

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)

PROPOSED RESIDENTIAL DEVELOPMENT OF ERF 3122 (HARTENBOS), MOSSEL BAY DISTRICT AND MUNICIPALITY



ON BEHALF OF: Hartenbos Hills PropCo (Pty) Ltd

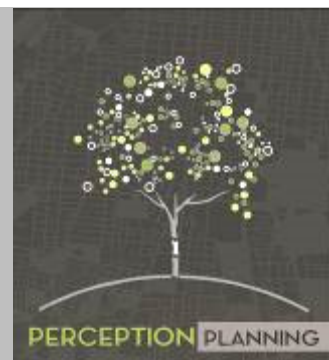


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PERCEPTION Planning

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

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REFERENCES and ACKNOWLEDGEMENTS

1. Cape Town Archives
2. Kathleen Schulz, Southern Cape Social Historian
3. Nilssen, P (2021). Archaeological Impact Assessment – Erf 3122, Hartenbos Heuwels. Unpublished report, Mossel Bay
4. Pether, J (2021). Palaeontological Impact Assessment (Desktop study) – Proposed rezoning, subdivision and residential development: Erf 3122, Hartenbos, Mossel Bay. Unpublished report, Cape Town
5. Surveyor General Office

ABBREVIATIONS

1. DEA – National Department of Environmental Affairs
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
7. NGSI – National Geo-Spatial Information, Department of Rural Development and Land Reform, Mowbray

COVER: Location of the study area transposed onto extract from 1880-1890 SG Mapping for the area (NGSI as edited)

1. INTRODUCTION

PERCEPTION Planning was appointed by AJ Kruger holding proxy on behalf of ATKV Sake (Pty) Ltd (the Registered Landowner) to compile and submit to Heritage Western Cape a Notice of Intent to Develop (NID) in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999) (NHRA) with relation to development of the subject property listed below. Copies of the Power of Attorney, said Proxy as well as copies of the relevant Title Deed and SG Diagram are attached as part of **Annexure 1** to this report.

The cadastral land unit subject to this application is (hereafter referred to as "the study area"):

- Erf 3122 (Hartenbos), Mossel Bay District and Municipality, measuring 60.5190 ha, registered to Afrikaanse Taal en Kultuur Vereniging and held under title deed T 24075/1995.

1.1 Background

First NHRA process: 2010/2011

During 2010 Perception Planning was appointed by the landowner to conduct a HIA process as required through HWC's Interim Comments dated 6th October 2010 (attached as **Annexure 2.1**), incorporating the following heritage-related specialist studies:

- "Archaeological and palaeontological impact assessments
- Ownership history of all the properties involved
- History of all the structures and the use of the land
- Landscape character analysis and interpretation
- Visual impact assessment
- Composite and integrated analysis of heritage, environmental and constraints and informants"

The Integrated HIA was considered by HWC's Impact Assessment Review Committee on 20th June 2011. HWC's final comments dated 7th July 2011 (attached as **Annexure 2.2**), reflects the decision as follows:

"The Committee resolved to adopt the consultants' recommendations (visual impact assessor in particular) as contained in the HIA and VIA with the exception of the recommendation pertaining to the memorialization of slave history which HWC does not make a requirement. Ordinarily HWC recommends against development on ridges and steep slopes, and against suburban sprawl."

The development was not implemented.

Second NHRA process: 2018

The previous Notice of Intent to Develop was submitted to HWC in terms of Section 38(8) of the NHRA during March 2018 for the same property under HWC Case Id 18030103AS0323M. HWC responded as follows in their Interim Comments dated 12th April 2018 (copy attached as **Annexure 2.3**):

"You are hereby notified that, since there is reason to believe that the proposed development will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. This HIA must have specific reference to the following:

- Impacts to archaeological heritage resources
- Visual impacts to the cultural landscape

The required HIA must have an integrated set of recommendations.

The comments of relevant registered conservation bodies and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied.

HWC reserves the right to request additional information as required."

Due to unforeseen circumstances, the project and the HIA process could not proceed until recently.

