

**PROPOSED MULTI-PURPOSE RETAIL AND OFFICE
DEVELOPMENT, SUGAR RUSH PARK NEAR
BALLITO, KWAZULU-NATAL**

Phase 1 Heritage Impact Assessment

April 2023

**FOR: Confluence Strategic Development & Environmental Partner
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EXECUTIVE SUMMARY

Sugar Rush Park (Pty) Ltd are the landowners of Portion 206 of Farm Compensation No. 868, KwaDukuza Local Municipality, iLembe District. Portion 206 of Farm Compensation No. 868 is 14.2 hectares in extent and is currently zoned as Agriculture. There is existing infrastructure on site associated with previous farming activities and the Sugar Rush / Holla Trails centre offices, Jump City, restaurants, microlight storage facility and bike track. The landowners propose to rezone Portion 206 in order to construct a mixed-use development which will include retail outlets, restaurants, accommodation, wedding and conference venue, wellness centre, zip line and parking.

The proposed Sugar Rush Park mixed development will have a total footprint of approximately 9-hectares (90000m²) hence the proposed development triggers section 41 (1) (c)(i) of the KwaZulu-Natal Amafa and Research Institute Act, 2018 (Act No 5 of 2018) which lists developments or activities that require an HIA. The relevant sub-section refers to: any development or other activity which will change the character of a site- (i) exceeding 5000 m².

The site of the proposed development is where the existing Sugar Rush Park is located along Esenembi Road which feeds off the R102 road that runs between Tongaat and Ballito. The site is situated west of the N2 highway and the town of Ballito. A site inspection of the project site took place on 14 April 2023. Visibility was good.

The project site was inspected on foot. The area where existing activities take place such as restaurants, entertainment areas, etc., is highly disturbed. This disturbance is in the northern half of Sugar Rush Park.

In the north-western corner of the site, close to Ballito airfield are several structures that appear to form a worker's compound. There are the remains of several round dwellings as well as a central structure where, because of the presence of fireplaces and chimneys, it is assumed was where those living in the compound cooked. There are a number of other associated structures. Several of these structures are or appear to be older than 60 years.

Immediately south of the compound is a grove of eucalyptus trees in which there is an elevated tree walk and a high viewing deck. The area was inspected but no heritage sites were found in this section.

The area east and south of the grove of trees and of the dam consists mainly of recovering farm land with roads and paths crossing the area, some of which are used by cyclists. No heritage resources were found here.

According to the desktop palaeontological study undertaken, the palaeontological sensitivity of the site is indicated as highly sensitive. The project lies in the coastal margin of southern KwaZulu-Natal where young Maputaland sands overlie the older Natal Group rocks and part of the eastern margin of the Karoo Supergroup sediments. The Maputaland Group sediments are part of the early Miocene marine transgression that deposited littoral marine sediments along the eastern seaboard of southern Africa. Younger sands of Holocene age, the Sibaya Formation overlie the Umkwelane Formation and are composed of modern dune and beach deposits. Quaternary calcretes and sands may preserve fragments of transported bone, wood, and shells but these would be out of context and very small. Only under special conditions such as palaeo-pans would younger and more complete fossils be likely to form or be trapped. Pans do occur in the more north-western arid regions but are not common in KwaZulu-Natal that has a much higher rainfall. It was concluded that the geological structures suggest that the rocks are either much too old to contain fossils or have been disturbed by modern vegetation and development. Since there is a small chance that fossils from the Umkwelane Formation may be disturbed, it is recommended that a Fossil Chance Find Protocol be included in the EMPr for the proposed developed. The potential impact to fossil heritage resources was assessed as low.

The mixed-use development is located on a site that is already partly developed with the undeveloped area having been under sugar cane cultivation for many years. Several structures that make up a workers' compound were found in the north-west section of the project site. Several of the structures appear to be older than 60 years and are therefore protected by section 37 (1)(a) of the KwaZulu-Natal Amafa and Research Institute Act, 2018, which refers to the protection of structures that are or that may reasonably be expected to be older than 60 years. Structures older than 60 years may not be altered or demolished without written permission from the Institute. If this section of the project site is to be developed, a built heritage specialist must be appointed to ascertain the age of the structures and their heritage significance and provide guidance in terms of a way forward.

The developed areas and areas used for farming have resulted in a site that is highly disturbed. No other heritage sites, apart from the workers' compound, were found during the site inspection.

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APPENDICES

Appendix 1: Desktop palaeontological study

I, Jean Beater, act as an independent specialist for this project and I do not have any vested interest either business, financial, personal or other, in the proposed activity other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2014.

