89 Case No: 20210419SB0419E**

HIA and associated documentation prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the item.

Ms Jenna Lavin was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee noted that due to the depth (30 cm) of the ploughing, no impacts to palaeontological resources are expected.
- No archaeological material was recorded during the walkover survey by CTS.

COMMENT

The Committee endorsed the Recommendations on page 25 of the HIA prepared by CTS Heritage dated June 2021 as follows:

- 1) There is no objection to the proposed development on condition that the HWC Chance Fossil Finds Procedure is implemented.
- 2) If any unmarked graves or buried archaeological heritage resources are uncovered or exposed during bulk earthworks, these must immediately be reported to Heritage Western Cape (Att: Ms Stephanie Barnardt 021 483 9685).

SB

- 29.6 Proposed development of the Electrical Grid Infrastructure (EGI) for the Sadawa Cluster Solar Energy Facility near Touwsrivier, Western Cape: NM HM/ CAPE WINELANDS/ WITZENBERG/ FARM DIE BRAK 241 (PORTION 0); FARM MISGUNST 239 (PORTION 0); AND FARM NO. 240 (PORTION 0 OF) Case No: 21041904SB0419E**

HIA and associated documentation prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the item.

Ms Liza Janse van Vuuren, Ms Shannon Bolton and Jenna Lavin were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee expressed concern about the archaeological coverage of the study area and noted that the proposed pre-construction survey would be too late to inform the design layout.

- A more detailed survey is required which provides better coverage of the development footprint
- The Committee therefore requires a revised AIA with an updated track log and record of archaeological sites.
- The Committee endorses the recommendations of the PIA.

COMMENT

The AIA does not meet the requirement of the minimum standards for archaeological reports and it does not comply with S38(3) (specifically S38(3)(a) as the archaeological survey was not adequate. A revised AIA to be submitted to APM. The committee endorses the recommendation in the PIA.

SB

29.7 Proposed Prospecting Right Application on Re Farm Ebenezer Kolonie 187, Near Vredendal: NM HM/ WEST COAST/ MATZIKAMA/ VREDENDAL/ FARM 187, PAPENDORP 269 & 464 Case No: 21052509AM0624E

HIA and associated documentation prepared by ACRM

Ayanda Mdludlu introduced the item.

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

DISCUSSION:

Amongst other things, the following was discussed:

- It was noted that the drill holes are small and impacts will be limited. However, if prospecting leads to mining then a full HIA will be required.
- The Committee commented on the limited archaeological survey coverage but based on the Committee's knowledge of the area, agreed further survey work would not be warranted.

COMMENT

The Committee endorses the recommendations of the AIA and PIA.

1. No archaeological mitigation is required during the prospecting phase.
2. Should prospecting lead to bulk sampling or mining, a HIA must be undertaken.
3. As per the recommendation of the PIA any fossil material extracted from the boreholes must be kept and if drilling into the Koingnaas formation occurs the organic contents must be preserved for future analysis.

SB

29.8 Proposed resort development on Portion 12 of Farm 452, Riet Valley near Gouritz, Hessequa:NM HM/GARDEN ROUTE/ HESSEQUA/ GOURITZ/ PTN 12 OF FARM 452 Case No: 21030910SB0309E

HIA and associated documentation prepared by CTS Heritage

Ms Stephanie Barnardt introduced the item.

Ms Jenna Lavin was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee noted that the application is for 15 resort units near the coast and noted the location of a large archaeological midden of Grade IIIA significance, between the sea and the resort;
- The Committee discussed recommending possible test excavations but in view of the financial implications for the landowner, agreed on the buffer instead;
- The Committee discussed the importance of the proposed Heritage Agreement (HA) to safeguard the future of the archaeological midden. The HA must be submitted to APM for approval prior to the commencement of development on site.
- The Committee agreed on the need for a development buffer of 15m buffer around the polygon for the midden (Figure 6.1 in the HIA) and the possibility that the midden may extend further than is visible on the surface.
- The area has low palaeo sensitivity, but it is recommended that the Chance Fossil Finds Procedure is implemented during construction.

