

BACKGROUND INFORMATION DOCUMENT TO NOTICE OF INTENT TO DEVELOP (NID) IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT, 1999 (ACT 25 OF 1999)

ERF 4784 (STILL BAY WEST), RIVERSDALE DISTRICT AND HESSEQUA MUNICIPALITY



ON BEHALF OF: HESSEQUA MUNICIPALITY

AUGUST 2019

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PERCEPTION Planning

URBAN & REGIONAL PLANNING- ENVIRONMENTAL PLANNING- HERITAGE IMPACT ASSESSMENT- URBAN DESIGN

CONTENTS

1. INTRODUCTION
2. BRIEF DESCRIPTION OF STUDY AREA
3. PROPOSED DEVELOPMENT
4. SPATIAL PLANNING CONTEXT
 - 4.1 Hessequa Municipal Spatial Development Framework (2013)
 - 4.2 Revised Hessequa Spatial Development Framework (2019)
5. BRIEF HISTORIC BACKGROUND
 - 5.1 Early establishment of Still Bay
 - 5.2 Erf 4784
6. HERITAGE RESOURCES AND ISSUES
 - 6.1 Archaeology
 - 6.2 Landscape context
 - 6.3 Conclusions
7. RECOMMENDATION

ANNEXURES

1. Powers of Attorney, Title deed, SG Diagrams
2. Photographs
3. Site Characteristics, Land use, Proposed Layout
4. Baseline Archaeological statement

FIGURES

1. Locality, broader context
2. Locality, local urban context
3. Extract: Hessequa Revised MSDF, 2019
4. Study area in relation to 1855 diagram of farm Plattebosch
5. 1942 aerial imagery

REFERENCES and ACKNOWLEDGEMENTS

1. Cape Town Archives
2. Franssen, Hans: The Old Buildings of the Cape, Jonathan Ball Publishers. Johannesburg & Cape Town, 2004
3. George Museum Archives
4. Kathleen Schulz, Southern Cape Historian
5. Specialist Planning Report for NEMA Purposes: Erf 4784 (portion of Erf 657), Still Bay West, Marike Vreken Urban & Environmental Planners, August 2019
6. Surveyor General Office

ABBREVIATIONS

1. NGSi – National Geo-Spatial Information, Department of Rural Development and Land Reform, Mowbray
2. HWC – Heritage Western Cape
3. NHRA - National Heritage Resources Act, 1999 (Act 25 of 1999)
4. HIA – Heritage Impact Assessment
5. HWC – Heritage Western Cape
6. PHS – Provincial Heritage Site

COVER: Collage of contextual panoramic images of Erf 4784, Still Bay West and its direct environs (Author)

1. INTRODUCTION

PERCEPTION Planning was appointed by Ellenrust CC (on behalf of the registered property owner, being Hessequa Municipality, to submit to Heritage Western Cape (HWC) a Notice of Intent to Develop (NID) in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999) with relation to proposed development of the subject property. The respective Powers of Attorney and copies of the Title Deed and S.G Diagrams are attached as part of **Annexure 1**.

The cadastral land units subject to this application are as follows:

- Erf 4784, Still Bay West (an unregistered portion of Erf 657, Still Bay West) measuring 5.7076 ha, registered to Hessequa Municipality, held under Title Deed T13983/1963 and situated within the jurisdiction of the Riversdale District and Hessequa Municipality, Western Cape.

2. BRIEF DESCRIPTION OF STUDY AREA

Erf 4784 (an unregistered portion of Erf 657), Still Bay West (hereafter referred to as "the study area") is situated within the coastal village of Still Bay (West), $\pm 540\text{m}$ southwest of the Goukou River and $\pm 1,3\text{km}$ west (inland) from the natural coastline as illustrated in the locality plan (**Figure 1**). The village is $\pm 23\text{km}$ south of the N2 National Road. As evident from **Figure 2**, the largest (southern) portion of the study area has been levelled through earthworks and cleared of vegetation, whereas the smaller (northern) triangular portion remains largely undeveloped and overgrown with natural vegetation.



Figure 1: Study area location within a broader context (Google Earth, 2018, as edited)

The study area is underlain by sandy soils. The undeveloped northern portion is overgrown by low-growing natural vegetation which appears to have been trampled/ suffering from drought conditions. A few mature milkwood trees were noted along the southwest edge of this undeveloped portion. The larger southern portion, which adjoins a government precinct, is completely flat and is overgrown by grass. No structures, ruins, graves and/or landscape features were noted during field work undertaken on 11th July 2019. The Palingsgat Farmstead, declared as National Monument¹ (PHS) on 7th March 1986, is situated 240m northwest of the study area boundary (see Figure 2).

Existing land use within the direct proximity of the study area includes the existing municipal/ government precinct directly to the south comprising various community-orientated land uses such as the local community hall, municipal buildings, municipal court building, a library and SAPD branch. The study area is furthermore

¹ SAHRA Ref. 9/2/079/0005

bound by the Palinggat Resort to the west and Single Residential neighbourhoods to the east and west while business and commercial orientated uses are established along Main Road, to the northwest as shown. A small modern municipal cemetery is situated along the corner of the Main Road/ Jongensfontein Road, diagonally opposite the government precinct.

