

***TSIMBA ARCHAEOLOGICAL
FOOTPRINTS (PTY) LTD***



**CULTURAL DIVERSITY, SUSTAINABILITY &
COMMUNITY ENGAGEMENT**



**HERITAGE IMPACT ASSESSMENT FOR THE PROPOSED CONSTRUCTION OF
THE RIDGE UPMARKET MIXED-USE DEVELOPMENT IN MEERENSEE,
RICHARDS BAY WITHIN THE CITY OF UMHLATHUZE, KZN**

PREPARED IN MARCH 2019



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Tsimba Archaeological Footprints is an independent service provider and apart from their fair remuneration for services rendered have no financial interest in the proposed development. We have disclosed any material information that have or may have the

potential to influence the objectivity of any report or decisions base thereon; and are very much aware that a false declaration is misleading and constitutes an offense in terms of regulation 71 of GN No. R. 543.

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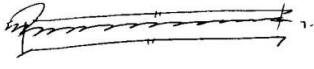
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ABBREVIATIONS

Acronyms	Description
AIA	Archaeological Impact Assessment
ASAPA	Association of South African Professional Archaeologists
CRM	Cultural Resource Management
DEA	Department of Environmental Affairs
EIA Practitioner	Environmental Impact Assessment Practitioner
EIA	Environmental Impact Assessment
ESA	Early Stone Age
GIS	Geographic Information System
GPS	Global Positioning System
HIA	Heritage Impact Assessment
LSA	Late Stone Age
LIA	Late Iron Age
MIA	Middle Iron Age
MSA	Middle Stone Age
SAHRA	South African Heritage Resources Agency
KZN-H	KwaZulu-Natal Heritage

EXECUTIVE SUMMARY

Tsimba Archaeological Footprints (Pty) Ltd was requested by Emvelo Quality and Environmental Consultant (Pty) Ltd to conduct a heritage impact assessment (HIA) of the proposed construction of the ridge upmarket mixed-use development in Meerensee, Richards bay within the city of uMhlatuze.

The aim of the survey was to identify and document archaeological sites, cultural resources, sites associated with oral histories (intangible heritage), graves, cultural landscapes, and any structures of historical significance (tangible heritage) that may be affected within the footprint of the proposed water reticulation network pipelines.

The appointment of Tsimba Archaeological Footprints is in terms of the National Heritage Resources Act (NHRA), No. 25 of 1999 and the KwaZulu-Natal Heritage Act (Act No 4 of 2008). The HIA is completed in accordance to requirements of Section 38 (1) (a, b, c) of the NHRA, No. 25 of 1999. This is due to the nature of the proposed development which will change the character of a site exceeding 500m².

The findings of this report have been informed by desktop data review, field survey and impact assessment reporting which include recommendations to guide heritage authorities in making decisions with regards to the proposed project. This study was conducted as part of the specialist input for the Environmental Impact Assessment exercise. The impact assessment study also includes detailed recommendations on how to mitigate and manage negative impacts while enhancing positive effects on the project area.

The greater uMhlatuze area is rich in archaeological sites, therefore an analysis of the archaeological, cultural heritage, environmental and historic contexts of the study area predicted that archaeological sites (Stone Age and Historic Archaeological), cultural heritage sites, burial grounds or isolated artefacts were likely to be present on the proposed development site. The field survey was conducted to test this hypothesis and verify this

prediction within the proposed development site and its environs. Social economic impacts of the proposed project to the receiving environment and heritage resources were also assessed. The survey did not yield any archaeological findings, graves or any heritage buildings within the proposed development area. There is a small bikers prayer placard with a cross that was noted within the development servitude and an old heritage building formerly listed as an important historical building outside the development area.

Conclusions:

There is no compelling reason in heritage terms why the development should not be given a go-ahead. The existing buildings within the proposed development area do not carry any historical or architectural significance apart from contributing a recent layer to the site. They can be demolished or if the owners wish to do so and the project can proceed as they do not fall within the 60 years and older bench-mark stipulated by law for old buildings in South Africa.

There is good reason to believe that the building formerly listed under AMAFA list of protected buildings is a heritage building, but the building does not in any way get impacted by the proposed development as it falls way out of the proposed development area boundaries.

Recommendations:

There still exists a possibility that sub-surface remains and other heritage resources could still be encountered during the construction phase. Although no sites of heritage significance were identified within the proposed study area, the following recommendations are given should any sub-surface remains of heritage sites be identified as indicated above;

A Chance Find Procedure (CFP) should be implemented for the project should any sites be identified during the construction process.

A CFP procedure includes the following;

- All construction workers working onsite should be made aware of the possibility of the occurrence heritage resources during the excavation period/construction phase
- All construction in the immediate vicinity should be stopped.
- A red tap should be put around the site and a buffer of at least 50 metres should be observed.
- The heritage practitioner or SAHRA should be informed as soon as possible.
- Public access should be limited and no media statements should be released until permission to do so is granted.

In addition to that, archaeological watching briefs at regular intervals should also be carried out to insure that no possible archaeological resources are lost during the construction phase.

INTRODUCTION

Project Background

Envelo Quality and Environmental Consultant (PTY) Ltd has been appointed by Sotobe Property Group (Pty) Ltd as an independent Environmental Assessment Practitioner (EAP) to undertake environmental studies to identify and assess all potential environmental impacts associated with the proposed construction of the ridge upmarket mixed-use development in Meerensee, Richards bay within the city of uMhlatuze.

The Heritage Impact Assessment was conducted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and following the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA) and the KwaZulu-Natal Heritage Act, 1997 (Act No. 4 of 2008). The terminology used and the methodology followed with regards to the compilation of the HIA are explained and the legal framework stated (*see Appendix A*). International conventions regarding the protection of cultural resources have also been followed. The ICOMOS Burra Charter (1979) was also consulted in producing this report as part of the international conventions for the protection of cultural heritage places.

Scope of works

The development includes the construction of a mixed-use development which will consist of a lifestyle shopping Centre; high density residential accommodation; office real estate and a hotel.

Site A: Portion 1 of Erf 17464

The proposed development within this land parcel will comprise of the construction of a two level 9 292m² Lifestyle shopping Centre with 422 parking bays.

Site B: Portion 4 of Erf 17464

Will be partitioned to construct a 5 782m² 7 Storey Hotel with 241 parking bays and a 1900m² Conference. Then a 3 568m² 7 Storey Luxury Suites with 24 parking bays

Site C: Portion 2 of Erf 17464

The proposed development within this land parcel will comprise of the construction of a 3 x 6 and 8 high density residential with a total footprint of 8 052m² with 90 parking bays.

Site D: Portion 3 of Erf 17464

The proposed development within this land parcel will be the construction of a 3x 6 and 8 storey high residential with a total footprint of 8 052m² with 90 parking bays.

Site E: Portion 5 of Erf 17464

The proposed development within this land parcel will comprise of construction of 3 x 6 and 8 storey residential with a total footprint of 10 220m² and 121 parking bays.


Site F: Portion 6 of Erf 17464

This part will be a public open space with a physical footprint of 2 155m².

