

**APPROVED MINUTES OF THE MEETING OF HERITAGE WESTERN CAPE (HWC)
ARCHAEOLOGY, PALAEOLOGY AND METEORITES COMMITTEE (APM)
Held on Wednesday, 5 August 2020 on Microsoft Teams Cape Town at 09:00 AM**



1. Opening and Welcome

The Chairperson, Dr Lita Webley (LW), officially opened the meeting at 9:02 and welcomed everyone present.

2. Attendance

Members

Dr Lita Webley (LW)
Ms Emmylou Bailey (EB)
Dr Jayson Orton (JO)
Ms Ceciline Muller (CM)
Mr John Gribble (JG)
Dr Ragna Redelstorff (RR)
Dr Wendy Black (WB) (stepped out 10:02)

Members of Staff

Ms Nosiphiwo Tafeni (NT) Secretariat
Ms Stephanie Barnardt (SB)
Ms Waseefa Dhansay (WD)
Mr Jonathan Windvogel (JW)
Ms Colette Scheermeyer (CS)
Ms Nuraan Vallie (NV)
Ms Nokubonga Dlamini (ND)
Mr Olwethu Dlova (OD)
Mr Thando Zingange (TZ)
Ms Sandisiwe Mathole (SM)
Ms Aneeqah Brown (AB)
Ms Cathy-Ann Potgieter (CP)

Visitors

Ms Louna Truter
Mr Francois Lewis
Mr Francois Du Toit
Dr Nicolas Baumann
Mr Tim Hart
Ms Cindy Postlethwayt

Mr Martin Kruger
Mr Bernie Badenhorst
Mr Ben Smit
Ms Jenna Lavin
Mr Willem Hutten

Observers

None

3. Apologies

Ms Penelope Meyer (PM)

Absent

None

4 Approval of Agenda

4.1 Dated 5th August 2020

The Committee approved the agenda dated 5th August 2020 with changes, including additional items.

5. Approval of Minutes and Matters Arising from Previous Meeting

- 5.1 APM Minutes dated 1st July 2020.
The Committee reviewed the minutes dated 1st July 2020 and approved the minutes with minor amendments.

6. Disclosure of Interest

- 6.1 JG Item 14.1

7. Confidential Matters

- 7.1 None

8. Appointments

- 8.1 None

9. Administrative Matters

9.1 Erf 4233, Struisbaai, suspected human remains in a former church cemetery

Ms Stephanie Barnardt introduced the matter.

Ms Loana Truter, Mr Martin Kruger, Mr Bernie Badenhorst, Mr Francois Lewis and Mr Francois Du Toit, were present and took part in discussion.

DISCUSSION:

Amongst other things, the following was discussed:

- The property is Erf 4233, a portion of Erf 431. It is located next to the NG Church Suid and is less than 5000m². It therefore did not trigger the NHRA during the subdivision and rezoning process and a NID was not completed.
- It was proposed, as a joint venture between the developers and the church, to construct a retirement complex on the property
- The developers undertook a public participation process in 2019, and the development was advertised in the press and on site. The Committee acknowledged that this had been a comprehensive process.
- However, after complaints from the community regarding the presence of graves on the property, a meeting was held on 20 January 2020, mediated by Father Lewis of the Anglican Church, at which the community was requested to provide further proof of their claim.
- Since no further support to their claims was received by the developer, construction of the show house commenced in February and is completed.
- The foundation trenches and test holes reveal only builder's rubble. There has been no evidence of graves.
- Apart from the Anglican Church burial register dating to 1863, there is no documentation which provides support for the claim that the land served as a cemetery in the past. It is claimed that the erf is located in the area of the first cemetery in Struisbaai used by the Anglican Church of South Africa until the community was removed by the Group Areas Act during the 1960s/1970s and settled in Struisbaai North.
- Father Lewis noted that there are a few people in Struisbaai North who have buried loved ones in the old cemetery. According to the community, the cemetery was levelled a few years ago, when building rubble was dumped on the surface to a depth of 2.5m.
- The Committee acknowledged the oral presentations of the community of Struisbaai North regarding the possibility of unmarked graves on the property. They requested more specific information on precise locations as this would assist in any possible investigations.

- It was noted that there are no maps, archival documents, proof of decommissioning of the cemetery, etc. which would support the presence of the cemetery. Mr M Kruger, the legal representative of the Cape Agulhas Municipality, is still busy with historical research.
- The Committee discussed the merits of archaeological monitoring of the site during development as a resolution to the matter. They noted that the foundations of the retirement homes would not penetrate to below 2.5m and would therefore not be conclusive proof for the presence/absence of graves.

ADVICE

The Committee observed that there was not enough concrete information to confirm that there was a heritage resource on the property. They recommended a sub-surface investigation be conducted by the developer in order to investigate the claims of the community of Struisbaai North. It was suggested that scraping a trench across the property (on the diagonal) down to below the depth of the builder's rubble, would uncover any potential grave shafts or graves. If any human remains are found, then work would need to stop immediately, while the remains are investigated by an archaeologist.