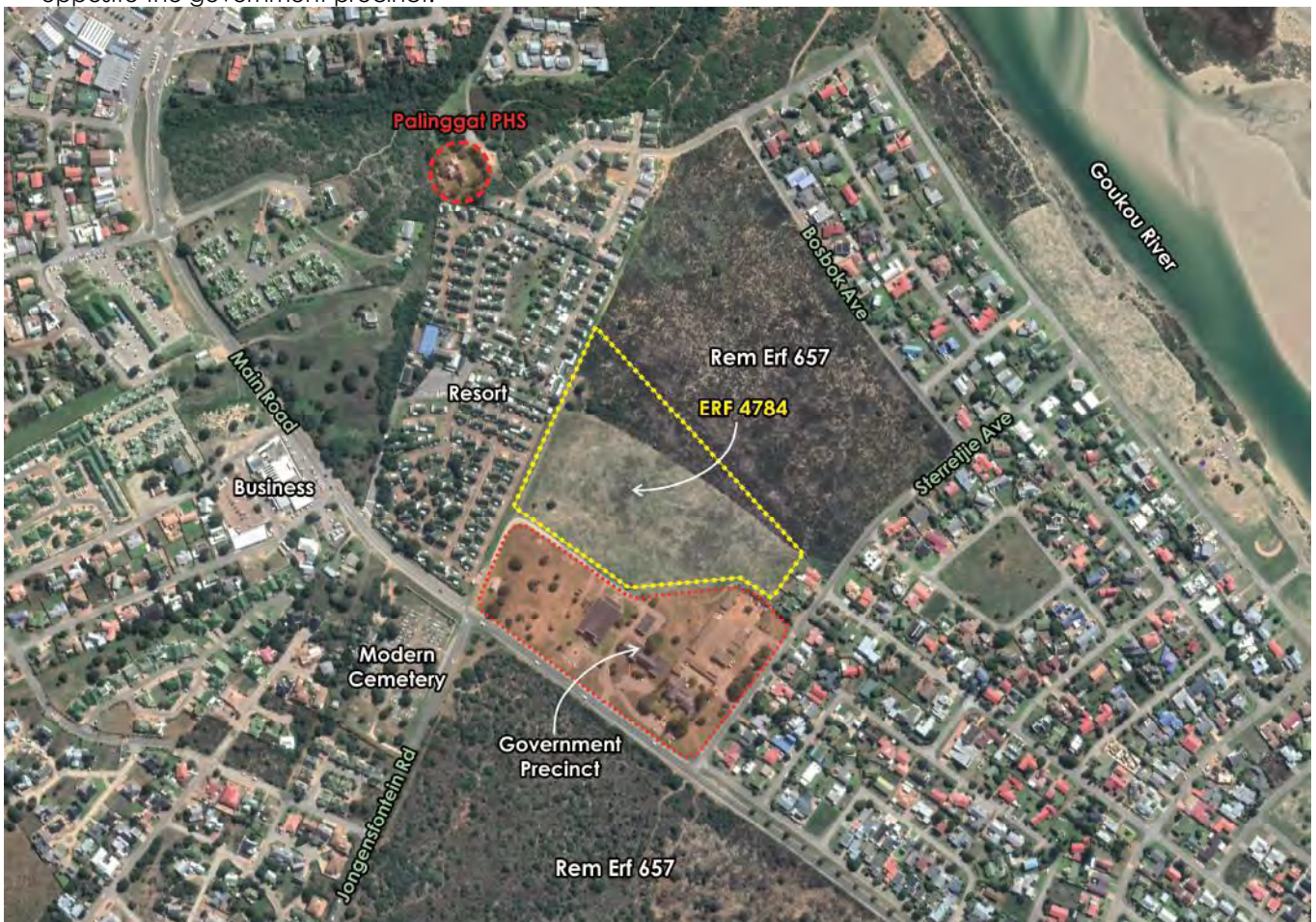


Figure 2: Study area shown within its closer urban context, illustrating surrounding fabric (Google Earth, 2018, as edited)

Study area forms part of Erf 657, Still Bay West (formerly $\pm 75,7512$ ha in extent), which includes the undeveloped area north of Erf 4784, the municipal/ government precinct and extends well south of the Main Road (undeveloped area partly shown in Figure 2). Photographs of the study area and its environs are attached as part of **Annexure 2** to this report.

3. PROPOSED DEVELOPMENT

According to information made available² the proposal follows the outcome of a municipal tender process as part of which Erf 4784 was awarded to the developer for the purposes of a new retirement resort. The developer is responsible to undertake the Planning and Environmental Authorisation applications.

While the project is still within the conceptual design phase, available information indicates that the land use planning application include rezoning of the newly-created, undeveloped Erf 4784 to "Subdivisional Area" so as to subdivide the property to make provision for the following:

- 129 x General Residential Zone III erven (Retirement units, Frail care and eight units for Assisted living) (± 3.8 ha);
- 1 x Open Space Zone II (± 1.8 ha).

Some of the development parameters that will be applicable to the development include:

- Maximum height: 8,5m/ Single storey;
- Building lines: 3m along outer boundaries, 0m internal;
- Coverage: 50%;
- Density: 22,6 units/ha;
- Parking requirement: 290 parking bays.

A copy of the conceptual design proposal is attached as part of **Annexure 3** to this report.

² Hessequa Land Use Pre-Application Form: Proposed redevelopment of Erf 4784, Still Bay West, dated 25th July 2019.

4. SPATIAL PLANNING CONTEXT

4.1 Hessequa Municipal Spatial Development Framework (2013)

According to the HMSDF (June 2013) the study area forms part of an area earmarked as a "Proposed Densification Area" within which it is a spatial objective to allow for urban densification and intensification.

4.2 Revised Hessequa Spatial Development Framework (2019)

According to the Revised HSDF (June 2019) the study area is still earmarked as "Proposed Densification Area" (see **Figure 3**) whilst the existing municipal/ government precinct to the south, as well as the undeveloped portion directly north are both still earmarked for "Community Purposes".

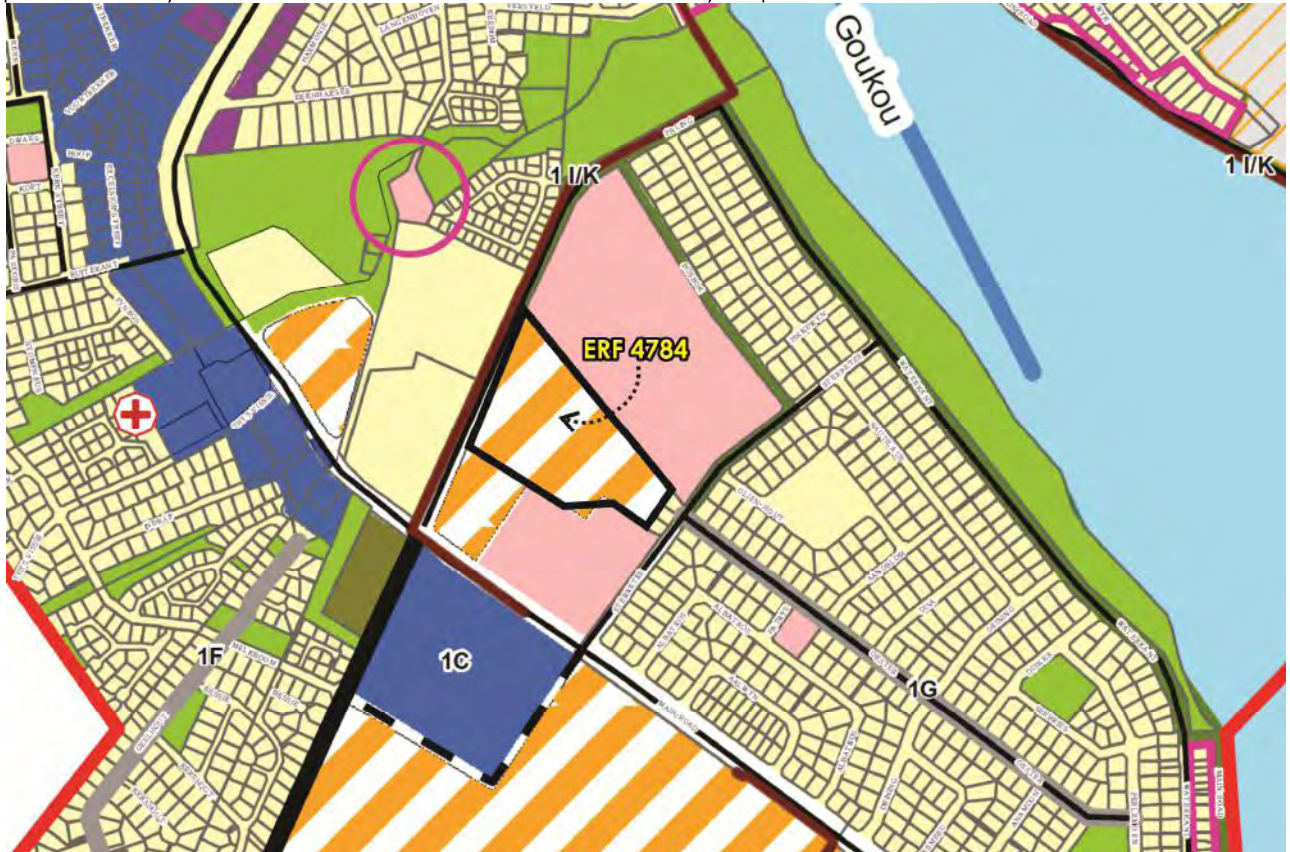


Figure 3: Location of study area within the context of spatial objectives outlined in the Hessequa Revised SDF, 2019 (Hessequa Municipality: 2019)

Added to the revised document is an area (± 10 ha in extent, cited "1C"), situated directly south of the municipal/ government precinct, on opposite side of Main Road, which is now earmarked for "business-orientated use and associated service industries" (RHSDf, 2019: 7). This area also forms part of the remainder of Erf 657 that is registered to Hessequa Municipality.