Remainder of Erf 17464

A 2m wide x 139 360m long wooden walkway is proposed here into the development

 **Proposed Access Road 1:** via Andrews Lane 14m wide x 261m long (3 654m²)

 **Proposed Access Road 2:** via Launder Lane will be 10m wide x 262m long (2 629m²).

In addition: the developers wish to utilise the area of forest to the south west of the development as a conservation area that can be used by the residents of The Ridge development

Motivation/Need for the Project

The development was evaluated in terms of national, provincial, regional and municipal strategic development plans such as the Integrated Development Plan (IPD), Spatial Planning and Land Use Management Act principles (SPLUMA) etc. The Ridge is situated

along the coast of Richards Bay and is the only area that enjoys the view of the harbour and the beach because its elevation. What makes the development even more appealing is that the site is surrounded by mixed use commercial, residential and hotels. This development will also have positive spinoffs from socio-economic enhancement perspective.

Meer-en-See is middle to high income suburban area to which the development is targeted for those households. As part of the Provincial Growth and Development Plan (PGDP), The Ridge is one of The City's Catalytic Projects, which will directly encourage and leverage higher levels of development and further initiation of further projects.

A further Market Feasibility study was undertaken by Urban-Econ after conducting research within the Richards Bay area, to get a better understanding of the local trends within the local market. From the discussions done, there was evidence that there is demand for office space and residential units within the area. People are looking for child-friendly units; there is limited office residential and office space available and available spaces are usually very small units; there is demand to both rent and buy units.

Richards's bay over the years has experienced an increase in the number of international tourists visiting the city between 2015 and 2016. In 2015, Richards Bay was visited by 9.4% of international tourists visiting KZN which increased to 14.2% in 2016, making Richards Bay the city with the 3rd highest number of visitors behind Durban and Pietermaritzburg. Unfortunately, there are no new commercial, residential, office and business hotels developments within Richards Bay.

Now that the need has been identified, it is important to consider the desire as well. According to The City's Spatial Development Framework (2017/2018-2021/2022), the overall outcome of the Integrated Urban Development Framework (IUDF) is spatial transformation. This new focus steers urban growth towards a sustainable growth model of compact, connected and coordinated cities and towns like the Richards Bay area.

The IUDF implementation plan identifies several short-term proposals of reducing travel costs and distances; aligning land use; transport planning and housing; increasing urban

densities and reducing sprawl; shifting jobs and investment toward dense peripheral townships; improving public transport and the coordination between transport modes to achieve spatial transformation. These listed levers relate very specifically to the pillar of spatial transformation and both are embraced by the Municipality

DESCRIPTION OF THE RECEIVING ENVIRONMENT

Location

The Ridge is a proposed mixed-use development located in Meer-en-See, a waterfront suburb of Richards Bay, in the uMhlatuze Municipality, on KwaZulu-Natal's north coast. It is situated at the southern end of Meer-en-See, approximately 1km from Alkanstrand Beach, as the crow flies, and less than 300m from the Mzingazi lagoon, which is located within the Port of Richards Bay. Meer-en-See is middle to high income suburban area of Richards Bay which is buffered by the Mzingazi lake in the west and the Indian Ocean in the east.

The proposed site is an L-shaped site of approximately 30 000m² which is situated next to Bay Ridge apartments. The site can be accessed from Launder Lane in the north east, Andrews Lane in the North West, and Alkanstrand beach access road (unnamed road) in the south. New road access in the south will be developed as part of site development plan.

The following map provides an overview of the location of the proposed site. The proposed Mixed Use Development will take place on consolidated and subdivided Portions 1, 2, 3, 4, 5, 6 and the remainder of Erf 17464 on the following coordinates: S 28°47' 37.45" E 32° 5' 40.54".



Figure1: Locality map showing the proposed development site in relation to the greater Richards bay area

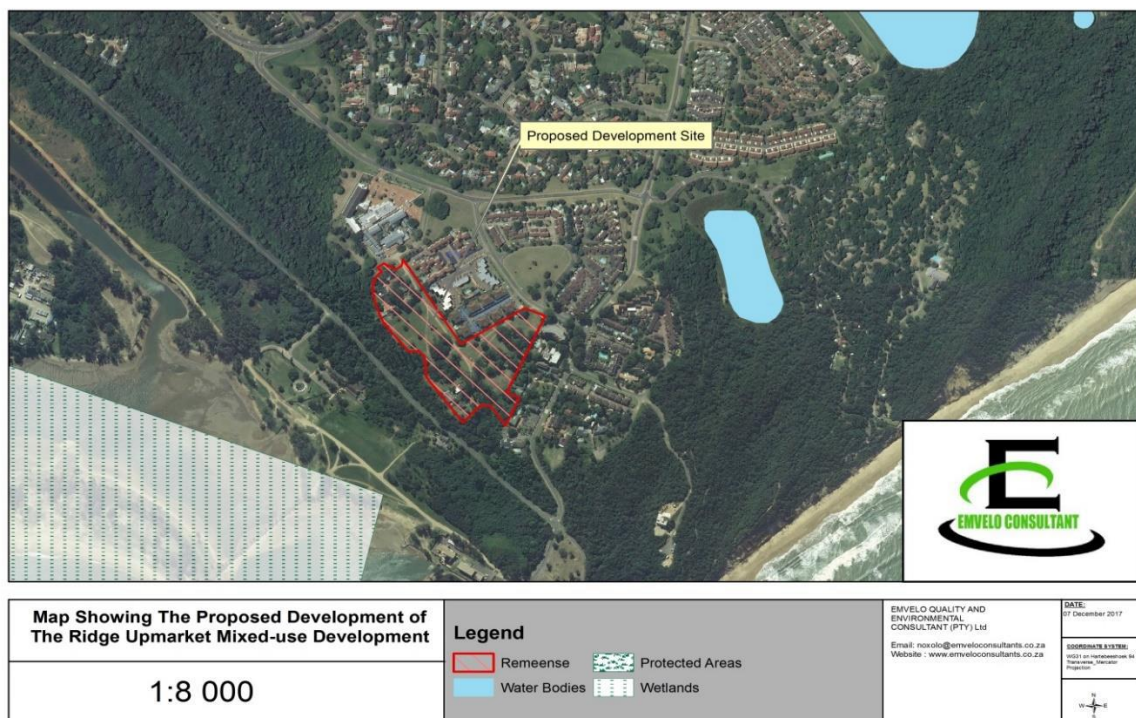


Figure 2: Locality map showing the proposed development of the ridge upmarket mixed-use development.

Physical Environment

This physical Environment is informed by the Field assessment carried out by Afzelia Environmental Consultants in September 2018.

A site visit was undertaken to determine the status and composition of the site in situ. Site visits are essential to confirm desktop information as it may not be accurate. Most conservation planning and mapping tools utilize remote sensing and not all sites are groundtruthed, the mapping may also be out-dated. As a result, a site visit is necessary to determine the vegetation composition and conservation value of the site.

Vegetation: The site comprises two easily discernible sections, the park, which will be destroyed during construction of the proposed development, and the forest, which is planned to be used a conservation area for walks and bird watching.

The Park: The park comprises a mowed lawn with scattered trees. The trees range from indigenous to alien species, all of which will be removed to make space for the development. No formally Protected Trees or Species of Conservation Concern are located within the park, nor is it a natural habitat, no impacts are associated with this part of the development. Trees planted in the park include the indigenous *Ficus natalensis*, *Syzygium cordatum*, *Strelitzia Nicolai* and *Phoenix reclinata* along with the invasive *Thevetia peruviana* and *Schinus terebinthifolius*. The invasive species are required by law to be controlled but as these will be cut down with the construction of the development, the construction phase will result in their control by default.

