

**Approved Decisions of the Meeting of the Impact Assessment Committee
of Heritage Western Cape held on Wednesday, 20 January 2016, at the 1st Floor
Boardroom, Protea Assurance Building, Green Market Square, Cape Town,
at 09h00**

MATTERS TO BE DISCUSSED

11 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

11.1 None

12 SECTION 38(1) INTERIM COMMENT

12.1 None

13 SECTION 38(4) RECORD OF DECISION

**13.1 Proposed Demolition of Farm/Restaurant Buildings, Tree Removal and Development of New Homestead, Stables, Indoor Horse-Riding Arena and Winery on Erven 9795 & 3025, Constantia Uitsig: MA
HM\CAPE TOWN METROPOLITAN\CONSTANTIA\CONSTANTIA UITSIG/ERVEN 9795 & 3025**

Case No: 14102165AS1029M

RECORD OF DECISION

The Committee resolved to approve the proposed redevelopment of Constantia Uitsig in accordance with plan number SD01_1100, Rev.1, dated 16 November 2015 included in the Phase II HIA report. All work must be substantially in accordance with this plan, failing which it should put before HWC for decision.

AS

14 SECTION 38(8) NEMA RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

14.1 None

15 SECTION 38(8) NEMA INTERIM COMMENTS

**15.1 Landscape and History of the Clanwilliam Dam Wall Documentation Report (Cdw62): Proposed Raising of Clanwilliam Dam, Clanwilliam, Cederberg, West Coast: MA
HM/WEST COAST/CEDERBERG/CLANWILLIAM/RAISING OF CLANWILLIAM DAM**

Case No: 14061920GT0814M

INTERIM COMMENT

The Committee accepts the report in partial fulfilment of the requirements of the mitigation at the Clanwilliam Dam.

AS

**15.2 Proposed Redevelopment of Gateway Precinct, Dock Road, Erven 149294 and 9588, V&A Waterfront, Cape Town: NM
HM/CAPE TOWN METROPOLITAN/WATERFRONT/ERVEN 149294 AND 9588**

Case No: 15110515GT1110E

INTERIM COMMENT

The Committee requires an addendum to the V&A Gateway HIA, taking into consideration concerns raised in respect the Queens Hotel. It should be submitted together with all relevant reports and any revised recommendations.

GT

16 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

16.1 None

17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

17.1 None

18 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT

18.1 None

19 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

19.1 None

20 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

20.1 None

21 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

21.1 None

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

22.1 None

23 SECTION 42 – HERITAGE AGREEMENT

23.1 None

24. OTHER

**24.1 Proposed Mining for Phosphate on the Farm Elandsfontein 349, Saldanha Bay: MA
HM\WEST COAST\SALDANHA BAY\ELANDSFONTEIN PRIVATE NATURE RESERVE\ELANDSFONTEIN 349**

Case No: 14012902TS0217

FINAL DECISION

It was noted that:

Heritage resources in the mining area at Elandsfontein must be identified documented and collected using scientifically acceptable methods that record information about context and that can be used by other researchers.

The Heritage Impact Assessment is accepted. The following Heritage Western Cape (HWC) decision is informed by the Heritage Impact Assessment.

It was agreed that:

The purpose of this response is to provide the scope of work for the monitoring of mining activities as they relate to the operational activities of the Elandsfontein Phosphate Mine.

The draft CMP provided in the HIA forms the basis for a management plan that will include this scope of work, as well as the results from the monitoring of the road construction and any other management issues relating to the Fossil Site.

The Heritage Management Team (as described below) will be responsible for implementing the CMP. The Archaeologist in Charge (Consultants) must be suitably qualified and approved by HWC. The Monitoring Team (as described below) will be appointed under the auspices of the Heritage Management Team and will be responsible for implementing the following specific scope of work in terms of monitoring the mining operation.

The current heritage agreement that has been signed by HWC and EEM must be reviewed and updated as the mining operation continues in the best interests of the heritage resource.