Based on the above the proposal therefore appears to be consistent with the broad spatial planning objectives applicable to the subject study area. Non-compliance of the Revised SDF (2019) to the statutory obligations outlined in Section 30(5) of the National Heritage Resources Act, 1999 (Act 25 of 1999) is noted.

5. BASIC HISTORIC BACKGROUND

Basic historic background research focussed on primary sources obtained through the Deeds Office, Surveyor General's Office, relevant secondary sources as well as as research previously undertaken by local historian Kathleen Schulz.

5.1 Early establishment of Still Bay

From a colonial perspective, the coastal village of Still Bay was established on a portion of the early loan farm Plattebosch, first surveyed in 1855 and transferred to Andries de Jager³. Incorporating an extensive portion of land including the now Goukou River mouth and adjoining coastline, the farm measured 1,743 morgen ($\pm 1,493$ ha), which excluded a "baiting place" measuring a further 387 morgen (± 331 ha). Of interest is the extent of indigenous forest (described as "impenetrable underwood"), which covered a substantial area of the farm at the time, as illustrated in the 1855 SG Diagram (**Figure 4**). According to secondary sources De Jager built what is understood to have been the first formal homestead at Palingsgat in 1805. The original

³ SG Diagram 2068/1855

homestead apparently had to be rebuilt in 1814 after it was burnt down during a Khoi raid (Fransen, H, 2004: 475). The Palingsgat Farmstead was declared as National Monument⁴ (PHS) in 1986 and is situated 240m northwest of the study area boundary (see Figure 2). Die official notification in the Government Gazette dated 7th March 1986 cites the following description (sic):

"The historic Pallinggat homestead and the nearby paling fountain, each with 20 metres of surrounding land, situate on Portion 57 (a portion of Portion 56) of the farm Platte Bosch 485, situate in the Municipality of Still Bay, Division of Riversdale. Deed of Transfer 25973/1984, dated 18 May 1984."

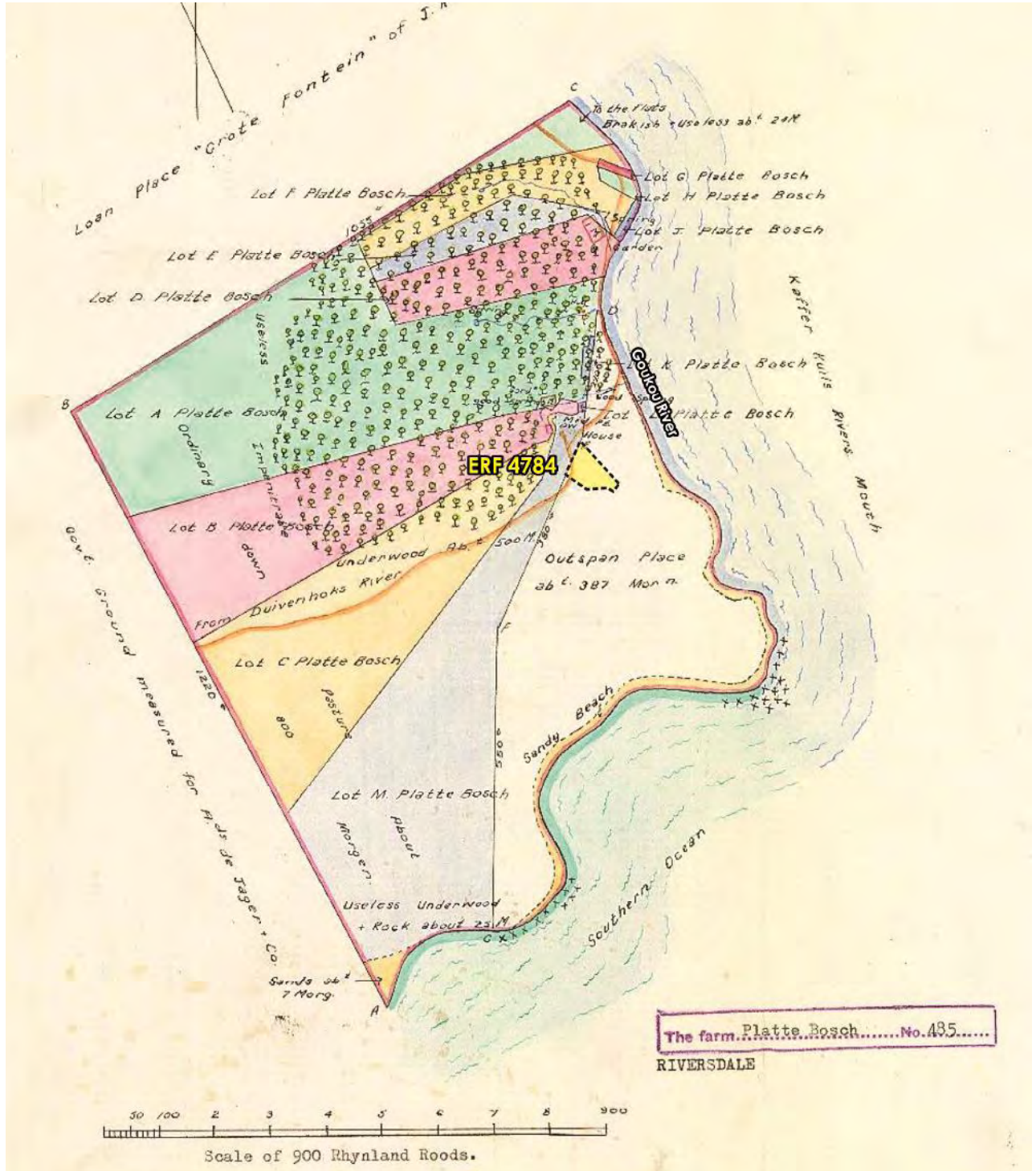


Figure 4: Approximate location of the study area in relation to the original (1855) boundaries of the loan farm Plattebosch. Note the extent of impenetrable forest coverage along the northern portion of the property (SG Diagram 2068/1855)

5.2 Erf 4784

The subject property was subdivided from Erf 657, Still Bay West during 2018 but has not yet been transferred/ formally registered in the Deeds Office. Said transfer from the current owner (Hessequa Municipality) to Ellenrust CC (having successfully been awarded a municipal tender with relation to future development of said

⁴ SAHRA Ref. 9/2/079/0005

land). Erf 657, essentially the commonage upon which Still Bay West was developed, was surveyed during 1954 and comprised an area of 349 morgen (\pm 300ha). Erf 657 traversed the former Outspan as well as Lot M of the farm Plattebosch (refer to Figure 4). Several portions of Erf 657 have been subdivided from the original erf, one of which includes the Skulpiesbaai Nature Reserve, declared as such during 2000.

Apart from the location of the study area in relation to the Palingsgat homestead, preliminary research undertaken did not highlight heritage themes of of historic or social cultural significance that would require further focussed research.

