

**Our Ref:** HM/ GARDEN ROUTE/ BITOU/ PLETTENBERG BAY/ PORTION 38 OF FARM GANSE VALLEI 444  
**Case No:** HWC22101907AM1019  
**Enquiries:** Ayanda Mdludlu  
**E-mail:** ayanda.mdludlu@westerncape.gov.za  
**Tel:** 021 483 5959



**Stefan de Kock**  
[perceptionplanning@gmail.com](mailto:perceptionplanning@gmail.com)

**RESPONSE TO HERITAGE IMPACT ASSESSMENT: FINAL DECISION**  
**In terms of Section 38(8) the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003**

**HERITAGE IMPACT ASSESSMENT: PROPOSED GROUP HOUSING DEVELOPMENT ON PORTION 38 OF FARM GANSE VALLEI 444, PLETTENBERG BAY, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

The matter above has reference.

This matter was discussed at the Heritage Officers' Meeting held on 3 April 2023.

**FINAL DECISION**

The Committee approved the HIA compiled by Perception Planning dated March 2023 for recommendations on page 18 as follows;

It is recommended that these recommendations are assimilated into future outcome(s) of the NEMA process currently underway:

- Alternative 1, the preferred alternative, is supported.
- A buffer of 5 m must be implemented around the two stone features. They must be fenced during the earth moving activities, to protect them from accidental impact.
- An archaeologist must be on site to monitor earth moving activities, particularly those areas around the stone features. If any human remains or significant archaeological materials are exposed during development activities, then the find should be protected from further disturbance and work in the immediate area should be halted and Heritage Western Cape must be notified immediately. These heritage resources are protected by Section 36(3)(a) and Section 35(4) of the NHRA (Act 25 of 1999) respectively and may not be damaged or disturbed in any way without a permit from the heritage authorities. Any work in mitigation, if deemed appropriate, should be commissioned and completed before construction continues in the affected area and will be at the expense of the developer. The above recommendations should be included in the Environmental Management Program (EMPr) for the proposed residential development.

As per the APM Committee decision dated 2nd June 2009 (Case No 37/ROD ID 418):

- Archaeological monitoring of bulk earthmoving activities must take place.
- The Archaeologist must report any occurrences of fossils and a palaeontologist must record the exposed sections before the trenches are closed up.

The HWC Chance Fossil Finds Protocol to be implemented and included in the Environmental Management Programme Report.

Provision of adequate public (pedestrian) access to the estuary should be addressed in the environmental process.

[www.westerncape.gov.za/cas](http://www.westerncape.gov.za/cas)

**Street Address:** Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000  
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

**Straatadres:** Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000  
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

**Idilesi yendawo:** kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

Page 2 of 2

**Our Ref:** HM/ GARDEN ROUTE/ BITOU/ PLETTENBERG BAY/ PORTION 38 OF FARM GANSE VALLLEI 444  
**Case No:** HWC22101907AM1019  
**Enquiries:** Ayanda Mdludlu  
**E-mail:** ayanda.mdludlu@westerncape.gov.za  
**Tel:** 021 483 5959



**Stefan de Kock**  
[perceptionplanning@gmail.com](mailto:perceptionplanning@gmail.com)

**NOTE:**

- This decision is subject to an **appeal period of 14 working days. Kindly note that the appeal period is calculated from the date indicated on the HWC date stamp, which is the date the appeal is sent, and not the date of signature**
- Appeals to HWC are to be submitted to [HWC.Appeals@westerncape.gov.za](mailto:HWC.Appeals@westerncape.gov.za)
- The applicant is required to inform any party who has expressed a bona fide interest in any heritage-related aspect of this record of decision. The appeal period shall be taken from the date above. It should be noted that for an appeal to be deemed valid it must refer to the decision, it must be submitted by the due date, and it must set out the grounds of the appeal. Appeals must be addressed to the official named above and it is the responsibility of the appellant to confirm that the appeal has been received within the appeal period.
- **Work may NOT be initiated during this 14-day appeal period.**
- If any archaeological material or evidence of burials is discovered during earth-moving activities all works must be stopped and Heritage Western Cape must be notified immediately.
- This approval 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.

  
.....  
Sneha Jhupsee  
**Acting Assistant Director: Professional Services**



[www.westerncape.gov.za/cas](http://www.westerncape.gov.za/cas)

**Street Address:** Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000  
• **Tel:** +27 (0)21 483 5959 • **E-mail:** [ceoheritage@westerncape.gov.za](mailto:ceoheritage@westerncape.gov.za)

**Straatadres:** Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000  
• **Tel:** +27 (0)21 483 5959 • **E-pos:** [ceoheritage@westerncape.gov.za](mailto:ceoheritage@westerncape.gov.za)

**Idilesi yendawo:** kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** [ceoheritage@westerncape.gov.za](mailto:ceoheritage@westerncape.gov.za)