HWC supports the recommendations of the HIA. In addition, the requirements listed below must be met. Mining may not commence until the remaining terms of the heritage agreement have been met.

Heritage Management:

1. A "Heritage Management Team" must be established to oversee the proposed mitigation at the mine. The team will consist of the Archaeologist in Charge, who will be appointed to undertake the mitigation, the ECO of the mine, and a representative of HWC. Research scientists such as Dr Deano Stynder (UCT), Dr David Braun and Mr John Pether may need to be asked to be part of the team to provide expert advice on scientific matters but other specialists may need to be added to this list.

2. A Monitoring Team of experienced heritage practitioners with the required specialisations in archaeological and palaeontological fieldwork must be appointed by EEM, to undertake the monitoring of the mining operation. This team must be appointed by EEM and approved by HWC before mining commences. The team will act under the auspices of, and be answerable to, the Archaeologist in Charge.
3. An expert will be required to take the dating samples. HWC must have assurances from the mine, in the case of OSL dating, that dosimeters left *in situ* will not be disturbed for the period needed for dating.
4. The management team, in consultation with relevant archaeologists, palaeontologists and geologists, must identify strata and context where dating samples should be taken;
5. Access to the mine must be granted to all members of the Heritage Management and Monitoring Teams.
6. Any researchers with interest in doing research on the site must work through the Heritage Management Team.

Monitoring:

1. Monitoring is required at the mining pit, including the box cut, and at the stock pile/plant. The number of monitoring staff required will be determined by the Archaeologist in Charge.
2. Provision must be made for the possibility that more than three monitors may be required on site.
3. The Archaeologist in Charge must be on site during the initial stages of the box cut, to provide orientation to the archaeologists who will be doing the bulk of the on-the-ground monitoring. Thereafter, he/she will visit the site on an ongoing basis with a frequency as required and maintain communication with the archaeologists doing the monitoring.
4. The archaeologists must record all finds (fossils and stone artefacts) in a 3D format (south and east co-ordinates as well as height relative to MSL). Detailed recording is essential if the location of the finds is to inform researchers on the relative location of the material in terms of stratigraphy and be useful for ongoing research.
5. Appropriate instrumentation as determined by the Archaeologist in Charge must be provided by EEM to accomplish the necessary recording of material quickly with sub-10 cm accuracy. This will be the single-most important piece of equipment for the mitigation program; EEM must provide on-going technical support in terms of using the equipment. Sufficient instrument/s must be dedicated to the heritage project and must be available at all times.
6. EEM must supply the archaeologists with an on-site office and storage facilities; as well access for the heritage teams to ablution facilities.
7. A suitably sized facility must be available for storage of recovered material and day to day equipment.
8. Access to a computer with internet may be required at times during mitigation;
9. A clear chain of command within the mine must be established so that the archaeologists who are doing the monitoring are able to communicate with relevant mining staff where necessary. The list of names and positions of the

relevant staff are to be kept updated and archaeologists are to have a copy of the list with them at all times.