6. HERITAGE RESOURCES AND ISSUES

6.1 Archaeology

The southern (larger) portion of the study area has been levelled and cleared of natural vegetation. Several mole heaps surveyed throughout this area during field did not seem to contain potential subsurface material such as shells or other archaeological material. Notwithstanding the client requested preliminary input from a suitably-qualified archaeologist by way of an archaeological baseline statement, which was compiled by Dr. Peter Nilssen and is attached to this report as **Annexure 4**. Following a site visit undertaken on 22nd July 2019, the following was reported that:

“Waypoint 263 marks the locality where a low density scatter of marine shell and one possible stone artefact were recorded on the surface (Figure 5 and Plate 2). Due to surrounding construction activities and the import of building materials such as gravel, I caution that the single pebble with evidence for conchoidal fracture might not be archaeological in origin. The marine shell is dominated by Alikreukel (Olicroc) shells and their operculae while only a few specimens of limpet and periwinkle were seen. The low density surface scatter of shell does not have the appearance of an archaeological shell midden. It is possible that the shell is of fairly modern origin (not archaeological) as we know that people still collect shellfish today and Alikreukel poaching sites are common along the coast.

Waypoint 264 marks the locality, also in the surroundings of a large Milkwood tree, where a few fragments of Alikreukel shell and operculae were recorded (Figure 5 and Plate 3). This scatter is of even lower density than that seen at waypoint 263 and it is also mixed with modern refuse and some rubble. Numerous mole rat heaps in the area are devoid of shellfish remains, which suggests that the few shells do not originate from subsurface archaeological sediments. It is more likely that these few shells are of modern or displaced origin. Again, due to a certain measure of doubt, the results of test excavations at waypoint 263 will provide clarity on the shell fish remains appearing around waypoint 264.”

The baseline archaeological statement furthermore recommends that:

“Even though a case can be made that the marine shell seen on the surface derives from modern activities or from an insignificant archaeological event, there is ambiguity and it needs to be dealt with to the satisfaction of HWC. If not resolved before construction commences and a shell midden is encountered during the construction phase, then there could be significant negative impact to the development project, schedule and its budget. It is also my professional obligation to caution on the safe side.

Although the uncertainty surrounding the origin of marine shell on Erf 4784 could be easily resolved through the excavation of archaeological test holes around the locality of waypoint 263, the heritage authorities will require that their process be followed.

In terms of HWC processes and heritage legislation referred to above, and given the above observations and uncertainty, a Phase 1a Archaeological Impact Assessment (AIA) as part of an integrated Heritage Impact Assessment will be required. The only way to determine whether or not the marine shell recorded at waypoints 263 and 264 is of archaeological origin or not, is through test excavations (by spade or mechanical). Ground penetrating radar is not a reliable standalone option and can be very costly.

The Phase 1a AIA can be basic and the bulk of the fieldwork and assessment has already been done here. The Phase 1a AIA, will recommend that test excavations be conducted at waypoint 263 during a Phase 1b Archaeological Impact Assessment for which a permit must be obtained from HWC. Although it is anticipated that the shellfish remains do not stem from a sub-surface archaeological shell midden, the heritage authorities will require that this be demonstrated with physical evidence.

Due to the site's geological nature (soft sediments capable of housing sub-surface archaeological materials) and proximity to the shoreline, it is also common practice that archaeological monitoring of earthmoving activities during the construction phase of development be implemented. Such recommendations will also be made in the Phase 1a AIA.

Apart from the above, at this stage there are no fatal flaws from an archaeological perspective and the process for the proposed development may proceed provided that the above recommendations are implemented."

6.2 Landscape context

The study area is surrounded on three sides by existing urban development and one of the spatial objective contained in the previous (2013) as well as the current (2019) HSDF earmark the undeveloped area north of Erf 4784 for development of future "Community Purposes", the exact nature of which has not been defined. As mentioned, no structures, ruins, graves and/or landscape features were noted during field work.

Analysis of early (1942) aerial photography is useful in providing insight into traditional (i.e. Pre-Modern) cultural landscape patterns and for this reason it was used to inform our understanding of the cultural landscape context of the study area and its direct environs.



Figure 5: Boundaries of the study area transposed onto 1942 aerial imagery for the area (Aerial survey 8, Flight Strip 18, Image 6815, NGSI)

Aerial survey 8 of 1942 (Figure 5):

- Study area is seen here as being part of a coastal landscape densely overgrown by natural vegetation;
- The western boundary of the former Outspan, as also evident in the 1855 (Figure 4), is clearly legible within the landscape. The study area borders onto this boundary;
- Existing development at the time appears to have been focussed within the precinct of the early Palingsgat homestead as well as a growing number of holiday cottages (current Waterkant Street area), further to the southeast, at the mouth of the Goukou River;
- The very linear alignment of Main Road, leading from the river crossing to the holiday homes, is evident;
- There do not appear to be any structures, paths or any form of urban development on the study area or its direct environs at this time.

6.3 Conclusions

The study area is situated within the town of Still Bay West and is surrounded by existing urban development to the east, south and west. Much of the southern portion of the study area has been transformed through earthworks and clearing of vegetation. The occurrence of several mature milkwood trees scattered within the undeveloped northern portion is noted.

Although we note the recommendations outlined in the baseline archaeological statement, we also note uncertainty as to whether the low density scatter of marine shells and one possible stone artefact are indeed archaeological artefacts. We note that the location of these occurrences coincide with that of a mature milkwood tree, which is protected in terms of the National Forest Act, 1998 (Act No. 84 of 1998), and would have to be retained as part of any future development. Within this context it is therefore uncertain whether further archaeological assessment would be warranted in this instance.

Taken in conjunction with the above assessment we are therefore of the view that the proposal would not materially impact on heritage resources of cultural significance and that the development may therefore proceed.

7. RECOMMENDATION

Having regard to the above assessment, it is our view that the proposal would not impact on any heritage resource of cultural significance and that no further heritage-related studies would therefore be warranted in this instance.

PERCEPTION Planning

22nd August 2019

STEFAN DE KOCK

Hons: TRP(SA) EIA Mgmt(IRL) Pr Pln PHP

APPLICATION FORM NOTIFICATION OF INTENT TO DEVELOP SECTION 38 (1) AND SECTION 38 (8)

Heritage Western Cape Reference No:

To be completed by
applicant

1908 1913

Completion of this form is required by Heritage Western Cape for the initiation of all impact assessment processes under Section 38 (1) & (8) of the National Heritage Resources Act (NHRA).

Whilst it is not a requirement, it may expedite processes and in particular avoid calls for additional information if certain of the information required in this form is provided by a heritage specialist/s with the necessary qualifications, skills and experience.

A. APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

DEADP/ DMR Reference Number:

This application is made in terms of Section 38(8) of the NHRA and an application under NEMA has been made to the following authority:

This development will not require a NEMA application.

NOTE: Making an incorrect statement or providing incorrect information in this part of the form may result in all or part of the application having to be reconsidered by HWC in the future, or submission of a new application.

B. BASIC DETAILS

PROPERTY DETAILS:

Name of property: **Erf 4784 (Still Bay), Riversdale District and Hessequa Municipality**

Street address or location (eg: off R44): **off Main Road, Still Bay**

Erf or farm number/s: **Erf 4784 (Portion of Erf 657)**

Coordinates:

S 34° 22' 32.96"

E 21° 24' 40.51"

(A logical centre point. Format based on WGS84.)