SPECIALIST DETAILS

Name	Qualification	Professional Registration
Jean Beater	MA (Heritage Studies) MSc (Environmental Management)	Member of Association of South African Professional Archaeologists (No. 349) Member of IAIAAsa (No. 1538)

1. INTRODUCTION

Sugar Rush Park (Pty) Ltd are the landowners of Portion 206 of Farm Compensation No. 868, KwaDukuza Local Municipality, iLembe District. Portion 206 of Farm Compensation No. 868 is 14.2 hectares in extent and is currently zoned as Agriculture. There is existing infrastructure on site associated with previous farming activities and the Sugar Rush / Holla Trails centre offices, Jump City, snake park, restaurants, microlight storage facility and bike track. Sugar Rush Park (Pty) Ltd propose to rezone Portion 206 of Farm Compensation No. 868 and construct a mixed-use development which will include retail outlets, restaurants, accommodation, wedding and conference venue, wellness centre, zip line and parking. (Confluence 2023:1).

A Phase 1 Heritage Impact Assessment (HIA) was undertaken to establish if heritage resources will be impacted by the proposed multi-purpose retail and office development.

2. LEGISLATIVE REQUIREMENTS

The proposed Sugar Rush Park mixed development will have a total footprint of approximately 9-hectares (90000m²) hence the proposed development triggers section 41 (1) (c)(i) of the KwaZulu-Natal Amafa and Research Institute Act, 2018 (Act No 5 of 2018) which lists developments or activities that require an HIA. The relevant sub-section refers to: any development or other activity which will change the character of a site- (i) exceeding 5000 m².

The development may also impact graves, structures, archaeological and palaeontological resources that are protected in terms of sections 37, 38, 39, and 40 of the KwaZulu-Natal Amafa and Research Institute Act, 2018.

In terms of section 3 of the NHRA, heritage resources are:

- (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; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) of significance relating to the history of slavery in South Africa;
- (i) movable objects, including:
- (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological 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;
 - (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(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

3. LOCATION

The site of the proposed development is where the existing Sugar Rush Park is located along Esenembi Road which feeds off the R102 road that runs between Tongaat and Ballito (**Fig. 1**). The site is situated west of the N2 highway and the town of Ballito (**Fig. 2**).

4. TERMS OF REFERENCE

Undertake a Phase 1 HIA in order to determine the possible existence of heritage resources that could be impacted by the Lakeside industrial development. In addition, provide mitigation measures to limit or avoid the impact of the proposed project on heritage resources (if any).

Submit the HIA report to the provincial heritage resources authority, the KwaZulu-Natal Amafa and Research Institute (hereafter referred to as the Institute), for their assessment and comment.



Figure 1: Sugar Rush Park multi-purpose development outlined in red



Figure 2: Mixed use development and wider area

5. METHODOLOGY AND CONSTRAINTS

A survey of literature, including other heritage impact assessment reports completed for the surrounding area, was undertaken in order to ascertain the history of the area and what type of heritage resources have or may be found in the area of development.

Older maps and aerial photographs were consulted in order to understand what the project site was like previously. These maps and photographs were obtained from the Department of Rural Development and Land Reform's CDNGI geospatial information website (www.cdngiportal.co.za).

A site inspection of the project site took place on 14 April 2023. Visibility was good. The specialist spoke to several people working on the site and they indicated that they were unaware of heritage resources, such as graves, on the site of the proposed development.

6. HISTORICAL BACKGROUND OF PROJECT & SURROUNDING AREA

The larger surrounding area has been probably been inhabited by humans since Early Stone Age (ESA) times. Reports indicate that tools dating to this period are mostly found as surface scatters in the vicinity of watercourses. During Middle Stone Age (MSA) times (c. 150 000 – 30 000 BP), people became more mobile, occupying areas formerly avoided. They were adept at exploiting the huge herds of animals that passed through the area on their seasonal migration. As a result, tools belonging to this period also mostly occur in the open or in erosion dongas. Similar to the ESA material, artefacts from these surface collections are viewed not to be in a primary context and have little or no significance. Later Stone Age (LSA) people had even more advanced and therefore succeeded in occupying even more diverse habitats. LSA people preferred to occupy rock shelters and caves such as in the foothills of the Drakensberg and above the escarpment (van Schalkwyk 2016:9-10).