10. The monitoring archaeologists have the authority to intervene in cases where any heritage resources, in particular fossil material and/or artefacts, are identified and need to be mitigated.
11. All mine staff are to receive some form of orientation with regard to basic fossil, artefact, and general heritage recognition.
12. Staff involved in the active mining, dump areas and processing areas must report immediately to the archaeologist, any potential heritage discovery that may come to light during the construction, operation and closure, regardless of position.
13. The monitoring archaeologist/palaeontologists must conduct regular training seminars whereby they can update all members of the mining operation about identification, documentation and recovery of fossil remains, as well as best practice. It is critical that staff, in all aspects of the mining operation, must be aware of the potential risks to heritage resources.
14. EEM is required to minimise the development footprint to only what is actually needed. All construction activities are restricted to designated working areas with all work areas and access areas clearly marked and signposted.
15. During the mining phase, the Heritage Monitoring Team must monitor all excavation until it becomes clear what the nature of the heritage resource is, to determine the requirements for subsequent heritage monitoring.
16. The scale of the monitoring will be evaluated on a continuous basis and will depend on the nature and extent of fossil material and stone artefacts that may be uncovered in the box cut. If the density of archaeological and palaeontological material is extremely low, then the reporting of occasional finds may be delegated to the ECO or other appropriate mine staff who have received training in the task. This decision will be made by the Archaeologist in Charge in conjunction with HWC.
17. If in the case of the above eventuality (Point 16), the ECO, or other designated staff, will record and recover any finds in the same way as the archaeologists, and will inform the Archaeologist in Charge if any fossil material or stone tools are uncovered while he/she is responsible for monitoring.
18. All recovery of heritage material must be conducted in terms of best practice.
19. Isolated finds may occur *in situ* and must be recorded and then collected.
20. If *in situ* articulated fossils or dense patches of bones and/or stone artefacts are uncovered/ identified during the daily monitoring, then the on-site archaeologist/s must inform the Archaeologist in Charge who must evaluate the find and decide on further action. The Archaeologist in Charge must inform HWC of any human remains as soon as possible. Mechanical excavations in such areas must cease until the significance of the finds are established. It may be necessary in such cases to bring more archaeologists/palaeontologists onto site and to conduct formal excavations.
21. *In situ* recovery of bone clusters and/or artefacts will involve the Archaeologist in Charge, who may request that that additional staff be deployed for scientific recovery of the material while the monitoring of mining continues elsewhere.

22. Artefacts/fossils from the spoil heaps must be recorded in terms of best practice, for example each find should receive at least a number and latitude, longitude and Height above MSL co-ordinate.
23. The archaeologists on duty must keep a daily record of their activities and of the material that they have collected. The archaeologists must be able to provide stratigraphic drawings of the location of finds as well as scientific photography (photos must indicate north and the slope of the land and contain an appropriate scale). Each specimen must be allocated a number (date, sequential number and initials of recorder) and this must be reflected in the photographs and on the packets/boxes used to store the material.

Reporting

1. The heritage team is required to report all instances of heritage material in the mining area to the ECO and HWC on a monthly basis (or at appropriate intervals to be decided based on the quantity and nature of finds).
2. A report must be prepared following the completion of the box cut for submission to HWC and EEM. The report must describe the mitigation successes and failures, the density of finds, and their stratigraphic context. The report must include recommendations to inform revisions to the CMP and the plans for further work.

Built Environment

1. HWC has no objection to the demolition of the single vernacular structure estimated to be older than 60 years identified at the Elandsfontein Wes farm werf in the mining area as this structure has insufficient heritage significance to warrant retention. Demolition is authorised on condition that:
 - a. The vernacular cottage is recorded prior to demolition;
 - b. Recording must take the form of a measured drawing and photographs of the internal and external structure, and fixtures such as windows, etc;
 - c. Any residential dumps that relate to the use of the werf must be excavated and archaeological material collected and curated.

Costs

1. The cost of the on-site heritage mitigation operation, which will be undertaken by the Archaeologist in Charge and the Monitoring Team, is the responsibility of the mining operation.
2. The mining operation must also cover the costs associated with the recovery, curation, basic analysis (dating included) of, and reporting on, the heritage materials.

General Management

1. All archaeological/palaeontological sites identified must be mitigated in the appropriate way for the type and context of the site.
2. All staff at the mine must be informed that the declared Elandsfontein Provincial Heritage Site (PHS) is a NO-GO area. The integrity of this PHS must be conserved at all costs. EEM must ensure access control for the PHS.

3. All material collected must be curated in an appropriate repository. HWC requires that a repository agreement with the relevant repository must be in place and approved by HWC before mining commences.

GT

25 Adoption of decisions and resolutions

25.1 The Committee agreed to adopt the decisions and resolutions.

26. CLOSURE – 12H00

27. DATE OF NEXT MEETING: 10 February 2016

CHAIRPERSON _____

DATE _____

SECRETARY _____

DATE _____