SB

9.2 An APM member to be seconded to review the matter (Erf 149294-RE Union Building, Dock Road, V&A Waterfront. Section 34) in BELCom on the 13.8.2020.

JG to attend the BELCom meeting to discuss the potential impact to the maritime archaeology of the sites.

9.3 Agulhas lighthouse precinct project

Ms Stephanie Barnardt introduced the case.

Mr Tim Hart was present and took part in the discussion.

DISCUSSION

- The report has been submitted for noting.
- After completion of the archaeological fieldwork in 2017, the report was submitted for public participation by SanParks.
- There has been a delay in the submission of the report and public comments to Heritage Western Cape.

NOTED

SB

9.4 Outcome of appeals

Nothing to report from CP .

10. Standing Items

10.1 Updating of minimal standard of AIA protocol

The Committee approved in principle of the revised document including the addition of a table. However, the requirements of a report arising from filming at a heritage site, in terms of s.27 of the NHRA, was raised and it was recommended that this was included as well. The document will be circulated for further minor amendments, before being submitted to the legal advisor, and then to Council for their approval.

10.2 Circulation/Workshop of accidental finds of human remains protocol

None

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

None

10.4 Kasteelberg nomination

None

10.5 Proposed Site Inspection

None

10.6 Site Inspection Report

10.6.1 None

10.7 Archaeological BELCom representation

10.8 None

11. Report back on Council

11.1 Nothing to report.

12. POLICY AND PROCEDURES

12.1 SAPS and HWC Accidental Finds Protocol and Procedure

Nothing to report.

12.2 Draft - Guideline for Permitting of Disturbance and Excavation of Human Remains

WD reported that this incomplete document had been initiated by AS. It needed some additional work before it could be finalised and sent to Council. WD proposed that it might require a full day workshop for Committee members to finalise. The document was circulated via email to members who were requested to consider it. WB was attending a DCAS meeting on human remains on the 5 August and would be able to provide input on the national approach to this matter.

MATTERS DISCUSSED

NEW MATTERS

13. SECTION 34 PERMIT APPLICATION

13.1 None

MATTERS ARISING

14. SECTION 35 PERMIT APPLICATION

14.1 Proposed Exhumation of Historical Graves on Erven 212, 213, 214, 223, 224, 255 and 256, situated between Beyers and Bell Streets, Klappmuts, Western Cape: NM HM/CAPE WINELANDS/ KLAPMUST

Case No: 20051201SB0720E

Application form and relevant documentation.

JG recused himself and left the meeting.

Mr Tim Hart 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 for the exhumation of approximately 30 graves at an informal graveyard on a site near the railway line in Klapmuts, prior to the development of the property.
- Five graves are visible, but the other graves and possible graves were detected by GPRS. They are located less than 1m below the surface.
- No historic information on the graveyard is available, although the identities of two individuals are known. The others may be railway workers and/or convicts.
- A comprehensive public participation was undertaken but no descendant communities responded.
- Since the graves are likely to be less than 100 years, the exhumation will take place by an undertaker, under the supervision of an archaeologist.
- Generally, the undertaker identifies an alternative location for reburial.
- The committee is in favour of the reburial and memorialisation taking place on site.
- If reburial on the site is not legally possible, then the committee requires that there is memorialisation on site.

FURTHER REQUIREMENTS

The committee requires further information for the below:

- The location of the reburial site must be provided and an indication of the nature of the memorialisation must be provided.

SB

15. SECTION 35 PERMIT REPORTS

15.1 Proposed Final report for archaeological work at 1806 Battle of Blaauwberg: MA HM/MELKBOSCSTRAND/BLAAUWBERG

Case No: 130730TS01E

Final permit report prepared by Willem Hutten & Louisa Hutten.

Mr Willem Hutten was present and took part in the discussion.

Ms Stephanie Barnardt introduced the case.

Final Comment:

Amongst other things, the following was discussed:

- The committee made the following recommendations:
 - There is a need for the identification of the graves of the fallen soldiers, as it would clarify one of the mysteries of the battle. The prominence of the battlefield would be elevated by the identification of the graves, as this would create a specific place of remembrance.

- There is a need for the establishment of a memorial or monument on site to remember the battle, as there are no physical visible remnants of the battle that occurred just over two hundred years ago.
- Access control of the site has for the duration of the research been problematic, with BBNR only relatively recently being fully enclosed. Illegal metal detecting, which has been occurring on battle sites throughout South Africa and the world, needs to be addressed, especially within the BBNR and the adjacent private property. Since the adjacent property is not fenced, access is easily obtained, but the significance of this area to the battle has not yet been determined. The City of Cape Town, HWC and the BBNR need to address this as a matter of urgency.
- South Africa is rich in heritage resources, which include many sites of battle, conflict and skirmishes. Archaeological research on these sites has been neglected and needs to be prioritised.
- Hobbyists using metal detectors are conducting their own research on battle sites and other historical sites such as farmhouses and parks, and they are removing artefacts and valuable information at alarming rates. The removal of artefacts without proper context or documentation is detrimental to the knowledge and understanding we have of these sites. The authorities need to intervene urgently.
- This research showed that the battlefield extends beyond the boundary fence of the BBNR and these areas require protection.
- There is a need for a specific Heritage Resources Management Plan for the BBNR that addresses not only the 1806 Battle of Blaauwberg, but also the historical structures and sensitive archaeological sites within the reserve. It should ideally also address heritage resources adjacent to the reserve.