The earliest Iron Age sites in South Africa, including KwaZulu-Natal, relate to an eastern coastal and lowland cultural tradition with links as far north as the Kwale sites of eastern Kenya. This tradition has been named 'Matola', after a site in southern Mozambique. Most Early Iron Age villages in KwaZulu-Natal were often about eight hectares in size and probably contained a hundred or more people, and were found in the lower-lying and savannah areas. They were most common along the major rivers and in the coastal belt, where there was good, deep soil, year-round grazing, and timber for building and fuel. The beginning of the Late Iron Age marked a period of significant change in living patterns. Settlements were no longer located in river valleys,

but were built on higher ground where homesteads would benefit from cooling breezes and good views for strategic purposes. Settlements appear to have been much smaller, implying that society underwent a change away from the large Early Iron Age villages and towards the individual family homesteads of the historic Nguni-speaking peoples (eThembeni 2008:13-14).

According to Hocking (1992:37-39), most histories of KwaZulu-Natal's sugar industry date to 1851 when Edmund Morewood milled sugar from cane planted on his farm Compensation. This site is located about 1 km south-west of the proposed multi-purpose development. Morewood used a small cast-iron mill with rollers made from logs of wood covered with sheets of tin. The mill was hand-powered by four labourers. The juice ran into gutters and was filtered through cloth. From this small business others were inspired and sugar cane started to be cultivated on a large scale to the north of and south of Durban.

The 1937 aerial photograph of the project site (outlined in yellow) (**Fig. 3**) shows an area mainly under sugar cane cultivation. The structures to the east of the site are structures associated with Collisheen Estate. The Ensenembi road is visible going towards the R102 road which is not visible in the image.

The 1968 1:50000 map of the area (2931AC) (**Fig. 4**) shows the area still under sugar cane cultivation together with trees and bush in the south-east corner of the site together with some structures. The site of the first sugar mill constructed by Edmund Morewood (as mentioned above) is indicated at the bottom of the map.