The Forest: Just outside the site, there is the forest which comprises indigenous forest with some naturalised invasive elements occurring on stabilised dunes. This forest does not fit into the definitions of forest as described by Mucina and Rutherford (2006) in section 3.1.1. However, it is dune forest with coastal forest elements. The forest is slightly disturbed as it is used as a thoroughfare, as well as used as a toilet and an area for prostitution, and makeshift shelters. Invasion levels are low, but there are a number of species present, all of which will result in greater levels of invasion as the disturbance levels increase. Invasive

species include *Mirabilis jalapa*, *Canna indica*, *Ipomoea indica*, *Neohrolepis exaltata*, *Syngonium podophyllum* and others. The forest tree stratum is dominated by *Strelitzia nicotiana*, *Phoenix reclinata*, *Rauvolfia caffra*, *Vodcanthouarsii*, *Macaranga capensis* and *Ficus natalensis* with various other species present (Figure 3.8). The herbaceous layer comprised largely the two invasive species *Syngonium podophyllum* and *Rivinia humilis* among others with the shrub layer comprising *Grewia lasiocarpa*, *Plectranthus secklonii*, *Seneciotamoides* and *Psychotria capensis* among others.

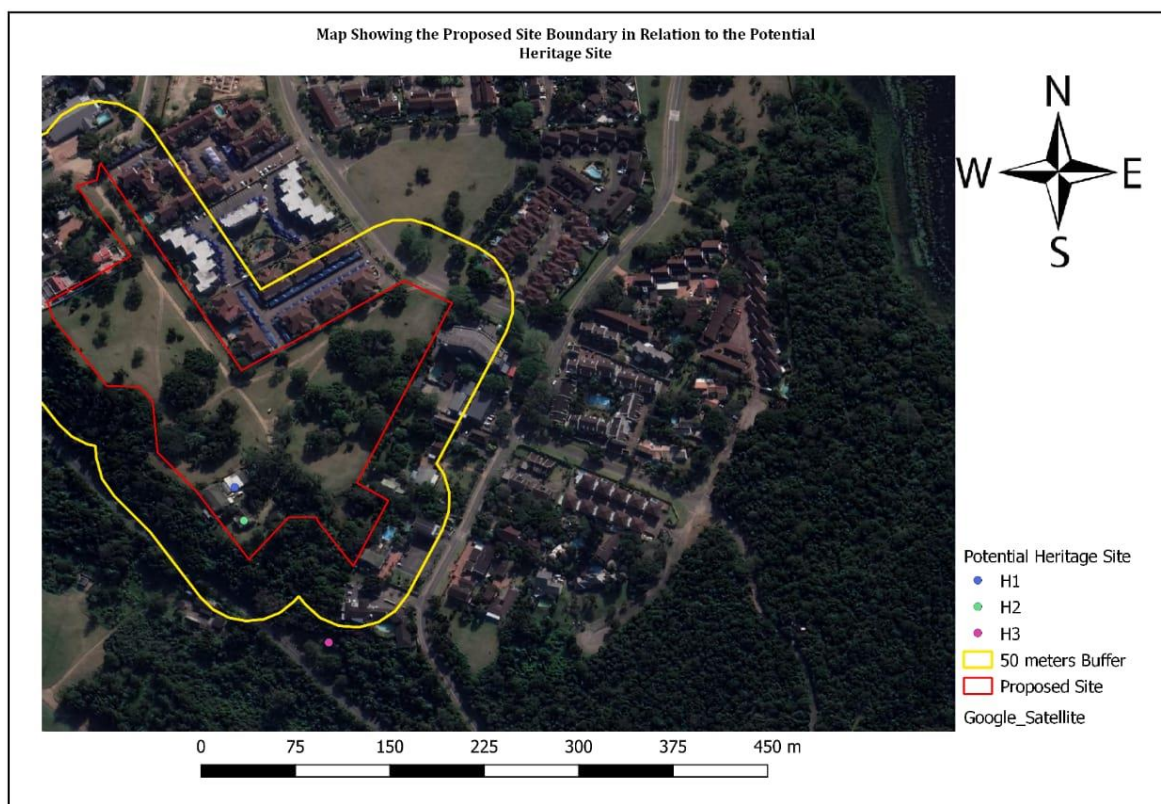


Figure 3: An overall Google Satellite map showing the site boundaries, the proposed fence boundary and the potential heritage resource outside of the proposed development boundaries.

*TERMS AND REFERENCE FOR APPOINTMENT OF AN
ARCHAEOLOGICAL/HERITAGE SPECIALIST*

Tsimba Archaeological Footprints was asked to conduct an HIA study under the guidance of the requirements of Section 38 of the NHRA, as outlined in the introduction section. The proposed project development requires clearance and authorisation from government compliance agencies and in this case the principal governing body is the Amafa-Kwa-Zulu-Natal. The objectives for this section of the study are to fulfil the statutory requirements of the National Heritage Resources Act, Act 25 of 1999 and the KwaZulu-Natal Heritage Act (Act No 4 of 2008). In order to meet the objectives of the HIA study, the following tasks were conducted: a) site file search, b) literature review, c) consultations with key stakeholders, c) completion of a field survey and assessment and d) analysis of the acquired data and report production.

The following tasks were undertaken:

- ❖ Preparation of a predictive model for archaeological heritage resources in the study area.
- ❖ A review and gap analysis of archaeological, historical and cultural background information, including possible previous Cultural Resources Management reports specific to the affected project area.
- ❖ Field survey of the proposed site for development and its environs.
- ❖ Physical cultural property recording of any identified sites or cultural heritage places.
- ❖ Preparation of HIA report with showing the significance of the heritage, recommendation, planning constraints and opportunities associated with the proposed development.

LIMITATIONS AND ASSUMPTIONS

The following limitations and assumptions have a direct bearing on the HIA and the resulting report:

- i. The main limitation to this study was access. Some homestead owners refused the heritage team access
- ii. The field survey did not include any form of subsurface inspection beyond the inspection of burrows, road cut sections, and the sections exposed by erosion or earth moving disturbances.
- i. The chances of encountering settlement sites (both Stone and Iron Age) within the road route directly affected by the proposed project are limited given the lack of rock shelters in the immediate vicinity of the road.
- ii. Sites, structures and artefacts significance is determined by their historical, social, aesthetic, technological and scientific value in relation to their uniqueness, condition of preservation and research potential. The various aspects are not mutually exclusive, and the evaluation of any site is done with reference to any number of these aspects (*see Appendix B*).
- iii. Cultural significance is site-specific and relates to the content and context of the site. It is also determined by the field ratings (Field-Rating \approx Cultural Significance x Integrity).