Current NHRA process: 2021

Given the time lapse and emergence of new heritage-related policies and procedures since 2018 it was therefore considered prudent to resubmit a NID to HWC before proceeding with the HIA process as directed on 12th April 2018.

The current revised proposal allows for higher overall densities in comparison to the 2018 proposal, it does not exceed the development footprint of the 2018 proposal (refer to Section 3 of this report). **While the requirement not to submit specialist reports to NID's is noted it was deemed necessary, given the above background, to include two scoping reports (archaeology and palaeontology) to this NID submission.**

2. BRIEF DESCRIPTION OF STUDY AREA

The subject property (60,5190 ha in extent) is situated $\pm 2.5\text{km}$ west of the oldest portion of the coastal township Hartenbos and $\pm 8.5\text{km}$ northwest of the historic core of Mossel Bay town as per the locality plan (**Figure 1**).

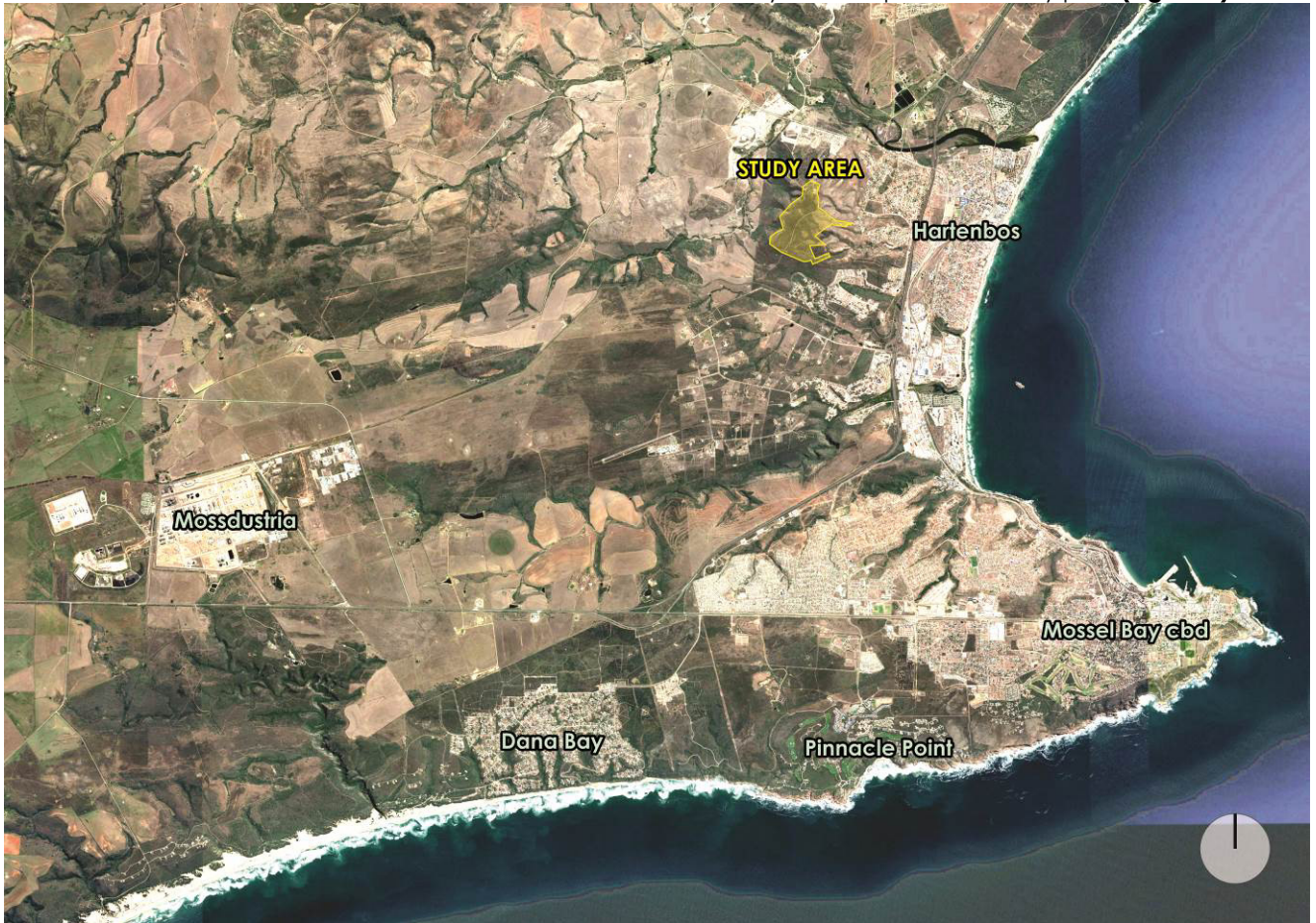


Figure 1: Location of the study area within current urban context (GoogleEarth, 2021, as edited)



Figure 1: Subject property within surrounding rural/ natural landscape context (CFM, 2019, as edited)

Erf 3122 forms part of a higher-lying, undulating and eroded hillside south of the Hartenbos River and west of the N2 National Road between George and Mossel Bay. Erf 3122 is bound by the established Hartenbos Heuwels residential suburb to the east, several medium density housing complexes to the southeast and Aalwyndal smallholding complex to the south. Construction work forming part of a recently-permitted social housing expansion of the Sonskynvallei residential area is visible $\pm 900\text{m}$ to the north of Erf 3122 (**Figure 2**).

Existing land use within the proximity of the site includes the Sonskynvallei residential area, R328 and numerous mining activities to the north; Monte Cristo low-density estate to the northeast; Hartenbos Heuwels, N2 and Hartenbos strand to the east; Menkenkop and Seemeeupark residential areas and Aalwyndal smallholding area to the south. The landscape further to the west retains a strong agricultural character.