COMMENT

The Committee approved the Recommendations on pg's 33 and 34 of the HIA (dated February 2021):

1. Alternative 1 is the preferred alternative on condition that the layout of Alternative 1 is amended to avoid impact to the likely shell midden distribution mapped in Figure 6.1, and that all proposed development takes place within the heavily grazed areas of the property mapped in Figure 6.2.
2. Bulk earthworks located within 10m of the fence line that separates the heavily grazed area from the vegetated coastline must be monitored by a professional archaeologist in case any traces of archaeological shell midden remains. An archaeological monitoring report must be submitted to HWC within 6 month of the conclusion of bulk earthwork-related construction
3. The following architectural guidelines must be adhered to in the design of the new structures and roads:
The new structures must be sensitive to the natural context and must be appropriately coloured to blend into the surrounding vegetation
 - b. Darker, duller colours must be used that can disguise the infrastructure in the landscape
 - c. Development is limited to single story dwellings, set low in the landscape
 - d. Existing architectural typologies should be referenced in the design of the new structures, but not copied
 - e. Road infrastructure should not be tarred but left gravel and should be kept to the minimum scale possible
4. The landowner must enter into a Heritage Agreement with HWC in terms of section 42 of the NHRA to ensure the long-term preservation and management of the significant heritage resources located within this property.
5. If any unmarked Khoisan, or battlefield graves are uncovered or exposed during bulk earthworks, these must immediately be reported to the contracted archaeologist, or Heritage Western Cape.
6. The above recommendations must form part of the Construction Environmental Management Programme (EMPr) for the proposed development.

In addition, the Committee recommended the following additional recommendation

1. If any archaeological material is found outside the 15m buffer around the midden then test excavations will be required.
2. The Committee request that the final SDP be submitted to it for approval.

SB

**29.9 Proposed development of the Electrical Grid Infrastructure EGI) for the Kolkies Cluster Solar Energy Facility on Farm Die Brak 241 (Portion 0); Farm Sadawa 239 (Portion 0); and Farm no. 240 (Portion 0), Trouwsrivier, NM HM/ CAPE WINELANDS/ WITZENBERG/ FARM DIE BRAK 241 (PORTION 0); FARM SADAWA 239 (PORTION 0); AND FARM NO. 240 (PORTION 0)
Case No: 21041901SB0419E**

HIA and associated documentation prepared by CTS Heritage.

Ms Stephanie Barnardt introduced the item.

Ms Liza Janse van Vuuren , Ms Shannon Bolton and Jenna Lavin were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee expressed concern about the archaeological coverage of the study area and noted that the proposed pre-construction survey would be too late to inform the design layout.
- A more detailed survey is required which provides better coverage of the development footprint
- The Committee therefore requires a revised AIA with an updated track log and record of archaeological sites.
- The Committee endorses the recommendations of the PIA.

COMMENT

The AIA does not meet the requirement of the minimum standards for archaeological reports and it does not comply with S38(3) (specifically S38(3)(a) as the archaeological survey was not adequate. The revised AIA to be submitted to APM. The committee endorses the recommendation of the PIA.

SB

**29.10 Proposed Water Reservoir and Pipelines on Erven 300 & 354/Rem, Uniondale: NM HM/GARDEN ROUTE / GEORGE / UNIONDALE / ERVEN 300 & 354/REM
Case No: 20091509SB1026E**

HIA and associated documentation prepared by ASHA Consulting.

Ms Stephanie Barnardt introduced the item.

DISCUSSION:

Amongst other things, the following was discussed:

- The water reservoir will be constructed next to a historic fort which is a Provincial Heritage Site (PHS).
- The Committee noted that its recommendations for the reservoir also applies to the upgrade to the access road.
- The Committee noted the impact to palaeontology would be low as the bedrock is highly weathered and there has been tectonic deformation.
- It was noted that since only a single ceramic fragment was noted, impacts to historical archaeology are likely to be low.

COMMENT

The Committee endorsed the Recommendations on page 48 of the HIA by ASHA consulting dated July 2021 as follows:

- The fence is to be of a green or dark-coloured, visually permeable material;
- The reservoir to be as low in the ground as possible;
- If technically feasible, include fine material on the reservoir roof so that, in time, plant growth can occur;
- If any archaeological material (e.g. concentrations of glass and/or ceramics, historic building fabric) or human burials are uncovered during the course of development then work in the immediate area should be halted. The find must 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.

In addition the Committee made the following recommendation:

1. The fort must be protected from physical harm through the construction phase and this requirement must be included in the EMPr.