METHODOLOGY

Literature review

The background information search of the proposed development area was conducted following the site maps from the client. Sources used in this study included:

i. Published literature

A survey of the relevant literature was conducted with the aim of reviewing the previous research done and determining the potential of the area. In this regard, various archaeological, historical sources and recently published books were consulted

ii. Cultural Resources Management reports

Heritage Impact Assessment reports were consulted. Other sources are unpublished reports, mostly scoping studies and HIAs done in the region. Information on events, sites and features in the larger region were obtained from these sources.

iii. Data bases

The Environmental Potential Atlas, The Heritage Data base, the Chief Surveyor General (CS-G) and the National Archives of South Africa (NASA) were consulted. Database surveys produced a number of sites located in the larger region of the proposed development.

iv. Other sources

Aerial photographs and other maps were also studied. The study also made use of ICOMOS international charters for heritage management. Information of a very general nature was obtained from these sources.

Field survey

Tsimba Archaeological Footprints heritage specialists accompanied by the Environmental team from Emvelo Environmental Consulting attended to the site on the 23rd of March as

agreed to by the client. A ground survey, following standard and accepted archaeological procedures, was conducted.

The survey also paid special attention to disturbed and exposed layers of soils such as eroded surfaces. These areas are likely to be exposed or yield archaeological and other heritage resources that may be buried underneath the soil and be brought to the surface by animal and human activities including animal barrow pits and human excavated grounds. The surface was also inspected for possible Stone Age scatters as well as exposed Iron Age implements and other archaeological resources.

The survey followed investigated the cultural resources onsite using the best possible technologies for archaeological field surveys, a Samsung GPS Logger (2018) was used to pick co-ordinates and a Nikon Camera (with built in GPS) was used to document the resources as well as the receiving environment.

Oral histories

The local community is critical in giving an oral account as well as detailed intangible values of a site. Article 12 of the Burra Charter states the conservation, interpretation and management of a heritage resource should provide for the participation of people for whom the place has significant associations and meanings, or who have social, spiritual or other cultural responsibilities for the place.

Peoples from local community were interviewed (informally) in order to obtain information relating to the heritage resources. The local community was useful in regards to getting information on the location of heritage resources within the project servitude. Assessing the identified old buildings also needed the input of the local community. Public participation posters were also posted in and around the site to make the public aware of the proposed project and to invite them to make comments (*see Appendix C*)

Data Consolidation and Report Writing

Data captured on the development area (during the field survey) by means of a desktop study and physical survey is used as a basis for this HIA. This data is also used to establish assessment for any possible current and future impacts within the development footprint. This includes the following:

- Assessment of the significance of the cultural resources in terms of their archaeological, built environment and landscape, historical, scientific, social, religious, aesthetic and tourism value(*see Appendix B*);
- A description of possible impacts of the proposed development, especially during the construction phase, in accordance with the standards and conventions for the management of cultural environments;
- Proposal of suitable mitigation measures to minimize possible negative impacts on the cultural environment and resources that may result during construction;
- Review of applicable legislative requirements that is the NEMA (together with the 2014 EIA Regulations) and the NHRA of 1999, the KwaZulu Natal heritage Act of 2008;
- The consolidation of the data collected using the various sources as described above;
- Acknowledgement of impacts on heritage resources (such as unearthed graves) predicted to occur during construction; and
- Geological Information Systems mapping of known archaeological sites and maps in the region
- A discussion of the results of this study with conclusions and recommendations based on the available data and study findings.

LEGISLATIVE FRAMEWORK

The HIA study is informed and conducted to fulfil the requirements of the EIA, is required under the following legislation

- National Heritage Resources Act (NHRA), Act No. 25 of 1999)
- Kwa-Zulu Natal Heritage Act (KZNHA), 4 of 2008)
- National Environmental Management Act (NEMA), Act No. 107 of 1998
- Mineral and Petroleum Resources Development Act (MPRDA), Act No. 28 of 2002

A Phase 1 HIA is a pre-requisite for development in South Africa as prescribed by SAHRA and stipulated by legislation. The overall purpose of heritage specialist input is to:

- Identify any heritage resources, which may be affected;
- Assess the nature and degree of significance of such resources;
- Establish heritage informants/constraints to guide the development process through establishing thresholds of impact significance;
- Assess the negative and positive impact of the development on these resources; and
- Make recommendations for the appropriate heritage management of these impacts.

The HIA should be submitted, as part of the impact assessment report or EMPr, to KwaZulu-Natal Heritage. The heritage body will finally be responsible for the professional evaluation of Phase 1 HIA reports upon which review comments will be issued. 'Best practice' requires Phase 1 HIA reports and additional development information, as per the impact assessment report and/or EMPr, to be submitted in duplicate to KwaZulu-Natal Heritage after completion of the study. KwaZulu-Natal Heritage accepts Phase 1 HIA reports authored by professional archaeologists, accredited with ASAPA or with a proven ability to do archaeological work.

Minimum accreditation requirements include an Honours degree in archaeology or related discipline and 3 years post-university CRM experience (field supervisor level). Minimum standards for reports, site documentation and descriptions are set by ASAPA in collaboration with SAHRA. ASAPA is based in South Africa, representing professional archaeology in the SADC region. ASAPA is primarily involved in the overseeing of ethical practice and standards regarding the archaeological profession. This particular Development triggered the following Sections of the Heritage Legislation;

Section 38 (1) of the National Heritage Resources Act requires that where relevant, an Impact Assessment is undertaken in case where a listed activity is triggered. Such activities include:

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
- (b) the construction of a bridge or similar structure exceeding 50 m in length; and*
- (c) any development or other activity which will change the character of an area of land, or water*

- (i) exceeding 5 000 m² in extent;*
- (ii) involving three or more existing erven or subdivisions thereof; or*
- (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
- (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a Provincial Heritage Resources Authority;*
- (d) the re-zoning of a site exceeding 10 000 m² in extent; or*
- (e) any other category of development provided for in regulations by SAHRA or a Provincial Heritage Resources Authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.*

Section 3 of the National Heritage Resources Act (25 of 1999) lists a wide range of national resources protected under the act as they are deemed to be national estate. When conducting a Heritage Impact Assessment (HIA) the following heritage resources have to be identified:

- (a) Places, buildings structures and equipment of cultural significance;*
- (b) Places to which oral traditions are attached or which are associated with living heritage;*
- (c) Historical settlements and townscapes;*
- (d) Landscapes and natural features of cultural significance*
- (e) Geological sites of scientific or cultural importance’;*
- (f) Archaeological and paleontological sites;*
- (g) Graves and burial grounds including-*
 - (i) Ancestral graves;*
 - (ii) Royal graves and graves of traditional leaders;*
 - (iii) Graves of victims of conflict;*
 - (iv) Graves of individuals designated by the Minister by notice in the Gazette*
 - (v) Historical graves and cemeteries;*
 - (vi) Other human remains which are not covered by in terms of the Human Tissue Act,1983 (Act No. 65 of 1983);*
- (h) Sites of significance relating to the history of slavery in South Africa;*

(i) Moveable objects, including - objects recovered from the soil or waters of South Africa, including archaeological and paleontological objects and material, meteorites and rare geological specimens;

(ii) Objects to which oral traditions are attached or which are associated with living heritage

(iii) Ethnographic art and objects;

(iv) Military objects;

(v) Objects of decorative or fine art; and

(vi) Objects of scientific or technological interest; and(vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1 of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

ARCHAEOLOGICAL BACKGROUND

The larger uMhlathuze area is known to be rich in archaeological materials, therefore the survey expected to find surface artefacts on the proposed development area. To be specific, taking the nature of the proposed development, open air scatters of stone artefacts, probably with low heritage significance, were expected in areas with minimal environmental disturbance. An archaeological desktop had however revealed that no archaeological research had been carried on the proposed development area in the past.