Current single vehicular access to the property is from Kameeldoring Avenue via either Geelhout Avenue (from R328) or Boekenhout Avenue (from Louis Fourie Drive). A number of narrow gravel tracks traverse the property – one of which leads to a municipal water reservoir situated on the northernmost portion (also location of trig survey beacon 257 Mos 33, 136.9m amsl). Portions of the property had formerly been used as dumping ground for building material and as such, access to the site is restricted.



Figure 3: Current aerial view of the property within context of existing municipal water reservoir (Google Earth, 2021 as edited)

Subject to a veld fire during 2010, natural vegetation on the property has recovered to some extent but remains sparsely vegetated. With the exception of the foundations of a single modern structure next to a small former airfield, we did not locate any structures and/or ruins anywhere on the property (**Figure 3**). Photographs of the site and its environs are attached as **Annexure 3** to this report.

3. DEVELOPMENT DESCRIPTION

According to the conceptual site development plan ("0913-102 – Site Development Plan Concept" dated 3rd March 2020) made available by the developer/ registered property owner, the proposed residential development will make provision for approximately 659 residential units as outlined in further detail below:

- 214 Single residential erven;
- 240 Terraced apartments;
- 169 Healthcare Village apartments;
- 24 Assisted living apartments;
- 12 Full assistance frail care units;
- Clubhouse and Sport facilities;
- Entrance and ancillary engineering services and infrastructure.

While this revised proposal allows for higher overall densities in comparison to the 2018 proposal, it does not exceed the development footprint of the 2018 proposal (also refer Section 1.1 of this report). A copy of the revised conceptual site development plan is attached as **Annexure 4**.

4. SPATIAL PLANNING CONTEXT

4.1 Mossel Bay Municipality Spatial Development Framework, 2018

The study area is situated within the urban edge though some portions are earmarked as Critical Biodiversity Areas (Terrestrial and Aquatic)¹, which sensitivities are considered as part of the environmental impact assessment currently underway. The MSDF shows the property as surrounded by a “Municipal Nature Reserve” (with the possibility of further northward expansion towards the Sonskyn Valley residential area. The MSDF proposes a “Hiking MTB Maintenance Track” within the landscape directly east of the property. An extract from the MSDF is shown in **Figure 4**.