Town or District: **Riversdale**

Municipality: **Hessequa Municipality**

Extent of property: **5.7076 ha**

Current use: **Open Space**

Predominant land use/s of surrounding properties: **Authority Use, Agriculture, Single & General Residential Use**

REGISTERED OWNER OF PROPERTY:

Name and Surname: Ellenrust Properties CC on behalf of Hessequa Municipality (Powers of Attorney attached)

Address: PO Box 29, Riversdale, 6670

Telephone: N/A	Cell: N/A	E-mail: N/A
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APPLICANT/ AUTHORISED AGENT:

Name and Surname: c/o Perception Planning (Stéfan de Kock). Powers of Attorney attached incl: a.) Hessequa Municipality (Property owner) to Ellenrust CC (Developer); b.) Ellenrust CC to Perception Planning (Applicant).

Address: PO Box 9995, George, 6530

Telephone: N/A	Cell: 082 568 4719	E-mail: perceptionplanning@gmail.com
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By the submission of this form and all material submitted in support of this notification (ie: 'the material'), all applicant parties acknowledge that they are aware that the material and/or parts thereof will be put to the following uses and consent to such use being made: filing as a public record; presentations to committees, etc; inclusion in databases; inclusion on and downloading from websites; distribution to committee members and other stakeholders and any other use required in terms of powers, functions, duties and responsibilities allocated to Heritage Western Cape under the terms of the National Heritage Resources Act. Should restrictions on such use apply or if it is not possible to copy or lift information from any part of the digital version of the material, the material will be returned unprocessed.

I confirm that I enclose with this form two hardcopies of all material submitted together with a CD/ USB containing digital versions of all of the same.

Signature of Owner: _____ Date: _____

Signature of Applicant/ Authorised Agent: _____ Date: _____
(Applicants/ agents must attach copy of power of attorney to this form.)

C. DEVELOPMENT DETAILS:

Please indicate below which of the following Sections of the National Heritage Resources Act, or other legislation has triggered the need for notification of intent to develop.	
<input type="checkbox"/> S38(1)(a) Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length.	S38(1)(c) Any development or activity that will change the character of a site -
<input type="checkbox"/> S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length.	
<input checked="" type="checkbox"/> S38(1)(d) Rezoning of a site exceeding 10 000m ² in extent.	
<input checked="" type="checkbox"/> Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details:	<input checked="" type="checkbox"/> (i) exceeding 5 000m ² in extent; <input type="checkbox"/> (ii) involving three or more existing erven or subdivisions thereof; <input type="checkbox"/> (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years. If you have checked any of the three boxes above, describe how the proposed development will change the character of the site: Implementation of the proposal implies transformation of the currently vacant study area to urban development thus permanently altering the present landscape character. Please refer to Background Information Document (BID) for comprehensive description.
If an impact assessment process has also been / will be initiated in terms of other legislation please provide the following information: Authority / government department (ie: consenting authority) to which information has been /will be submitted for final decision: WCG: DEADP Present phase at which the process with that authority stands: Conceptual Design Phase	
Provide a <u>full</u> description of the nature and extent of the proposed development or activity including its potential impacts: As the project is currently still within the Conceptual Design Phase, a comprehensive development description is not yet available. From the Conceptual Site Development Plan we note that the proposal would inter alia include: Rezoning of the newly-created Erf 4784 to General Residential Zone III and Open Space Zone so as to make provision for a Retirement village including the following components (Preferred alternative): <ul style="list-style-type: none"> • ± 129 retirement units, Frail care and Assisted living (± 3.8 ha); • 1 Open Space (± 1.8 ha). Please also refer to BID for further comprehensive description.	

D. ANTICIPATED IMPACTS ON HERITAGE RESOURCES

Section 3 of the National Heritage Resources Act sets out the following categories of heritage resource as forming part of the national estate. Please indicate the known presence of any of these by checking the box alongside and then providing a description of each occurrence, including nature, location, size, type

Failure to provide sufficient detail or to anticipate the likely presence of heritage resources on the site may lead to a request for more detailed specialist information.

(The assistance of relevant heritage professionals is particularly relevant in completing this section.)

Provide a short history of the site and its environs (Include sources where available):

Please refer to BID for comprehensive description.

Please indicate which heritage resources exist on the site and in its environs, describe them and indicate the nature of any impact upon them:

<input type="checkbox"/>	<p>Places, buildings, structures and equipment of cultural significance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Places to which oral traditions are attached or which are associated with living heritage</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Historical settlements and townscapes</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Landscapes and natural features of cultural significance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Geological resources of scientific or cultural importance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input checked="" type="checkbox"/>	<p>Archaeological resources (Including archaeological sites and material, rock art, battlefields & wrecks):</p> <p>Description of resource: Yes, possible archaeological occurrences – please refer to baseline archaeological statement attached to the BID.</p> <p>Description of impact on heritage resource: Unknown</p>
<input checked="" type="checkbox"/>	<p>Palaeontological resources (ie: fossils):</p> <p>Description of resource: Unknown</p> <p>Description of impact on heritage resource: Unknown</p>

<input type="checkbox"/>	<p>Graves and burial grounds (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries):</p> <p>Description of Resource:</p> <p>Description of Impact on Heritage Resource:</p>
<input type="checkbox"/>	<p>Other human remains:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Sites of significance relating to the history of slavery in South Africa:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Other heritage resources:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>

Describe elements in the environs of the site that could be deemed to be heritage resources:

Possible archaeological occurrences

Description of impacts on heritage resources in the environs of the site:

Unknown

Summary of anticipated impacts on heritage resources:

Please refer to BID for comprehensive description.

E. ILLUSTRATIVE MATERIAL (This form will not be processed unless the following are included):

Attach to this form a minimum A4 sized locality plan showing the boundaries of the area affected by the proposed development, its environs, property boundaries and a scale. The plan must be of a scale and size that is appropriate to creating a clear understanding of the development.

Attach also other relevant graphic material such as maps, site plans, satellite photographs and photographs of the site and the heritage resources on it and in its environs. These are essential to the processing of this notification.

Please provide all graphic material on paper of appropriate size and on CD/ USB in JPEG format. It is essential that graphic material be annotated via titles on the photographs, map names and numbers, names of files and/or provision of a numbered list describing what is visible in each image.

F. RECOMMENDATION

In your opinion do you believe that a heritage impact assessment is required? Yes No

Recommendation made by:

Name: **Stéfan de Kock**

Capacity: **Professional Heritage Practitioner (APHP)**

PLEASE NOTE: No Heritage Impact Assessment should be submitted with this form or conducted until Heritage Western Cape has expressed its opinion on the need for such and the nature thereof.

G. INFORMATION TO BE PROVIDED AND STUDIES TO BE CONDUCTED AS PART OF THE HERITAGE IMPACT ASSESSMENT (HIA)
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If it is recommended that an HIA is required, please complete this section of the form.