The prehistory of South Africa can be categorised into a series of phases based on broad patterns of technology. The first phase is the Stone Age in Southern Africa, this can be further divided into three stages these are; the Early Stone Age, or Paleolithic Period (about 2 500 000–150 000 years ago), the Middle Stone Age, or Mesolithic Period (about 150 000–30 000 years ago), and the Late Stone Age, or Neolithic Period (about 30 000–2 000 years ago). The simple stone tools found with australopithecine fossil bones fall into the earliest part of the Early Stone Age. The broad phase is the Iron Age in Southern Africa which can also be sub-divided into three stages; Early Stone Age, Middle Stone Age and the Late Iron Age.

Early Stone Age

South Africa has a rich hominid fossil record and a seemingly uninterrupted archaeological sequence spanning at least the last 2 million years. It has an up to date and integrated overview that is accessible to researchers from a range of disciplines. The Stone Age is divided in 3 distinct periods namely: the Early Stone Age (ESA), Middle Stone Age (MSA), and Late Stone Age (LSA).

The Early Stone Age of South Africa is associated with the Homo erectus hominid. These hominids used a selection of stone tools such as hand axes, which were used for the butchering of animals, scraping their hides and digging for plant foods (Mc Dougalletal 2005). These tools are characterised by their large sizes and being created from a single core.

Most Early Stone Age sites in South Africa can probably be connected with the hominin species known as *Homo erectus*. Simply modified stones, hand axes, scraping tools, and other bifacial artifacts had a wide variety of purposes, including butchering animal carcasses, scraping hides, and digging for plant foods.

Middle Stone Age

The Middle Stone Age is characterised by the use of smaller stone tools and were used by the *Homo sapiens* hominid about 200 thousand years ago (kya). Instead of using large cores as tools in the ESA, flakes that were struck off from prepared stone cores were used as tools. These were much smaller and could be transported much easier. Stone tools could also be found in the form of blades (elongated flakes that were hafted to wooden bases) (Smith et al, 2000).

The Middle Stone Age, is represented by numerous sites in South Africa. Open camps and rock overhangs were used for shelter. Middle Stone Age bands hunted medium-sized and large prey, including antelope and zebra, although they tended to avoid the largest and most dangerous animals, such as the elephant and the rhinoceros. They also ate seabirds and marine mammals that could be found along the shore and sometimes collected tortoises and ostrich eggs in large quantities

Later Stone Age

Basic tool making techniques began to undergo additional change about 40 000 years ago. Small finely worked stone implements known as microliths became more common, while the heavier scrapers and points of the Middle Stone Age appeared less frequently. Archaeologists refer to this technological stage as the Late Stone Age. The numerous collections of stone tools from South African archaeological sites show a great degree of variation through time and across the subcontinent. The remains of plant foods have been well preserved at such sites as Melkhoutboom Cave, De Hangen, and Diepkloof in the Cape region. Animals were trapped and hunted with spears and arrows on which were mounted well-crafted stone blades. Bands moved with the seasons as they followed game into higher lands in the spring and early summer months, when plant foods could also be found. When

available, rock overhangs became shelters; otherwise, windbreaks were built. Shellfish, crayfish, seals, and seabirds were also important sources of food, as were fish caught on lines, with spears, in traps, and possibly with nets.

Rock Art

Dating from the above mentioned period are numerous engravings on rock surfaces, mostly on the interior plateau, and paintings on the walls of rock shelters in the mountainous regions, such as the Drakensberg and Cederberg ranges. The images were made over a period of at least 25 000 years. Although scholars originally saw the South African rock art as the work of exotic foreigners such as Minoans or Phoenicians or as the product of primitive minds, they now believe that the paintings were closely associated with the work of medicine men, shamans who were involved in the well-being of the band and often worked in a state of trance. Specific representations include depictions of trance dances, metaphors for trance such as death and flight, rainmaking, and control of the movement of antelope herds.

The Iron Age

The Iron Age by, as the name states, is characterised by the use of iron tools. This era was also characterised the introduction of agriculture, and the eventual establishment of states in Southern Africa, such as Great Zimbabwe and Mapungubwe. This technology was brought to the region by the southward migrations of Bantu societies about 2 kya. The earliest agricultural sites in KwaZulu-Natal date to between AD 400 and AD 550.

Around 1 700 years ago, an initial wave of Early Iron Age People settled along the inland foot of the sand dunes on sandy but humus rich soils would have ensured good crops for the first year or two after they had been cleared (see Maggs 1989). These early agro-pastoralists produced a characteristic pottery style known as Matola. The Matola people also exploited the wild plant and animal resources of the forest and adjacent sea-shore. The communities seem to be small groups of perhaps a few dozen slash-and burn cultivators, moving into a landscape sparsely inhabited by LSA San hunter-gatherers.

By 1500 years ago, another wave of Iron Age migrants entered the area. Their distinct ceramic pottery is classified to styles known as “Msuluzi” (AD 500-700), Ndongondwane (AD 700-800) and Ntshokane (AD 800-900). The majority of recorded sites belonging to this period occur in the Tugela River Basin below the 1000m contour to the south of the project area. Some of these, such as the Ndongondwane and Mamba sites have been excavated by archaeologists (Maggs 1989:31).

All are situated close to sources of iron ore, and within 15 km of the coast. Current evidence suggests it may have been too dry further inland at this time for successful cultivation. From 650 onwards, however, climatic conditions improved and agriculturists expanded into the valleys of KwaZulu-Natal, where they settled close to rivers in savanna or bush veld environments. There is a considerable body of information available about these early agriculturists. Seed remains show that they cultivated finger millet, bulrush millet, sorghum and probably the African melon. It seems likely that they also planted African groundnuts and cowpeas, though direct evidence for these plants is lacking from the earlier periods. Faunal remains indicate that they kept sheep, cattle, goats, chickens and dogs, with cattle and sheep providing most of the meat. Men hunted, perhaps with dogs, but hunted animals made only a limited contribution to the diet in the region. Metal production was a key activity since it provided the tools of cultivation and hunting.

Historical Background

The City of uMhlatuze assumed city status on 21 August 2001. Made up of Richards Bay, Empangeni, eSikhaleni, Port Durnford, Vulindlela, Felixton, eNseleni and Ngwelezane, the city derived its name from the uMhlatuze River that meanders through the municipal area and unifies these towns, suburbs and traditional areas symbolically. There are rural areas surrounding the city under InkosiuDube, InkosiuMkhwanazi, InkosiuKhoza and InkosiuZungu.

The area now known as Kwa Zulu Natal was under the rulership of King Shaka Zulu. The uMhlatuze area is also known for its deep connections with the development of the Zulu

state of King Shaka Zulu in the early 1800's. The eMakhosini valley (Valley of the Kings) is situated between Melmoth and uLundi. Surrounding the valley are several stone-walled structures associated with the once powerful Buthelezi and Khumalo clans (see Derwent, 2006).