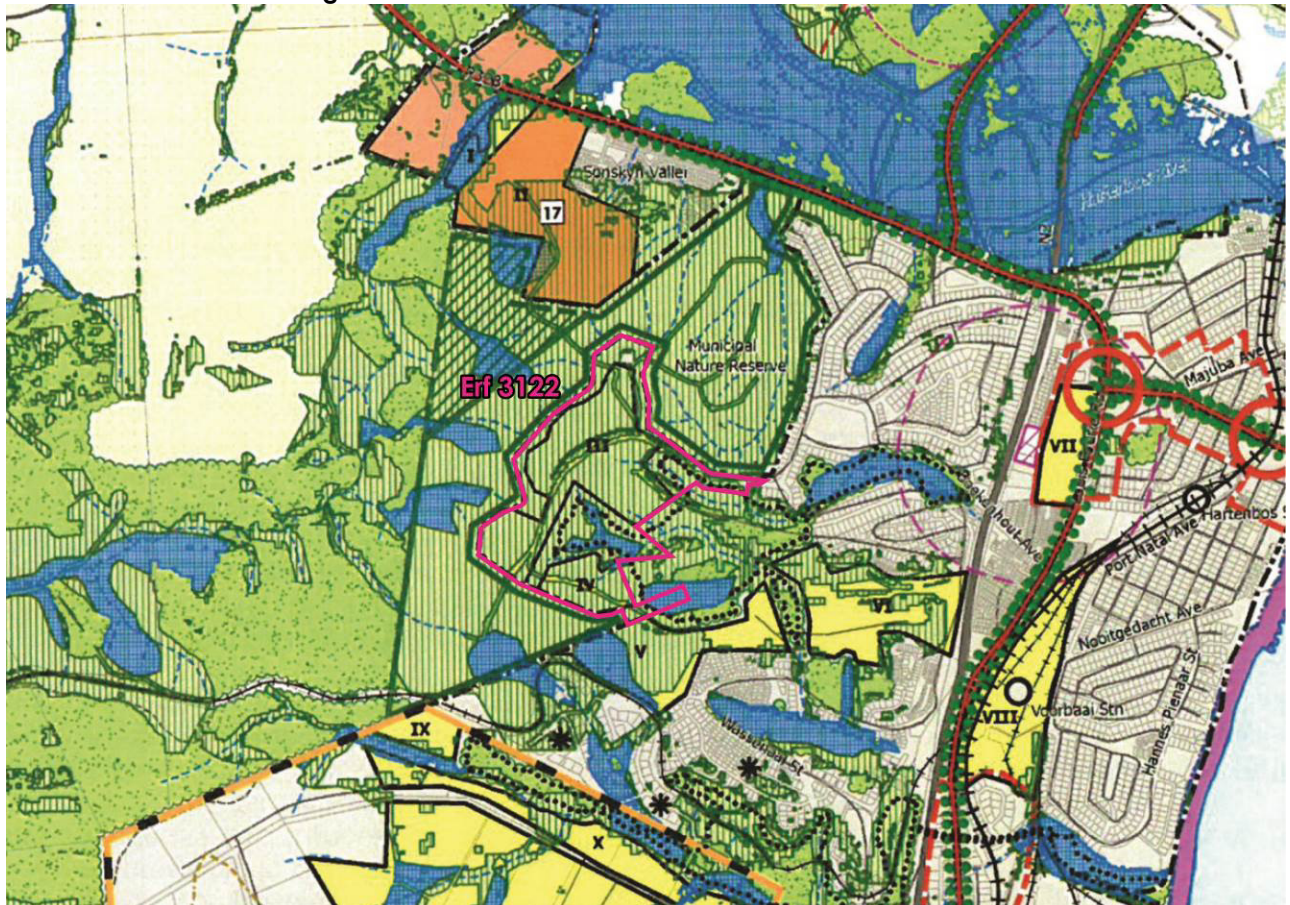


Figure 4: Location of Erf 3122 transposed onto extract from the Mossel Bay Municipality SDF, 2018 (MB Mun, 2018)

