

**Swaziland-RSA-Mozambique Border Patrol Roads and Fencing - Phase 2**

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**Interim Comment**

**IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999) AND SECTION 41 OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT (ACT 05 OF 2018)**

Attention: National Department of Public Works

**Planning & Design for the Maintenance and / or Upgrade of the Patrol Roads and Fencing on the Borders between the Republic of South Africa (RSA), Swaziland & Mozambique, being undertaken by the National Department of Public Works (DPW), KwaZulu-Natal and Mpumalanga Provinces**

The application was considered by the Provincial Heritage Authority, the KwaZulu Natal Amafa and Research Institute. The Committee reiterated the need for a comprehensive Heritage Impact Assessment with a palaeontological component with a detailed list of the heritage resources and images as previously requested.

- Identification of all heritage resources in the development area and its surroundings -50m
- Assessment of the impact of the development on such heritage
- Evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development
- Results of consultation with communities affected by the proposed development and other interested and affected parties regarding the impact of the development on heritage resources.
- Consideration of alternatives if heritage resources are affected by the development
- Mitigation plans for any adverse effects during and after completion of the project
- Table of all heritage resources identified. This should show Heritage resource type, description, location, significance and reasons for this rating.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully





## HERITAGE IDENTIFICATION, MANAGEMENT & PROTECTION

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Date: Friday April 23, 2021

CaseID: 12801

Our Ref: SAH18/12801

Bernadet Pawandiwa  
Senior Heritage Officer  
KwaZulu-Natal Amafa and Research Institute

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Mxolisi Dlamuka  
Head of Secretariat and Administration  
KwaZulu-Natal Amafa and Research Institute

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### ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/510804>  
(DEA, Ref: )

### Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to the Institute immediately.
3. The Institute reserves the right to request additional information as required.



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For Attention:  
Ms Bernadet Pawandiwa  
Senior Heritage Officer  
AMAFA/Heritage KwaZulu Natal  
CaselD: 12801

**Planning & Design for the Maintenance and/ or Upgrade of the Patrol Roads and Fencing on the Borders between the Republic of South Africa (RSA), Swaziland & Mozambique, being undertaken by the National Department of Public Works (DPW), KwaZulu-Natal and Mpumalanga Provinces**

The Interim Comments received from AMAFA on 23 April 2021 refers. The Committee reiterated the need for a comprehensive Heritage Impact Assessment (HIA) with a Paleontological component including a detailed list of the heritage resources and images as previously requested.

Find attached a summary of the comments and our response herewith:

Comment	Response
1. Identification of all heritage resources in the development area and its surroundings - 50m.	<p>The Study Approach/ Methodology (Section 3 of the HIA dated November 2018, compiled by Frans Prins of Active Heritage cc) undertaken has included the following:</p> <ul style="list-style-type: none"><li>▪ Identification, mapping and description of heritage resources (including archaeology, palaeontology and cultural heritage) in the project area, based on available literature, existing databases and any fine scale plans for the region.</li><li>▪ Ground survey was conducted on the 20<sup>th</sup> – 23<sup>rd</sup> of September 2017 and on the 17<sup>th</sup> – 20<sup>th</sup> of October 2017. A buffer of 50m was surveyed around the relevant roads and borrow pits. Particular attention was paid to potential 'hotspot areas' identified in the desktop study that preceded the ground survey. The footprint was walked by foot. Care was taken to identify graves and associated structures. Local community members, when present, were also questioned regarding the location of potential graves and other heritage sites.</li></ul> <p>Graves that we identified were presented in Table 2 of the HIA. Archaeological sites and Living Heritage Sites were presented in Table 3 and Table 4 respectively of the HIA. These sites were further indicated in Figure 6a (archaeological sites in the north-eastern section of the proposed Border Road), Figure 6b (Lake KuZilonde), Figure 7 (archaeological sites</p>