Figure 3: 1937 aerial photograph of project site and surrounds

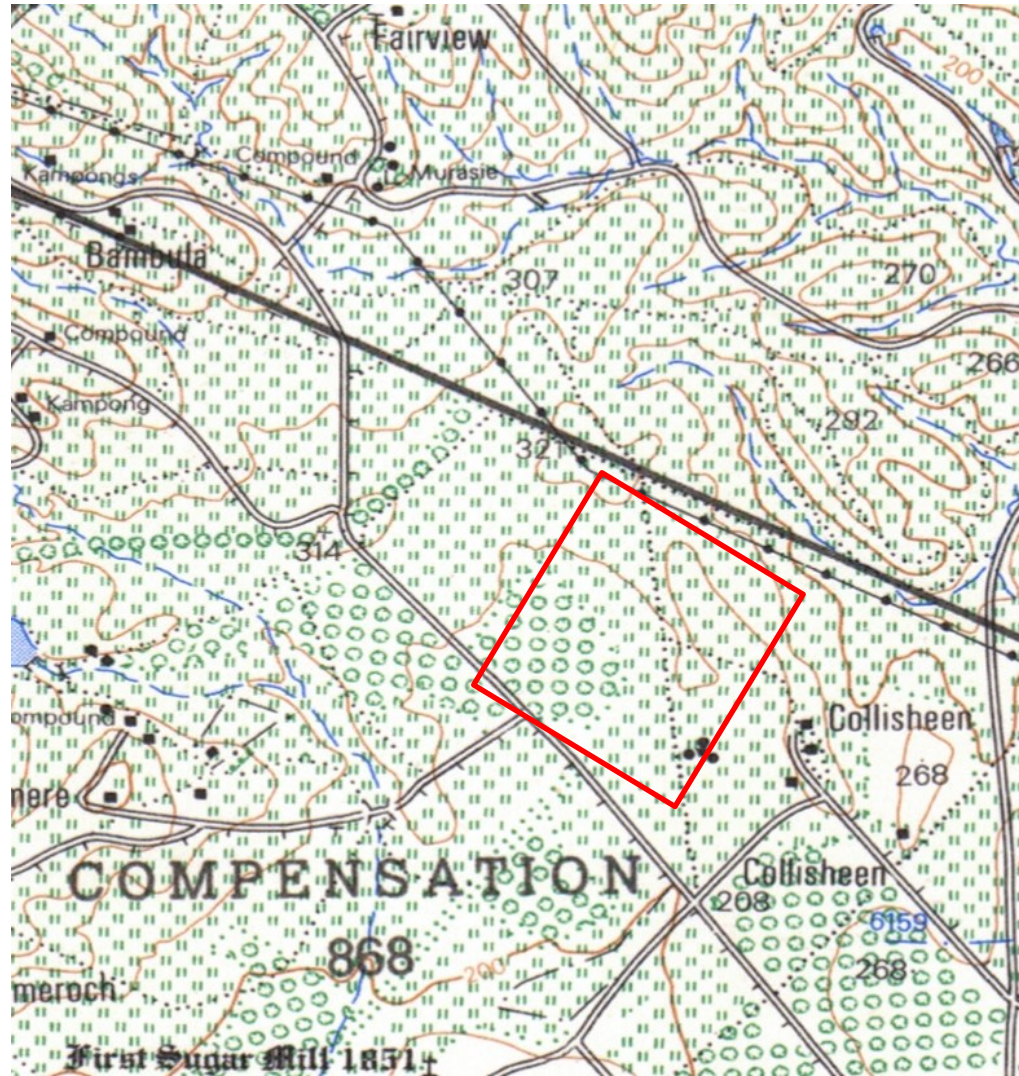


Figure 4: 1968 topographic image of project site and surrounds

7. RESULT OF SITE INSPECTION

The project site was inspected on foot. The area where existing activities take place such as restaurants, entertainment areas, etc., is highly disturbed. This disturbance is in the northern half of Sugar Rush Park. Google Earth historical imagery shows that Sugar Rush Park started to develop from about 2014 / 2015.



Figure 5: View of existing activity on Sugar Rush Park



Figure 6: Racing track

Fig. 7 shows the northern boundary of Sugar Rusk Park with the hangers and other structures associated with the Ballito Airfield depicted in the background. The airfield falls outside the area intended for development. In the foreground is an area where excess vegetation and soil are kept.



Figure 7: Northern boundary looking westwards

In the north-western corner of the site, close to the airfield are several structures that appear to form a worker's compound. There are the remains of several round dwellings as well as a central structure where, because of the presence of fireplaces and chimneys, it is assumed was where those living in the compound cooked, the kitchen. There are a number of other associated structures. Several of these structures are or appear to be older than 60 years.



Figure 8: Remains of round dwelling structures



Figure 9: View of round structures from back of compound



Figure 10: 'Cooking' / kitchen structure with fireplace and chimney visible



Figure 11: 'Kitchen' structure



Figure 12: Structure in compound

Immediately south of the compound is a grove of eucalyptus trees in which there is an elevated tree walk and a high viewing deck. The area was inspected but no heritage sites were found in this section. There are pathways amongst the trees and areas where visitors can sit.



Figure 13: View of compound from viewing deck



Figure 14: View southwards across site and delineated wetland area



Figure 15: Pathway through grove of eucalyptus trees

The area east and south of the grove of trees and of the dam consists mainly of recovering farm land with roads and paths crossing the area, some of which are used by cyclists. No heritage resources were found here.



Figure 16: View across development area



Figure 17: View of site looking in a south-easterly direction



Figure 18: View across site towards existing structures

A newly dug drainage line was found running parallel to the southern boundary of the project site.



Figure 19: Cleared drainage line



Figure 20: Structure and parking lot on northern boundary of the site

Heritage resources and potential heritage resources found during the inspection are listed in **Table 1** below.

Table 1: Heritage resources found during site inspection

Description	Coordinates	Significance	Mitigation
Two room structure associated with compound; potentially >60 years	29°29'26.8" S 31°10'43.4" E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of wall of structure; potentially >60 years	29°29'26.6" S 31°10'43.1" E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'26.78"S 31°10'42.61"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'26.76"S 31°10'42.33"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'26.68"S 31°10'42.03"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure

Description	Coordinates	Significance	Mitigation
Remains of circular structure	29°29'26.64"S 31°10'41.76"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'26.60"S 31°10'41.46"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'26.37"S 31°10'41.53"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'26.10"S 31°10'41.58"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Remains of circular structure	29°29'25.85"S 31°10'41.62"E	Low heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure
Structure used as kitchen for residents of compound; >60 years	29°29'26.1"S 31°10'42.0"E	Low-medium heritage significance	If the area is to be developed & structures demolished, then built heritage specialist to confirm age & significance of structure