5. BASIC HISTORIC BACKGROUND

From a colonial perspective Erf 3122 forms part of the early farm Hartenbosch 217 – one of the first freehold land parcels to be granted (c. 1734) within the Mossel Bay district. Comprehensive historical background research was undertaken as part of the 2011 Integrated HIA, the findings of which should probably be reconsidered by HWC. The research, which incorporated archival research focussing on the historic farm Hartenbosch and its broader context, highlighted a number of pertinent historic themes including **slave history, early land use patterns, settlement morphology as well as associations with maritime history and early development of the Mossel Bay area. It is recommended that historical background research previously undertaken be updated and incorporated into an Integrated HIA with relation to the proposed development.**

6. HERITAGE RESOURCES AND ISSUES

6.1 Built environment

No archival references to the origin and purpose of a neglected airfield, located on the easternmost portion of the property, could be found. Given the length of the two former runways (120m and 102m respectively),

¹ South African National Botanical Institute, 2017

the airfield was mostly likely used for light aircraft only. Both runways are now completely overgrown. No ruins or structures of cultural significance could be located anywhere on the site.

6.2 Archaeology

A full archaeological impact assessment (AIA) for the property was undertaken by Dr. Peter Nilssen during 2010 as part of the previous development proposal. The findings of that report included the following:

"All of the 136 identified archaeological occurrences originate in the Stone Age. These are dominated by Middle Stone Age specimens, followed by those of the Early Stone Age and Later Stone Age artefacts are rare. The contexts of these finds are mostly disturbed as a result of one or more of the above-mentioned activities. Two archaeological occurrences, one of Middle Stone Age implements and another of Early Stone Age material are considered of medium significance (field rating: Generally Protected B) and recommendations for mitigation are made. Due to the geological sequence and depth of disturbances [cultivation, dumping, roads, geological test holes, small airfield, reservoir, etc.] – particularly that of ploughing – it is not expected that in situ archaeological materials will be encountered during earthmoving activities associated with the proposed development.

Because the Early and Middle Stone Age artefact scatters at waypoints 34 and 127 are considered to be of medium significance, their extents and contents should be mapped (via GPS) and the materials recorded in more detail than presented here. Due to the disturbed context of these finds, it is not considered worthwhile collecting the artefacts under a permit from Heritage Western Cape."
(Nilssen, 2010)

An archaeological scoping report (2021)(**Annexure 5**) was prepared by Dr. Nilssen in response to the proposed revised development proposal as presented herewith. The report confirms that of the two sensitive archaeological occurrences noted in previous reports, one (waypoint 34) is situated outside the proposed development footprint whilst the revised development layout was changed to accommodate the other (waypoint 127). The report concludes as follows:

"Because the overall archaeological sensitivity of the affected property is considered to be low, there are no further direct, indirect or cumulative impacts that will require amendments to the development layout. A standard set of recommendations will be included in the final archaeological impact assessment to deal with significant archaeological or heritage resources in the event that they are exposed by vegetation clearing or earthmoving activities during the construction phase."
(Nilssen, 2021)

Following from the above it is recommended that the 2010 AIA be updated and findings be incorporated into the Integrated HIA with relation to the revised proposal.

6.3 Palaeontology

A desktop palaeontological impact assessment (PIA) for the property was undertaken by Dr. John Pether during 2010 as part of the previous development proposal. The findings of that report included the following:

"The potential impact on palaeontological material has a moderate influence upon the proposed development, consisting of implemented mitigation measures recommended below, to be followed during the construction phase.

The Buffelskloof Formation has low fossil potential, but it is comparable to the Enon Formation wherein identifiable teeth and bones are occasionally found. Fossil wood is the most common fossil material and includes lignified or petrified larger pieces such as logs. The Hartenbos Formation will only be encountered in a limited area in the east, but trenches for services may traverse that area and encounter fossil plant material. Fossil plant material is usually more abundant and easily collected.