DETAILS OF STUDIES TO BE CONDUCTED IN THE INTENDED HIA

In addition to the requirements set out in Section 38(3) of the NHRA, indicate envisaged studies:

<input type="checkbox"/>	Heritage resource-related guidelines and policies.
<input type="checkbox"/>	Local authority planning and other laws and policies.
<input type="checkbox"/>	Details of parties, communities, etc. to be consulted.
<input checked="" type="checkbox"/>	Specialist studies, eg: archaeology, palaeontology, architecture, townscape, visual impact, etc. Provide details: Potential archaeological occurrences as outlined in baseline report Dr. Peter Nilssen dated 24th July 2019, attached to the BID.
<input type="checkbox"/>	Other. Provide details:

PLEASE NOTE: Any further studies which Heritage Western Cape requires should be submitted must be in the form of a single, consolidated report with a single set of recommendations. Specialist studies must be incorporated in full, either as chapters of the report, or as annexures thereto.
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REGISTERED POST

Our Ref: HM/ HESSEQUA / STILL BAY / ERF 4784 & PORTION OF ERF 657
Case No.: 19081913SB0823E
Enquiries: Stephanie-Anne Barnardt
E-mail: stephanie.barnardt@westerncape.gov.za
Tel 021 483 9370
Date: 19 September 2019

Stefan De Kock
Po Box 9995
George
6530
perceptionplanning@gmail.com



RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED REZONING AND DEVELOPMENT OF A MIXED USED RESIDENTIAL AND OPEN SPACE FOR A RETIREMENT VILLAGE, STILL BAY, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 19081913SB0823E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 23 August 2019. This matter was discussed at the Heritage Officers meeting held on 3 September 2019.

You are hereby notified that, since there is no reason to believe that the proposed rezoning and development of a mixed used residential and open space for a retirement village will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully


.....
Dr. Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

Archaeological Baseline Statement for Proposed Residential Development on Erf 4784, Still Bay, Hessequa Municipality, Western Cape Province

Prepared for

Perception Planning, C/O Stefan De Kock, on behalf of the **Applicant, Ellenrust Properties**, PO Box 1339, Oudtshoorn, 6620, Attention: DeVilliers Neethling

Prepared by



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24 July 2019

1. Name, Biosketch and Declaration of Specialist

I, Peter Nilssen (PhD in archaeology, University of Cape Town 2000), herewith confirm that I am a Professional member - in good standing - of the Association of South African Professional Archaeologists (ASAPA), including the Cultural Resource Management section of the same association since 1989 (ASAPA professional member # 097). I am an accredited Principal Investigator for archaeozoology (specialist analysis), coastal, shell midden and Stone Age archaeology; Field Director for Colonial Period archaeology; and Field Supervisor for Iron Age archaeology and Rock Art. I have worked as a professional archaeologist in Cultural Resource Management since 1989 and have completed more than 200 heritage-related impact assessments and mitigation projects that were approved by provincial and national heritage authorities.

As the appointed independent specialist (archaeologist) for this project hereby declare that I:

- act as an independent specialist in this application;
- regard the information contained in this report as it relates to my specialist input/study to be true and correct;
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant, EAP and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2014 (specifically in terms of regulation 13 of GN No. R. 982) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- am aware that a false declaration is an offence in terms of regulation 48 of GN No. R. 982.



Signature of the specialist:

Date: **24 July 2019**

2. Introduction

Since the project is subject to an Environmental Impact Assessment, Heritage Western Cape is required to comment on the proposed project in order to facilitate final decision making by the Department of Environmental Affairs and Development Planning (DEA&DP).

Because this document assumes that the nature, details and scope of the proposed development and study area (Erf 4784, Still Bay) will be provided by Perception Planning in their Notification of Intent to Develop (NID) and supporting documents that will be submitted to Heritage Western Cape (HWC), such information is not duplicated here.

Mr Stefan De Kock of Perception Planning requested a quotation for archaeological input to the HWC NID submission for which this author was appointed by the applicant. The site inspection was conducted on 22 July 2019 after Mr Neethling was notified of my presence on site.

3. Study Area

Erf 4784, Still Bay, is situated approximately 500m south-west of the southern bank of the Goukou River and less than 2km north-west of the Indian Ocean shoreline (Figures 1, 2 & 3). The terrain is essentially flat with some minor undulation in the northern portion that is not currently cleared of vegetation. More than 50% of the property is cleared of vegetation and levelled, possibly for agricultural or development purposes (Figure 2 and Plate 1). The northern portion is vegetated with mainly indigenous vegetation including at least two large Milkwood trees (visible in aerial imagery). An aerial photograph in a 2007 report as well as Google Earth imagery of 2005, however, show that the entire property appears to have been cleared of vegetation in the past (Figure 4 and Halkett 2007). Cape thatching reed (species of *Restio*) has recently been cut in the northern portion of the property. Examples of the affected environment and developments in the immediate surroundings are shown in Figures 2, 4 and 5, and Plate 1. Directions of views are given in the data stamps on photographs. The current development proposal is shown in Figure 3.

The extent of the property is about 5.7 ha (**thus triggering Section 38 (1)(c)(i) of the National Heritage Resources Act, Act 25 of 1999 [NHRA]**), which is surrounded by residential, recreational and urban development (Figures 2 and 4). Most of the property, and predominantly evident in the presently cleared southern portion, is notably impacted by dune mole rat burrowing activity. Burrowing activity reveals that sub-surface sediments consist of aeolian dune sands to an unknown depth. **Any material that cannot be transported by wind has got there by other processes i.e. human intervention.**

- Several events of minor dumping of refuse were seen.
- A small borrow pit (about 3m x 3m) and a borehole were also noted.

Not only does this help to understand the context of human intervention on this site, it also allows the opportunity to investigate soil substrate.

Due to surrounding development as well as earlier clearing of the entire property around the year 2005, the **affected property and immediate surroundings are already in a partly disturbed and degraded condition.** Apart from these physical human-related and natural

impacts to the property, **no major earthmoving disturbances to the sediments in the affected area were observed.**

This implies that, apart from dune mole rat burrowing, much of the **sub-surface dune sands and their contents should be intact.**

The study area is readily accessible by vehicle and can be covered on foot, though the northern, vegetated portion is more difficult to walk through. Even though the northern portion of the site is overgrown and visibility is restricted by vegetation cover, sufficient ground surfaces could be inspected to get a general feel for archaeological sensitivity. Similarly, visibility was good enough to detect any old structures or features if such were present on the property.

The study area and immediate surroundings were inspected independently and mostly on foot with the surveyed area shown by the GPS-fixed survey tracks in Figure 5. Sufficient observations were made for the purpose of this assessment and there were no limitations to the site visit or investigation.

Inspections focused on the site and immediate surroundings and previously disturbed areas as well as exposed ground surfaces with a view to establish the presence of heritage resources listed in Section C of the HWC NID and as defined in Section 3(2) of the NHRA.

4. Background, Site Inspection and Results

A desktop study and literature review go beyond the scope of the baseline statement presented here. Nevertheless, because of predictable food sources, the coastal zone has been a frequently inhabited zone for many thousands of years, and where investigations have taken place, significant archaeological sites have been found along much of South Africa's coastline.

Commonly, these include open air shell middens (one such site is in the dune above the fishing harbour and slipway in Still Bay and is open to the public) in close association with the coast and where caves and rock shelters occur, they commonly house the remains of Stone Age foraging societies as well as early pastoralists.

Tidal fish traps of unknown age are clearly visible at low tide from the lookout point above the fishing harbour and slipway. One of the better known archaeological sites in the area is Blombos Cave near the shoreline to the west, which is currently in the process of being nominated for World Heritage Site status with UNESCO.