Comment	Response
	in the southern section of the Border Road) and Figure 8 (archaeological and grave sites in the northern section of the project area) of the HIA.
2. Assessment of the impact of the development on such heritage.	<p>Section 5 of the HIA assesses the impact of the project on heritage resources. The following is noted:</p> <ul style="list-style-type: none"> <li>▪ There are no sandstone outcrops and ridges which may contain shelters with archaeological material identified within 50m from the proposed Border Road.</li> <li>▪ The specialist could not identify any sandstone shelters, or bodies of natural and unpolluted water such as certain pools, waterfalls and rivers/streams that may also have 'living heritage' values except for Lake KuZilonde (refer to mitigation in Point 6 below).</li> <li>▪ No Later Iron Age and historical period stone walled structures were identified within the 50m assessment corridor.</li> <li>▪ No old farmsteads, older than 60 years, occur within 50m from the proposed Border Road.</li> <li>▪ Older buildings and structures such as bridges etc. do occur in association with some of the Border Posts in the project area. However, none of these older structures occur closer than 50m to the proposed Border Road.</li> <li>▪ For the remaining significant heritage resources, mitigation measures are presented in Point 6 below.</li> </ul>
3. Evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development.	<p>Should the development not proceed, the existing infrastructure will remain. The activities related to border control and border patrol will still be able to be undertaken by the relevant law enforcement agencies, as is currently the case due to the existence of a fence, patrol roads and parallel tracks (where the roads are in such a poor condition that patrols have to divert to tracks next to the road) along the majority of the length of the alignment. However, the benefits in terms of improved law enforcement, improved response times to incidents and associated ability to prevent illegal movement of people, vehicles and contraband across the border will continue to be compromised by infrastructure that is in a state of disrepair. The upgrading of the border fence will also improve South Africa's ability to retain its Foot and Mouth Disease-free status as recognised by the World Organisation for Animal Health.</p> <p>There have also been extensive media, social media and public protests by residents along the border that have already made it very clear that the lack of border security has severe negative impacts on both the social and economic well-being of the public and communities along the border.</p>
4. Results of consultation with communities affected by the proposed development and other interested and affected parties regarding the impact of	Extensive consultation has taken place as part of the project Basic Assessment and planning / design processes. The results of consultation have been documented and available as a comprehensive Issues Trail (refer to <b>Annexure A</b> ).



Comment	Response
the development on heritage resources.	From the outset of this project process in late 2016, the public has made it very clear that they are tired of talking with no visible action to improve the security situation.
5. Consideration of alternatives if heritage resources are affected by the development.	Alternatives will be considered and due process followed if any heritage resources are identified during the monitoring of upgrades and construction. This can be made a condition of the approval by AMAFA if any heritage resources are discovered. Project alternatives were considered and assessed in the Basic Assessment study.
6. Mitigation plans for any adverse effects during and after completion of the project.	<p>Graves that we identified were presented in Table 2 of the HIA. Archaeological sites and Living Heritage Sites were presented in Table 3 and Table 4 respectively of the HIA. These tables present the site type, grading, coordinates and mitigation.</p> <p>In addition, the HIA and PIA recommend the following mitigation measures:</p> <ul style="list-style-type: none"> <li>▪ A buffer zone of at least 30m must be maintained around all graves. No development may occur within the buffer zone. Should it not be possible to respect a buffer zone then the developer may motivate for a Phase Two Heritage Impact Assessment in order to investigate potential grave exhumation and reburial (Appendix 1 of the HIA).</li> <li>▪ A buffer zone of at least 10m must be maintained around open air Stone Age sites. No artefacts may be collected or removed from these sites.</li> <li>▪ The Border Cave may not be changed or altered under any circumstances and a buffer zone of 50m must be maintained around this important site.</li> <li>▪ Lake KuZilonde (large inland lake covering an area of approximately 1.7km x 0.6km. The proposed border patrol infrastructure crosses the lake (a wooden structure with floating "gates") as the northern portion of the lake is situated in Mozambique. The lake has living heritage values - Engage with local community (as a Phase 2 HIA) before the construction of a road that will cross this Lake.</li> <li>▪ A buffer zone of 50m must also be maintained around the one identified rock art site. All the other sites should have a buffer zone of at least 10m. Should it not be possible to maintain these buffer zones then the developer may motivate for a Phase Two Heritage Impact Assessment of the relevant sites.</li> <li>▪ In the event that fossil remains are discovered during any phase of construction, either on the surface or unearthed by fresh excavations, the ECO in charge of these developments ought to be alerted immediately. These discoveries ought to be protected (preferably in situ) and the ECO must report to SAHRA so that appropriate mitigation (e.g. recording, collection) can be carry out by a professional paleontologist. Preceding any collection of fossil</li> </ul>



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	material, the specialist would need to apply for a collection permit from SAHRA. Fossil material must be curated in an approved collection which comprises a museum or university collection, while all fieldwork and reports should meet the minimum standards for palaeontological impact studies proposed by SAHRA. A Chance Find Protocol is also compiled and attached to the PIA.
7. Table of all heritage resources identified. This should show Heritage resource type, description, location, significance and reasons for this rating.	Graves that were identified were presented in Table 2 of the HIA. Archaeological sites and Living Heritage Sites were presented in Table 3 and Table 4 respectively of the HIA. These tables present the site type, grading, coordinates and mitigation.

In closing, whilst it is noted that the HIA and PIA as well as Basic Assessment studies were based on a conceptual route within a 50m assessment corridor during the planning and design, the route alignment has since been finalised and the development footprint is greatly reduced (in both length and width) and mainly restricted to existing roads and well used tracks.

We are willing to meet with AMAFA, to take AMAFA through this refined detail route along the KZN section of the border and to allow AMAFA to then determine whether the HIA and PIA are adequate of whether gaps still exist.

Yours faithfully

  
**MR MALUSI GANISO**  
**DIRECTOR: TOWN PLANNING SERVICES**  
**NATIONAL DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE**

DATE: 20/08/12