These clans later played a significant role in the formation of the Zulu kingdom. The king of wars Shaka Zulu, was born in the valley around 1785. It is on the same valley that his forebears, King Nkosinkulu Zulu, King Phunga, King Mageba, King Ndaba, King Jama and King Senzangakhona, were buried. The area around eMakhosini today lives as the burial ground of the Zulu kings, King Shaka, King Dingane, King Mpande and King Cetshwayo, who ruled in succession from 1816 to 1884. Their royal residences are also situated around this area. The valley is therefore regarded as the ancestral homeland of the Zulu nation as such this valley can also be classified as a cultural landscape (see Derwent2006).

According to Derwent (year), the eMakhosini Valley KwaNobamba specifically is the area where both King Jama (King Shaka's grandfather) and King Dinuzulu had homesteads and were buried. There are also a number of important sites within the greater eMakhosini Valley including the kwaGqokli Hill where King Shaka achieved his first military success against the powerful Ndwandwe under King Zwide and kwaMatiwane, the Hill of Execution. Stone walled settlements such as sites of Gqokli (1821), Opathe (1838) and Mhlathuze (1822) dating and military *ikhanda* dating respectively to the LIA and Colonial Period and the battlefields and skirmish have been recorded (see Maggs 1989)

Located in uMthlathuze, the town of Richards Bay historically was known as a makeshift harbour that was set up by the Commodore of the Cape, Sir Frederick Richards. The makeshift harbour was set up during the Anglo-Zulu War of 1879. Due to the growing need to protect the ecology, Richards Bay Game Sanctuary was created in 1935 later by 1943 it expanded into the Richards Bay Park. The town was to be proclaimed a town in 1969. By the early 1950s, in the wake of burgeoning South African industrial expansion, the need for new port facilities had become ever more pressing.

The need for major expansion of export facilities was further emphasised by the Chamber of Mines that claimed there was a vast potential for South Africa's raw materials, provided

adequate rail and port facilities capable of accommodating large vessels were available. The South African Government decided in 1965 to build a deep sea harbour at Richards Bay. Construction work began in 1972 and four years later, on 1 April 1976, the new harbour was opened.

The residential area of Richards Bay developed north of the harbour. Meerensee, started in 1970, was the first suburb. It was followed by Arboretum in 1975 and VeldenVlei in 1980. All three suburbs catered exclusively for Whites in accordance with the existing laws of apartheid. A township for Blacks was developed at Esikhaweni, fifteen kilometres south of Richards Bay. Residential areas for Indians and people of mixed blood were opened after 1985 west of VeldenVlei. Richards Bay is South Africa's premier bulk port and the most modern.

DESCRIPTION OF SOCIO ECONOMIC ENVIRONMENTAL IMPACTS

Any development is likely to have a socio-economic impact on the area in which it is developed. In this section off the report, the socio-economic impacts of the proposed development on the identified heritage resources are identified and quantified.

The economic impact assessment measures the anticipated economic impact of the capital expenditure (construction) of the proposed retail development. It includes economic output of new business sales creation, gross value added to the gross geographic product (GDP), additional total income created to households, as well number of jobs created. The anticipated, high-level Capital Expenditure outlay for the proposed development is R800 000 000 ex VAT, according to the project initiator, Sotobe Property.

The economic impact is determined by a multiplier analysis which measures the direct and indirect impacts on the regional economy derived from the capital expenditure of the proposed development. Four different impacts are identified, and are described as follows:

- i. New business Sales Multiplier Effect
- ii. Gross Value-Added Multiplier Effect
- iii. Household Income Multiplier Effect
- iv. The Employment Multiplier Effect

Overall some of these various measures of economic impact overlap and for this reason cannot necessarily be added together and should rather be understood to represent different dimensions of measuring economic impact. The socio-Economic results of the proposed project are presented as follows.

- A total of **R2 230 543 184** (R2.23 billion) in new business sales will be created directly and indirectly in the regional economy;
- This will translate into a total value addition of **R792 483 250** to Gross Geographic Product (GDP);

- The households benefitting from the economic activity created by the capital expenditure will see their income increase by **R391 192 703**; and
- The capital expenditure (construction) phase of the project will create approximately **4 900** employment opportunities.

Socio-economic impact assessment

Construction phase

Table 1: The social impacts which are anticipated to occur during the construction phase of the proposed development

Socio-economic impacts		Direction	Extent	Intensity	Duration	Consequence Score	Consequence Rating	Probability	Significance
Town/ General Public	Employment	+	Regional	High	3 Medium	2 8	Very High	Definite	Very High
	Income	+	Regional	High	3 Medium	2 8	Very High	Highly Probable	Very High
	Economic growth	+	Regional	Medium	2 Medium	2 7	High	Highly Probable	High
Municipality	Rates	+	Regional	High	3 Medium	2 8	Very High	Highly Probable	Very High
	Stress on water-supply	-	Regional	Medium	2 Medium	2 7	High	Definite	High
	Stress on electricity supply	-	Regional	Medium	2 Medium	2 7	High	Definite	High
Urban Environment	Congestion, Noise and Traffic	-	Local	Low	1 Medium	2 5	Low	Highly Probable	Low
	Aesthetics of Site Location	-	Site	Low	1 Medium	2 4	Very Low	Highly Probable	Very Low

Operational phase

Table 2: The social impacts which are anticipated to occur during the operational phase of the proposed development

Socio-economic impacts		Direct	Extent	Intensity	Duration	Consequence Score	Consequence Rating	Probability	Significance
Town/ General public	Employment	+	Regional	Medium	Long	3 8	Very High	Highly Probable	Very High
	Income	+	Regional	High	Long	3 9	Very High	Highly Probable	Very High
	Economic growth	+	Regional	Medium	Long	3 8	Very High	Probable	High
	Housing	+	Local	Medium	Long	3 7	High	Highly Probable	High
Municipal ity	Rates	+	Regional	High	Long	3 9	Very High	Highly Probable	Very High
	Operations	-	Regional	Medium	Long	3 8	Very High	Probable	High
	Stress on Water Supply	-	Regional	High	Long	3 9	Very High	Definite	High Very
	Stress on Electricity Supply	-	Regional	Medium	Long	3 8	Very High	Definite	Very High
Urban Environment	Congestion, Noise and Traffic	-	Local	Low	Long	3 6	Medium	Highly Probable	Medium
	Urban Renewal	+	Local	Medium	Long	3 7	High	Probable	Medium
	Aesthetics of Site Location	+	Local	Low	Long	3 6	Medium	Highly Probable	Medium
Competing developments	Loss of income	-	Local	Medium	Medium	2 6	Medium	Highly Probable	Medium

*DESCRIPTION AND DOCUMENTATION OF THE CULTURAL
HERITAGE RESOURCES*

Given the rich archaeological background of the uMhlathuse area, archaeological deposits were expected within the study area. Historical sites, ancestral graves and contemporary graves were also expected. The survey did not yield any archaeological remains, historical sites, ancestral graves or any contemporary graves.

Currently, the area that will be used for the development comprises a park with scattered planted trees, which will need to be removed to allow for the development. The forest area will not be touched except for the building of raised paths to allow access for bird watching and walks. Vegetation of the study site is described by Mucina and Rutherford (2006) Vegetation map as Subtropical Freshwater Wetlands and Maputa land Coastal Belt. As the forest area (mapped as wetlands) is clearly not a wetland, the description for the nearest forest type is Northern Coastal Forest.