To the best of my knowledge, **no registered, graded, or significant heritage sites occur in the immediate surroundings of Erf 4784.** This does not imply, however, that no significant archaeological resources occur in sub-surface sediments, and although unlikely at this locality, this possibility cannot be ruled out entirely. **Only once the soft sub-surface sediments are exposed through excavation will it be possible to confirm the potential for any significant archaeological resources.**

A site inspection of the affected properties and the immediate environs was undertaken on 22 July 2019. Survey walk tracks, photo localities, and observations were fixed with a hand held Garmin Etrex 30x GPS to record the investigated area (Figure 5). Data imprints on photographs in Plate 1 provide coordinates and direction of views. Digital audio visual notes

and a high quality, comprehensive digital photographic record were also made with a Nikon Coolpix AW130 digital camera (full data set available from author on request).

The development site was examined with a focus on the **potential archaeological sensitivity and to make recommendations for the way forward.**

- Waypoint 263 marks the locality where a low-density scatter of marine shell and one possible stone artefact were recorded on the surface (Figure 5 and Plate 2).

Due to surrounding construction activities and the import of building materials such as gravel, I caution that the single pebble with evidence for conchoidal fracture might not be archaeological in origin. It is known that mechanical stone crushers used to manufacture gravel for roads and construction can create pieces of stone that have the appearance of anthropogenically flaked stone. Therefore, due to the disturbed nature of the depositional context around waypoint 263, it cannot be ruled out that the single possible Stone Age tool is a piece of crushed cobble or pebble associated with modern construction activities.

Nevertheless, without secure context and knowing what lies buried beneath the surface, there is currently no certainty about the origin of the flaked quartzite pebble.

- The marine shell occurs in very low densities and is restricted to a fairly small raised area (about 200 m² - though the extent has not been mapped) of the dune sands near a Milkwood tree. It is noted that modern refuse (including plastics & clothing) as well as some pebbles and shale likely associated with construction activities are mixed in with the low density surface scatter of marine shell.
- The marine shell is dominated by Alikreukel (Olicroc) shells and their operculae while only a few specimens of limpet and periwinkle were seen.

It was noted that shell is not being brought to the surface by dune mole rat burrowing, which is normally the case where subsurface shell midden sediments are present. It follows that this suggests that sub-surface shell midden deposits are unlikely to be present. It is possible that the shell is of fairly modern origin (not archaeological) as we know that people still collect shellfish today and Alikreukel poaching sites are common along the coast. Although this low density surface scatter of shell does not have the appearance of an archaeological shell midden, **without further sub-surface analysis it cannot be ruled out that the materials are archaeological and that more archaeological materials are buried in the dune sands below the surface.**

- Waypoint 264 marks the locality, also in the surroundings of a large Milkwood tree, where a few fragments of Alikreukel shell and operculae were recorded (Figure 5 and Plate 3). This scatter is of even lower density than that seen at waypoint 263 and it is also mixed with modern refuse and some rubble. Numerous mole rat heaps in the area are devoid of shellfish remains, which suggests that the few shells do not originate from subsurface archaeological sediments. It is more likely that these few shells are of modern or displaced origin. Again, due to a certain measure of doubt, the results of **test excavations at waypoint 263 will provide clarity on the shell fish remains appearing around waypoint 264.**

Although it is anticipated that the shellfish remains do not stem from a sub-surface archaeological shell midden, the heritage authorities will require that this be demonstrated with physical evidence i.e. archaeological excavation.

Apart from these two localities, **no further archaeological or potential archaeological materials of historic or prehistoric origin were seen on the affected property.**

5. Recommendations

Even though a case can be made that the marine shell seen on the surface derives from modern activities or from an insignificant archaeological event, there is ambiguity and it needs to be **dealt with to the satisfaction of HWC**. If not resolved before construction commences and a shell midden is encountered during the construction phase, then there could be significant negative impact to the development project, schedule and its budget. It is also my professional obligation to caution on the safe side.

Although the uncertainty surrounding the origin of marine shell on Erf 4784 could be easily resolved through the excavation of archaeological test holes around the locality of waypoint 263, the heritage authorities will require that their process be followed.

The only way to determine whether or not the marine shell recorded at **waypoints 263 and 264** is of archaeological origin or not, is through archaeological test excavations (by spade or mechanical). Ground penetrating radar is not a reliable standalone option and can be very costly.

In terms of HWC processes and heritage legislation referred to above, and given the above observations and uncertainty, a **Phase 1a Archaeological Impact Assessment (AIA)** as part of an **integrated Heritage Impact Assessment will be required.**

1. The Phase 1a AIA can be basic since the bulk of the fieldwork and assessment has already been done here. The Phase 1a AIA, will recommend that **archaeological test excavations** be conducted at **waypoint 263** during a **Phase 1b** Archaeological Impact Assessment for which a permit must be obtained from HWC.

Although it is anticipated that the shellfish remains do not stem from a sub-surface archaeological shell midden, the heritage authorities will require that this be demonstrated with physical evidence.

Due to the site's geological nature (soft sediments capable of housing sub-surface archaeological materials) and proximity to the shoreline, it is also common practice that **archaeological monitoring of earthmoving activities during the construction** phase of development be implemented. Such recommendations will also be made in the Phase 1a AIA.

Apart from the above, at this stage there are no fatal flaws from an archaeological perspective and the process for the proposed development may proceed provided that the above recommendations are implemented **[prior to construction?]**.

6. Reference

Halkett, D. 2007. Heritage Statement for Proposed Development on Farm 619, Stilbaai-Wes. Prepared on request of HWC in response to a NID (HM/STILBAAI/Farm 619 dd 19 November 2007).