DECISION

The Committee endorses the permit report and the recommendations on page 9 & 10 as indicated above.

SB

16. SECTION 35 REGISTRATION OF REPOSITORIES

16.1 None

17. SECTION 38 WORKPLAN APPLICATIONS

17.1 Proposed expansion of an existing dam, Farm 9/441, 10/441 and RE 700, Worcester:MA HM/BREEDE RIVER WINELANDS/ WORCESTER/FARM 9/441, 10/441 AND RE 700

Case No: 19032202SB0514M

Workplan prepared by CTS Heritage.

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

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- It was noted that some of the artefacts are eroding from the soil, and it would be useful for the applicants to investigate the underlying stratigraphy while they are busy with the surface collections.

- JL observed that CTS was undertaking the collection without payment, as the landowner had refused to pay for any mitigation work.

DECISION

The committee resolved to approve the work plan application for the surface collection of the following sites:

GLV009, GLV 015, GLV 026, GLV 027 and GLV 030

18. SECTION 38 (4)

18.1 Proposed redevelopment of site, Corner DF Malan Street and Hertzog Boulevard, Cape Town: NM HM/CAPE TOWN/ ERVEN 186 & 187 ROGGEBAAI

Case No: 18100908AS1011E

HIA prepared by Cindy Postlethwayt with specialist input from Urban Design Services.

Ms Cindy Postlethwayt was present and took part in the discussion.

Mr Thando Zingange introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- The application is for the proposed redevelopment of the Artscape precinct at Roggebaai.
- The development is on reclaimed land, but there the possibility of *in situ* wrecks (including human remains) as well as shipwreck debris in secondary context being uncovered.
- The desktop marine archaeological assessment for the development of the property was undertaken in 2014.
- The desktop assessment had not been updated, since the nature of potential impacts had not changed.
- The desktop "conditions" (page 6) indicate that a permit will be required from SAHRA, and that the report should be submitted to the Maritime and Underwater Cultural Heritage unit of SAHRA for comment.
- According to the NHRA, shipwreck material on land above the high water mark is the jurisdiction of the provincial authority and the mitigation work will be undertaken under a Workplan issued by HWC.
- The Committee advised the applicant that the desktop maritime report should be submitted to the maritime unit at SAHRA for their interest.

COMMENT

The committee endorses the archaeological report and the recommendations on pages 6 and 7.

TZ

19. SECTION 38 (8) TO OTHER AUTHORITIES

19.1 Proposed Borrow Pits to be used for the Upgrade of the N1 between Monument River and Doornfontein:NM HM/CENTRAL KAROO/LAIGNSBURG

Case No: 18052501AS0530E

HIA and associated documentation prepared by CTS Heritage.

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

Ms Stephanie Barnardt introduced the case.

DISCUSSION:

Amongst other things, the following was discussed:

- Some minor errors in the archaeological report were identified and the applicant undertook to make the corrections.

Final Comment

The Committee endorses the report with minor amendments which are to be submitted.

The recommendations are:

- It is recommended that at borrow pit 6 a no-go buffer of 20m should be established around the site identified in the vicinity (M025 SAHRIS ID 127506);
- It is recommended that at Drill Site 5, a no-go buffer of 20m should be established around the site identified here (M050 to M053 SAHRIS ID 127603 TO 127606);
- It is recommended that Drill Site 1 not be pursued due to the likely impacts to significant heritage resources (i.e. Matjiesfontein village);
- It is recommended that Drill Sites 3 and 5 be visited by a palaeontologist once the quarry sites are opened to determine the sensitivity of the geology for impacts to fossil material;
- It is recommended that the Fossil Finds Procedure included in the PIA attached be implemented as part of the EMPr.

SB

20. SECTION 27: PROVINCIAL HERITAGE SITE

20.1 None

21. REQUEST FOR EXCEPTION / OPINION / ADVICE

21.1 None

22. REPORT BACK FROM OTHER MEETINGS WHEN RELEVANT

22.1 None

23. OTHER MATTERS

23.1 **Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A Waterfront: MA HM/WATERFRONT/ERVEN 149294 AND 9588**

Case No: 15110515GT1110E

Draft CMP.

Mr Nicolas Baumann was present.

Ms Stephanie Barnardt introduced the case.

The documents will be circulated amongst the members of the committee via email and discussed in the next meeting in September.

SB

24. ADOPTION OF RESOLUTIONS AND DECISIONS

The Committee adopted the resolutions and decisions.
CM moved to endorse and JO adopted the resolution and decisions.

25. CLOSURE

The meeting adjourned at: 13:30

26. DATE OF NEXT MEETING: 2 September 2020

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____

APPROVED