The Richard's Bay Game Reserve is the closest protected area to the site at less than 10kms away. In addition, the site falls within a Critical Biodiversity Area, which, after a site visit, applies only to the forest section of the site. The forest section will thus have to remain intact. The forest, comprises indigenous forest with some naturalised invasive elements occurring on stabilised dunes. The forest is slightly disturbed as it is used as a thoroughfare, as well as used as a toilet and an area for prostitution, and makeshift shelters. Invasion levels are low, but there are a number of species present, all of which will result in greater levels of invasion as the disturbance levels increase.

The Developer intends to put a fence around the forest in order to maintain the forest and monitor the loss the vegetation as per the Department of Forestry recommendations. Without putting the fence the vegetation maintenance cannot be achieved. This will also avoid having people coming to dump waste to the forest

The nicely cut low green grass would have made it easy for the archaeological team to identify any scattered artifacts within the study area (see Figure 9). The study also noted the existence of buildings within the proposed project area. Within the study area exist a biker's prayer statue.

Sacred landscape features

Section 3 (3) of the National Heritage Resources Act, No. 25 of 1999 makes provisions of such places of spiritual significance to individuals

A place or object is to be considered part of the national estate if it has cultural significance or other special value because of—(g) its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

The biker prayer s belongs to local bikers who use it before going for a ride. An agreement was reached between the Local Municipality (owners of the plot **see Appendix D**) and the bikers and the statue will be removed. The Biker's prayer statue is associated with living heritage (sacred landscape features). This is a place of spiritual rituals for local bikers. According to (Taylor, 2002) rituals are practices that are often repeated and can provide a way for people to make life experiences meaningful. Rituals such as prayer may help individuals reconnect with their spirituality and thus support their spiritual health a ritual is an enactment of cultural beliefs and values. Rituals are significant aspects of many religious traditions and cultures (Taylor 2002)



Figure 4: The bikers prayer on site

Built Environment

Section 34 of National Heritage Resources Act of 1999 protects these structures against any altering.

(1) No person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.

These buildings were however found to be less than the NHRA benchmark of 60 years and older for protected old buildings. Outside the site boundary exists an old building formerly listed under the AMAFA list of protected old buildings. The building is located outside the proposed forest fence and an assessment of the building was not done as it falls way outside the 50 metre buffer and will not be affected in any way by the proposed forest fence (see Figure 3).



Figure 5: View of an old contemporary garage on the first homestead within the proposed study area.



Figure 6: Front end façade of the main house of the first homestead within the proposed study area.



Figure 7 : View of the other recent structure within the proposed development area



Figure 8: Outside view of the heritage building outside of the proposed project area



Figure 9: General view of the park area

ASSESSMENT OF SIGNIFICANCE

Article 26(2) of the Burra Charter emphasises that written statements of cultural significance for heritage resources should be prepared, justified and accompanied by supporting evidence. Site significance classification standards prescribed by SAHRA (2006), and acknowledged by ASAPA for the SADC region, were used for the purposes of this report.

Table 3: Site Significance classification

SAHRA's Site significance minimum standards			
Filed Rating	Grade	Classification	Recommendation
National Significance (NS)	Grade 1		Conservation; National Site nomination
Provincial Significance (PS)	Grade 2		Conservation; Provincial Site nomination
Local Significance (LS)	Grade 3A	High Significance	Conservation; Mitigation not advised
Local Significance (LS)	Grade 3B	High Significance	Mitigation (Part of site should be retained)
Generally Protected A (GP.A)		High/ Medium Significance	Mitigation before destruction
Generally Protected B (GP.B)		Medium Significance	Recording before destruction
Generally Protected C (GP.A)		Low Significance	Destruction

Site Significance calculation formula

Site significance is calculated by combining the following concepts in the given formula.

$$S = (E+D+M) P$$

S = Significance weighting

E = Extent

D = Duration

M = Magnitude

P = Probability

The significance weightings for each potential impact are as follows:

Table 4: The significance weightings for each potential impact are as follows:		
Aspect	Description	Weight
Probability	Improbable	1
	Probable	2
	Highly Probable	4
	Definite	5
Duration	Short term	1
	Medium term	3
	Long term	4
	Permanent	5
Scale	Local	1
	Site	2
	Regional	3
Magnitude/Severity	Low	2
	Medium	6
	High	8

Table 5: Impact Significance

Significance		
<p>It provides an indication of the importance of the impact in terms of both tangible and intangible characteristics. (S) is formulated by adding the sum of numbers assigned to Extent (E), Duration (D), and Intensity (I) and multiplying the sum by the Probability.</p> $S = (E+D+I) P$		
<30	Low	Mitigation of impacts is easily achieved where this impact would not have a direct influence on the decision to develop in the area.
30-60	Medium	Mitigation of impact is both feasible and fairly easy. The impact could influence the decision to develop in the area unless it is effectively mitigated.
>60	High	Significant impacts where there is difficult. The impact must have an influence on the decision process to develop in the area.

Table 6: Overview of the findings and their significance

Name of the resource	Co-ordinates	Description/Condition	Significance	Field Rating/Grade
Biker's Prayer	28° 47' 37.5744" S 32° 5' 38.7813" E	The biker's prayer has got a spiritual significance to the bikers and looks well maintained. It however was placed on land that belongs to the Municipality and not the bikers hence the request by the Municipality to the bikers to remove it.	Medium-High	Generally Protected A (GP.A) /
Old building		The old building was formerly listed as a protected building by AMAFA, however the building falls way out of the proposed development boundary. It also does not fall within the proposed forest fence.	High	Generally Protected B (GP.B) /

Conclusions:

There is no compelling reason in heritage terms why the development should not be given a go- ahead. The existing buildings within the proposed development area do not carry any

historical or architectural significance apart from contributing a recent layer to the site. They can be demolished or if the owners wish to do so and the project can proceed as they do not fall within the 60 years and older bench-mark stipulated by law for old buildings in South Africa.

There is good reason to believe that the building formerly listed under AMAFA list of protected buildings is a heritage building, but the building does not in any way get impacted by the proposed development as it falls way out of the proposed development area boundaries.

Recommendations:

There still exists a possibility that sub-surface remains and other heritage resources could still be encountered during the construction phase. Although no sites of heritage significance were identified within the proposed study area, the following recommendations are given should any sub-surface remains of heritage sites be identified as indicated above;

A Chance Find Procedure (CFP) should be implemented for the project should any sites be identified during the construction process.

A CFP procedure includes the following;

- All construction workers working onsite should be made aware of the possibility of the occurrence heritage resources during the excavation period/construction phase
- All construction in the immediate vicinity should be stopped.
- A red tap should be put around the site and a buffer of at least 50 metres should be observed.
- The heritage practitioner or SAHRA should be informed as soon as possible.
- Public access should be limited and no media statements should be released until permission to do so is granted.

In addition to that, archaeological watching briefs at regular intervals should also be carried out to insure that no possible archaeological resources are lost during the construction phase.

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McDougall I, Brown FH, Fleagle JG (2005) Stratigraphic placement and age of modern humans from Kibish, Ethiopia. Nature 433:733-736

Taylor ,M (2002) Imagination as the Centre piece of Human Cognition. University of Oregon

Legislative Frame works used

ICOMOS, 1996. International Charter for the Conservation and Restoration of Monuments and sites (the Venice charter).