SB

29.11 Proposed development of the Sadawa Solar Energy Facility Collector Substation, Touwsrivier:NM HM/ CAPE WINELANDS/ WITZENBERG/ FARM SADAWA 239 (PTN 0) Case No: 21041903SB0419E

HIA and associated documentation prepared by CTS Heritage

Ms Liza Janse van Vuuren , Ms Shannon Bolton and Jenna Lavin were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee expressed concern about the archaeological coverage of the study area and noted that the proposed pre-construction survey would be too late to inform the design layout.
- A more detailed survey is required which provides better coverage of the development footprint
- The Committee therefore requires a revised AIA with an updated track log and record of archaeological sites.
- The Committee endorses the recommendations of the PIA

COMMENT

The AIA does not meet the requirement of the minimum standards for archaeological reports and it does not comply with S38(3) (specifically S38(3)(a) as the archaeological survey was not adequate. The revised AIA to be submitted to APM. The committee endorses the recommendation of the PIA.

SB

30. SECTION 27: PROVINCIAL HERITAGE SITE

30.1 None

31. REPORT BACK FROM OTHER MEETINGS WHEN RELEVANT

31.1 None

32. OTHER MATTERS

32.1 Draft EMPr for the proposed Tooverberg Wind Energy Facility on Remainder & Portion 1 of Farm 244, Witzenberg

HM/WITZENBERG/TOOVERBERG WEF

Case No: 18102909AS1108M

Draft Environmental Management Programs (EMPr) for the two associated projects.

Ms Stephanie Barnardt introduced the case.

Mr Wouter Fourie, Mrs Andrea Gibb and Miss Omphemetse Thebe were present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee noted the disconnect between the EMPr for the Archaeology and Palaeontology attached at the end of the letter from PGS Heritage (dated 6 September 2021) and the EMPr for the Wind Energy Facility and Grid Connection (dated 28 March 2019).
- The latter is a generic EMPr which references SAHRA as the responsible heritage authority.
- They noted that the EMPr should refer to HWC as the responsible heritage authority and include the mitigation recommendations from the final AIA and PIA.
- The results of the walkdown should also be included in the EMPr document.
- The Committee noted that the provisions for a CMP in the AIA was not necessary.

COMMENT

The Committee requested submission of a revised EMPr for the Wind Energy Facility and for the Grid Connection.

SB

33.2 Conservation Management Plan: Phosphate Mining Right on A Portion of Portion 2 And Portion 4 of The Farm Elandsfontein 349, Saldanha: NM

HM\WEST COAST\SALDANHA BAY\ELANDSFONTEIN PRIVATE NATURE RESERVE\ELANDSFONTEIN 349

Case No: 14012902TS0217

Mr David Halkett was present and took part in the discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee noted that the CMP is based on a draft CMP submitted to HWC in 2015 and has been informed by the results of 12 months of permanent archaeological and palaeontological monitoring by ACO Associates during initial mining activities at Elandsfontein between 2016 and 2017.
- Mining ceased in 2017 due to technical issues related to the processing of the phosphate but will recommence in the final quarter of 2021.
- Based on the results of the previous monitoring, ACO Associates have concluded that permanent monitoring of mining operations is not feasible or useful. The revised CMP therefore proposes a methodology aimed at best dealing with the heritage resources on the property going forward.

- Two types of heritage resources were being uncovered, namely: palaeontological resources within the Varswater Formation, which is the target resource of the mine, and archaeological/fossil bones assemblages at the interface of the Springfonteyn and the Langebaan Formations. Both archaeological and palaeontological expertise will therefore be required to deal with these two resource types as mining recommences.
- The CMP proposes that future archaeological work on the mine is proactive and is based on opening up different areas for excavation, prior to the expansion of mining. This would take place under a HWC Workplan/Permit. It was noted that the repository agreement should also be signed by the Palaeo collections manager/curator.
- Ongoing training of the mining staff w.r.t. heritage resources will be required, and the Committee discussed the value of training videos, oral presentations and posters.
- PM noted that the Heritage Agreement which requires the CMP arises from a court case after mining commenced without HWC permission.

COMMENT

The Committee agreed that the CMP should be re-submitted once the final corrections have been made.

SB

33.3 Proposed removal of cranes on Erf 10256, Tanker Basin, Monument Road, Table Bay Harbour

DISCUSSION:

Amongst other things, the following was discussed:

- The Committee noted that the heritage statement submitted by Steven Boers provides insufficient information on the heritage significance of the crane to make an informed decision on its demolition.
- The issue of the ownership of the crane was raised at the meeting.

COMMENT

The Committee requested that more detail is sourced and provided as to the historical and industrial significance of the crane.

34. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolutions and decisions. CM moves to adopt the decisions and resolutions and EB seconded.

35. CLOSURE

The meeting adjourned at: 16:30

36. DATE OF NEXT MEETING:

10 September 2021

CHAIRPERSON *L. E. Webber*

DATE 6 October 2021

SECRETARY: A. Brown

DATE : 6 October 2021