There seems little likelihood of fossiliferous marine deposits equivalent to the De Hoopvlei Formation being preserved on the dissected hill. Monitoring by on-site personnel is recommended during construction of excavations. Appendices 1 and 2 [of the Desktop PIA] outline monitoring by construction personnel and a general Fossil Find Procedures. Should potential fossil material be found, it is proposed that Dr Peter Nilssen could be contracted to carry out the initial field assessment."

A palaeontological scoping report (2021)(**Annexure 6**) was prepared by Dr. John Pether in response to the proposed revised development proposal. The report notes that while the property is situated within an area earmarked as "Very High" palaeontological sensitivity on SAHRIS Paleo-sensitivity mapping, said mapping was based "on a superseded 1:250 000 geological map" and that "Subsequent, more detailed mapping reproduced herein depicts the geological formations in more detail, also differentiating the fossil potential." (Pether, 2021:iii). The scoping report recommends as follows:

"A practical monitoring and mitigation programme must be implemented during the Construction Phases of the proposed housing development. The following measures apply to all earthworks affecting all four formations listed above. The field supervisor/foreman and workers involved in digging excavations must be informed of the need to watch for fossils and buried potential archaeological material. Section 8.2 provides measures for inclusion in the Construction Phase EMP and the **Fossil Finds Procedure** included as Appendix 3 provides guidelines to be followed in the event of fossil finds. It is also recommended that fresh exposures of the marine beds that may be created during construction, such as along the perimeter road, are recorded and sampled by a palaeontologist. To this end the ECO must liaise with the contracted palaeontologist as to the progress of road construction earthworks. It is proposed that exposures of the De Hoopvlei Formation Miocene beds and the overlying Wankoe Formation that may be created along the perimeter road are highlighted by explanatory signage. Should the fossil content indeed indicate a mid-Miocene age for the De Hoopvlei Formation this site will be an important, new stratotype locality. This would represent a positive outcome of regional to national consequence."

(Pether, 2021)

Following from the above it is recommended that the 2010 PIA be updated and findings be incorporated into the Integrated HIA with relation to the revised proposal.

6.4 Cultural landscape context/ Visual - Spatial issues

The HIA undertaken in relation to the previous development proposal for Erf 3122 relied on analysis of present urban development, rural and natural landscape aspects, settlement morphology and traditional landscape patterns to inform analysis of the cultural landscape context (**Figure 5**). HWC's final comments dated 7th July 2011 regarding the previous proposal point towards the need for a detailed assessment of the potential visual impact of the revised proposal. Furthermore the cultural landscape analysis previously undertaken would have to be updated so as to comply to the standards and requirements specified in HWC's most recent guidelines².



Figure 5: Extract from 1940 aerial photography highlighting property boundary (red) and basic traditional landscape patterns identified in the 2010 HIA. Note this would have to be updated in accordance with HWC's latest guidelines (Source: Flight Series 140 of 1940, Flight strip 041, Image 34249, NGS)

It is recommended that the updated visual impact assessment be informed by **an updated cultural landscape assessment** in order to inform and focus the findings and recommendations of said VIA. In particular, development indicators following from the cultural landscape- and **visual impact assessment** should address the concerns highlighted in the 2011 HWC final comments, namely:

² Grading: Purpose and Management Implications, Heritage Western Cape, 16th March 2016

- Impact of the revised development proposal within the context of steep slopes and ridgelines;
- Impact of the proposal with relation to urban sprawl;
- Potential impact of the proposal within the context of the broader cultural landscape.

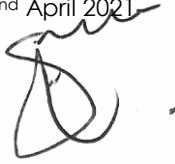
Notwithstanding HWC's comment suggesting exclusion of the author's recommendation for memorialisation of slave history pertaining to the farm Hartenbosch, we suggest this recommendation be reconsidered within the context of Section 38(3)(d) of the NHRA, which states that [heritage impact assessment] should include "an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development".

7. RECOMMENDATION

Having regard to the above assessment it is recommended that heritage-related specialist studies (archaeology, palaeontology, cultural landscape, visual impact assessment) previously undertaken for the property be updated and inform the revised development proposal to be developed. Public participation should include obtaining comments from local conservation bodies and the local planning authority.

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22nd April 2021



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