ICOMOS, 1999. The Australia ICOMOS charter for places of cultural significance (the Burra Charter).

ICOMOS Charter, Principles for the analysis, conservation and structural restoration of architectural heritage (2003)

National Heritage and Resources Act of South Africa No. 25 of 1999

Kwazulu-Natal Heritage Act No. 4 of 2008

APPENDIX A

Definition of terms adopted in this HIA

The terminology adopted in this document is mainly influenced by the NHRA of South Africa (1999) and the Burra Charter (1979).

Adaptation: Changes made to a place so that it can have different but reconcilable uses.

Artefact: Cultural object (made by humans).

Buffer Zone: Means an area surrounding a cultural heritage which has restrictions placed on its use or where collaborative projects and programs are undertaken to afford additional protection to the site.

Co-management: Managing in such a way as to take into account the needs and desires of stakeholders, neighbours and partners, and incorporating these into decision making through, amongst others, the promulgation of a local board.

Conservation: In relation to heritage resources, includes protection, maintenance, preservation and sustainable use of places or objects so as to safeguard their cultural significance as defined. These processes include, but are not necessarily restricted to preservation, restoration, reconstruction and adaptation.

Contextual Paradigm: A scientific approach which places importance on the total context as catalyst for cultural change and which specifically studies the symbolic role of the individual and immediate historical context.

Cultural Resource: Any place or object of cultural significance

Cultural Significance: Means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance of a place or object for past, present and future generations.

Feature: A coincidental find of movable cultural objects (also see Knudson 1978: 20).

Grading: The South African heritage resource management system is based on a grading system, which provides for assigning the appropriate level of management responsibility to a heritage resource.

Heritage Resources Management: The utilization of management techniques to protect and develop cultural resources so that these become long term cultural heritage which are of value to the general public.

Heritage Resources Management Paradigm: A scientific approach based on the Contextual paradigm, but placing the emphasis on the cultural importance of archaeological (and historical) sites for the community.

Heritage Site Management: The control of the elements that make up the physical and social environment of a site, its physical condition, land use, human visitors, interpretation etc. Management may be aimed at preservation or, if necessary at minimizing damage or destruction or at presentation of the site to the public.

Historic: Means significant in history, belonging to the past; of what is important or famous in the past.

Historical: Means belonging to the past, or relating to the study of history.

Maintenance: Means the continuous protective care of the fabric, contents and setting of a place. It does not involve physical alteration.

Object: Artefact (cultural object)

Paradigm: Theories, laws, models, analogies, metaphors and the epistemological and methodological values used by researchers to solve a scientific problem.

Preservation: Refers to protecting and maintaining the fabric of a place in its existing state and retarding deterioration or change, and may include stabilization where necessary. Preservation is appropriate where the existing state of the fabric itself constitutes evidence of specific cultural significance, or where insufficient evidence is available to allow other conservation processes to be carried out.

Protection: With reference to cultural heritage resources this includes the conservation, maintenance, preservation and sustainable utilization of places or objects in order to maintain the cultural significance thereof.

Place :means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

Reconstruction: To bring a place or object as close as possible to a specific known state by using old and new materials.

Rehabilitation: The repairing and/ or changing of a structure without necessarily taking the historical correctness thereof into account (NMC 1983: 1).

Restoration: To bring a place or object back as close as possible to a known state, without using any new materials.

Site: A large place with extensive structures and related cultural objects. It can also be a large assemblage of cultural artefacts, found on a single location.

Sustainable: Means the use of such resource in a way and at a rate that would not lead to its long-term decline, would not decrease its historical integrity or cultural significance and would ensure its continued use to meet the needs and aspirations of present and future generations of people.

APPENDIX B

Definitions of Values

Value	Definition
Historic value	Important in the community or pattern of history or has an association with the life or work of a person, group or organization of importance in history.
Scientific value	Potential to yield information that will contribute to an understanding of natural or cultural history or is important in demonstrating a high degree of creative or technical achievement of a particular period
Aesthetic value	Important in exhibiting particular aesthetic characteristics valued by a community or cultural group.
Social value	Have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
Rarity	Does it possess uncommon, rare or endangered aspects of natural or cultural

	heritage
Representivity	Important in demonstrating the principal characteristics of a particular class of natural or cultural places or object or a range of landscapes or environments characteristic of its class or of human activities (including way of life, philosophy, custom, process, land-use function, design or technique) in the environment of the nation, province region or locality.

APPENDIX C



APPENDIX D

Landowner Consent



edtea

Department :

Economic Development, Tourism and
Environmental Affairs

PROVINCE OF KWAZULU-NATAL

CONSENT FROM THE LANDOWNER OR PERSON IN CONTROL OF THE LAND ON WHICH THE ACTIVITY IS TO BE UNDERTAKEN

In terms of the requirements of sub-regulation 39(1) of the Environmental Impact Assessment Regulations, 2014 (if the applicant is not the owner or person in control of the land on which the activity is to be undertaken)

Kindly note that:

1. This document should be attached as an appendix to:
 - The application form for Environmental Authorization in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

1. DETAILS OF APPLICANT

Project applicant:	Sotobe Management (Pty) Ltd & Instratin Properties (PTY) LTD	
Trading name (if any):	Sotobe Management (Pty) Ltd & Instratin Properties (PTY) LTD	
Contact person:	Lawrence Maleka (Operations Director)	
Physical address:	7 Mellis Road, Bradenham Hall, Rivonia	
Postal address:	7 Mellis Road, Bradenham Hall, Rivonia	
Postal code:		Cell: 066 306 0639
Telephone:	011 234 0639	Fax:
E-mail:	lawrence@sotobegroup.co.za	

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	Landowner Consent	01 July 2016
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Landowner Consent

2. DETAILS OF LANDOWNER OR PERSON IN CONTROL OF THE LAND

(where the applicant is not the landowner or person in control of the land)

Landowner or person in control of the land:	City of uMhlathuze	
Contact person:	Nontsundu Ndonga	
Postal address:	Private Bag X1004, Richard Bay	
Postal code:	3900	Cell: 0834556422
Telephone:	035 9075174	Fax:
E-mail:	NdongaN@umhlathuze.gov.za	

3. PROJECT DETAILS AND ACTIVITIES APPLIED FOR

Project title:

The Proposed Upmarket Mixed-Use Development in Meerensee, Richards Bay within the jurisdiction of the City of Umhlathuze, Kwa-Zulu Natal Province: The Ridge

Activities applied for:

Describe each listed activity in Listing Notices 1, 2 or 3 (GNR 983 -985, 04 December 2014) which is being applied for as per the project description:

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice) :	Describe each listed activity:
1 of 2014	27	The proposed construction will require

5. CONSENT FROM LANDOWNER OR PERSON IN CONTROL OF THE LAND TO UNDERTAKE THE ACTIVITY/IES

I, **Nontsundu Ndonga**, declare that, I:-

- Am the landowner or person in control of the property described in Section 4 of this document; and
- That I hereby give consent to the applicant, **Sotobe Management (Pty) Ltd & Instratin Properties (PTY) LTD (LESSEE)** as described in section 1 of this document to undertake the activity/ies as described in section 3 of this document on the property described in section 4.


Signature of the landowner or person in control of the land

01/10/2018
Date