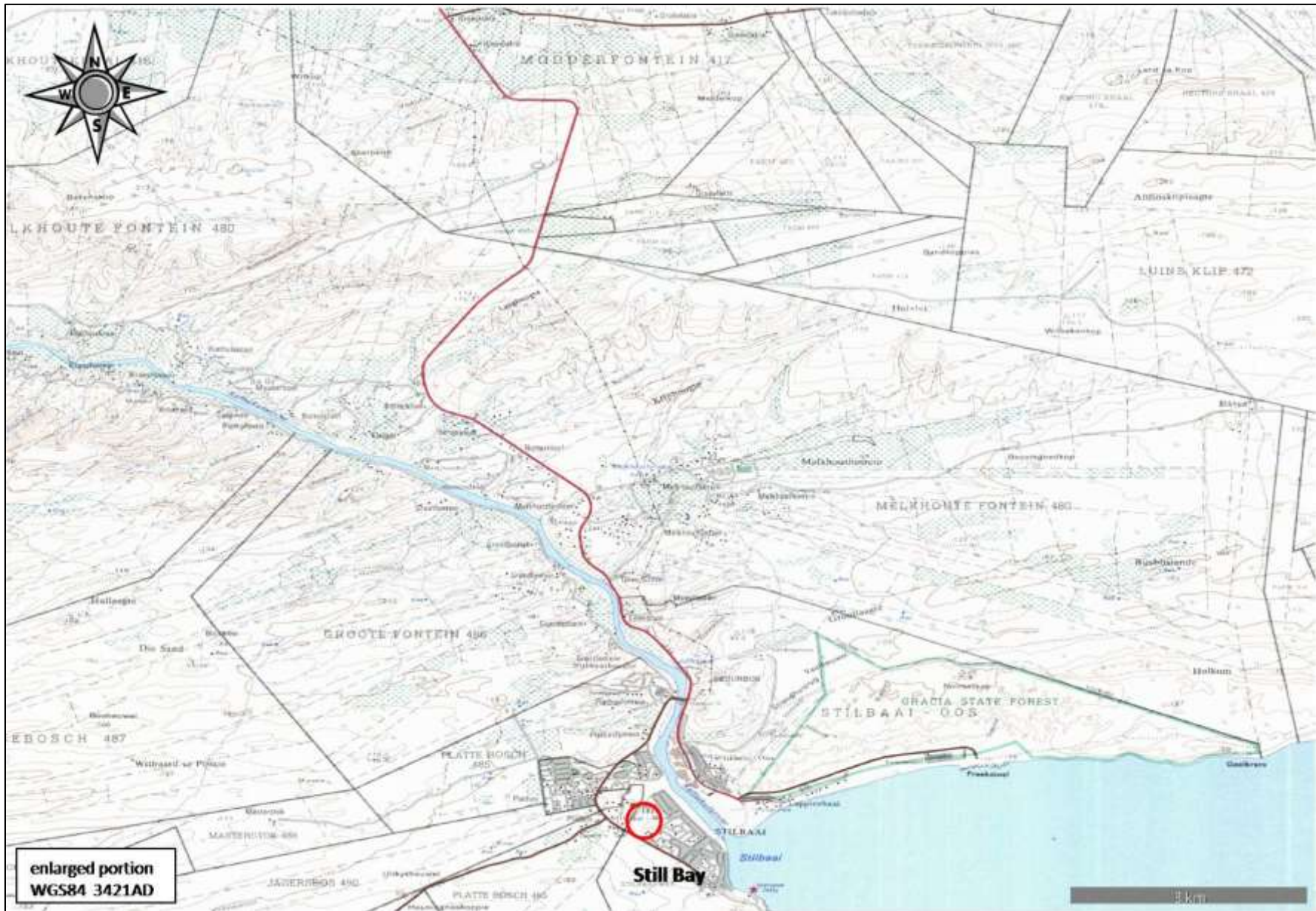


Figure 1. General location of Erf 4784 (red ellipse) in Still Bay, Western Province. Courtesy of Chief Directorate Surveys and Mapping, Mowbray.



Figure 2. Location of Erf 4784 and developments in its immediate surroundings in Still Bay, Western Province. Courtesy of the applicant and Marike Vreken.

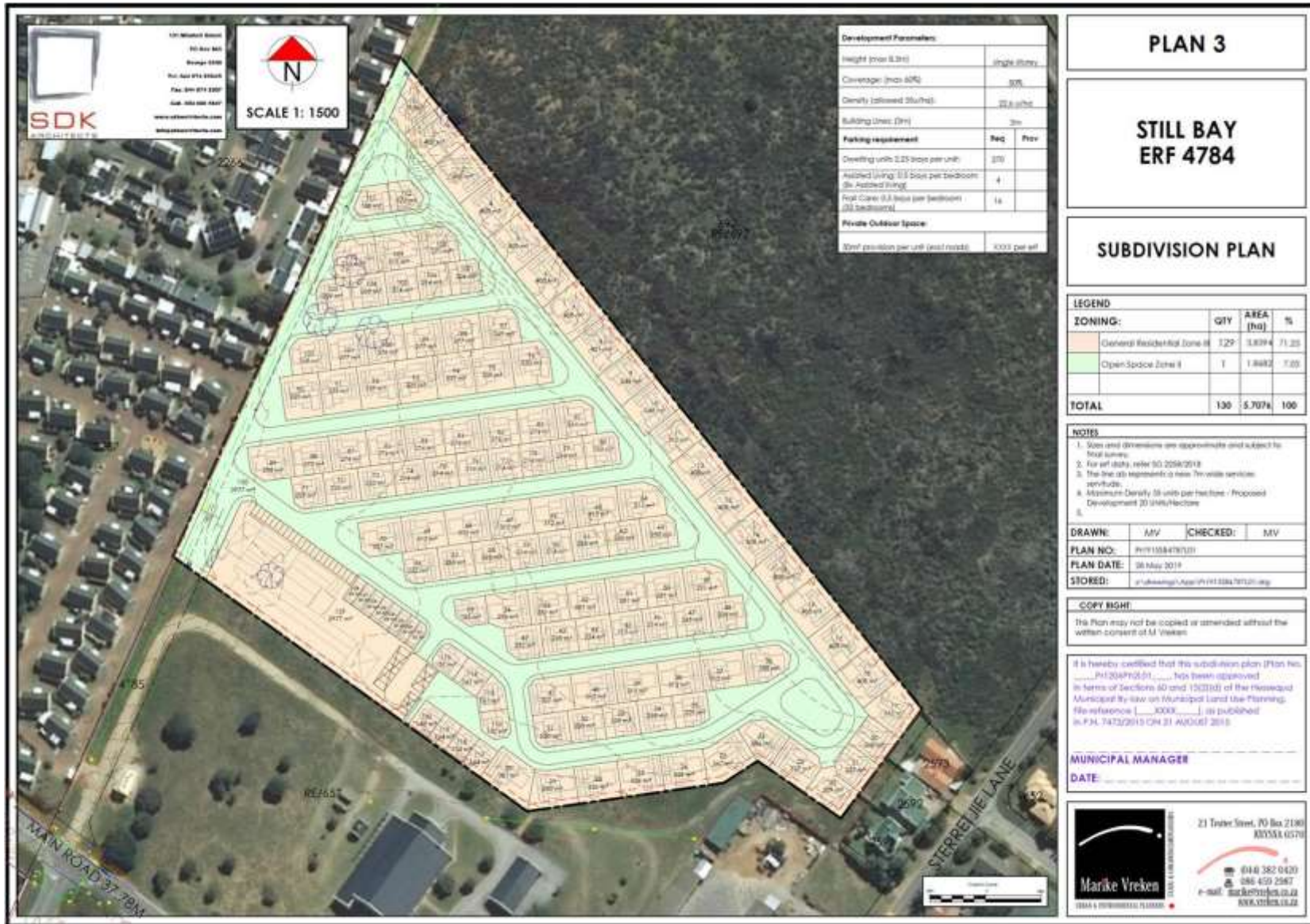


Figure 3. Site Development Layout plan for Erf 4784, Still Bay. Courtesy of the applicant and Marika Vreken.



Figure 4. The affected area as seen in 2005 Google Earth imagery. Note that the entire site is much less heavily vegetated than at present and is crossed by numerous pedestrian and possible vehicle tracks. Courtesy of Google Earth 2005.



Figure 5. Present day Google Earth imagery showing the site's proximity to the Goukou River and present day shoreline. Archaeological survey tracks are indicated in red and waypoints 263 and 264 are described in the text (see Plates 1 through 3). Courtesy of Google Earth 2019.



Plate 1. Examples of the receiving environment showing topography, cleared southern portion, vegetation cover and existing developments. Note numerous dune mole rat heaps devoid of shellfish remains that are normally associated with sub-surface shell midden deposits.



Plate 2. Context at waypoint 263 showing very low density scatter of marine shell on the surface. Width of boot upper is 10cm. Lower images show flaked quartzite pebble that could be archaeological, but it could also be produced by a mechanical crusher during the manufacture of gravel for construction purposes.



Plate 3. Context at waypoint 264 and showing very low density scatter and isolated fragments of Alikreukel shell and their operculae. Width of boot upper is 10cm.