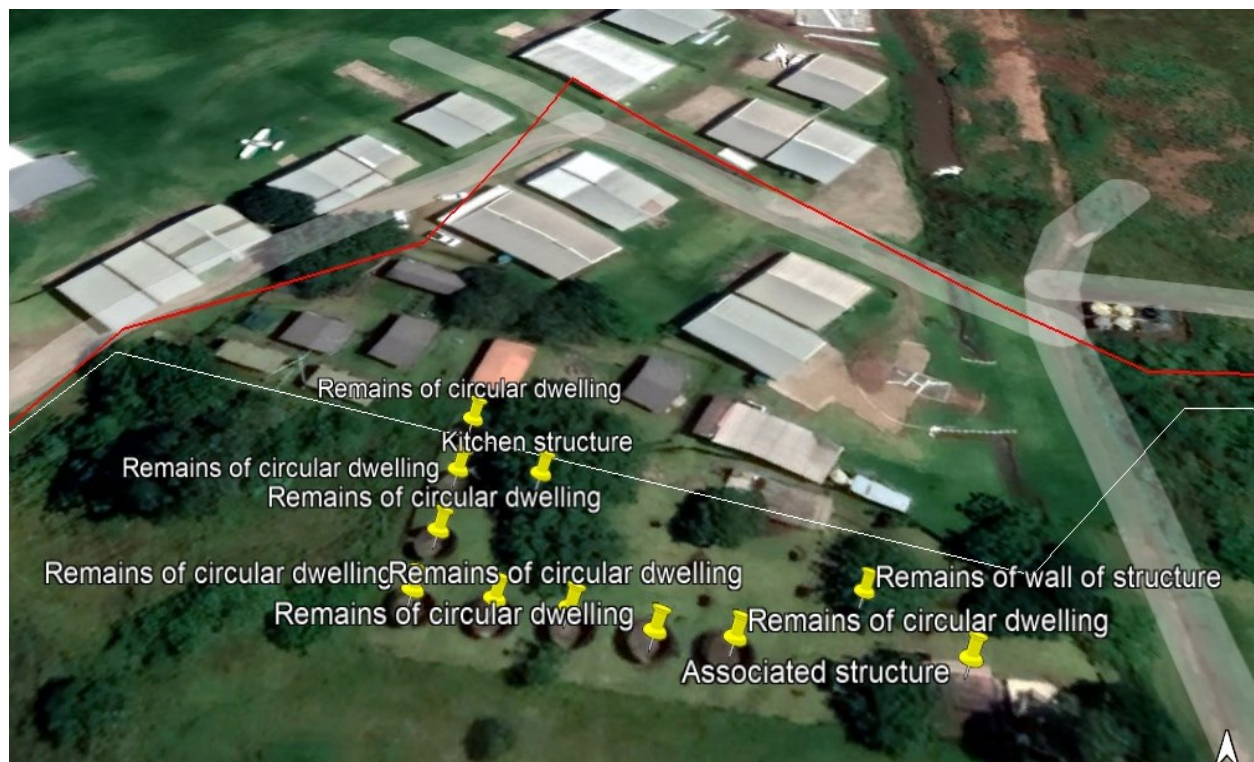


Figure 21: Heritage sites found on project sites

According to the desktop palaeontological study (**Appendix 1**) undertaken for the project, the palaeontological sensitivity of the site under consideration is in the Umkwelane Formation and is indicated as highly sensitive. The project lies in the coastal margin of southern KwaZulu-Natal where young Maputaland sands overlie the older Natal Group rocks and part of the eastern margin of the Karoo Supergroup sediments. The Maputaland Group sediments are part of the early Miocene marine transgression that deposited littoral marine sediments on the coastal platform along the eastern seaboard of southern Africa. Younger sands of Holocene age, the Sibaya Formation overlie the Umkwelane Formation and are composed of modern dune and beach deposits. Quaternary calcretes and sands may preserve fragments of transported bone, wood, and invertebrate shells but these would be out of context and very small. Only under special conditions such as palaeo-pans and palaeo-springs would younger and more complete fossils be likely to form or be trapped. Pans do occur in the more north-western arid region of central South Africa but are not common in KwaZulu-Natal that has a much higher rainfall (Bamford 2023:8).

The desktop study concluded that surface activities may impact upon the fossil heritage if preserved in the development footprint. The geological structures suggest that the rocks are either much too old to contain fossils or have been disturbed by modern vegetation and urban development. Since there is a small chance that fossils from the Umkwelane Formation may be disturbed, a Fossil Chance Find Protocol must be included in the Environmental Management Programme (EMPr) for the proposed developed. It was assessed that the potential impact to fossil heritage resources is low (Bamford 2023:11).

8. DISCUSSION AND CONCLUSION

The proposed mixed-use development is located on a site that is already partly developed with the undeveloped area having been under sugar cane cultivation for many years. Several structures that make up a workers' compound were found in the north-west section of the project site. Several of the structures appear to be older than 60 years and are therefore protected by section 37 (1)(a) of the KwaZulu-Natal Amafa and Research Institute Act, 2018, which refers to the protection of structures that are or that may reasonably be expected to be older than 60 years. Structures older than 60 years may not be altered or demolished without written permission from the Institute.

The specialist who undertook the Phase 1 HIA is not a built heritage specialist so if this section of the project site is to be developed, then the structures will need to be assessed by a built heritage specialist who will ascertain their age and their heritage significance.

The developed areas and areas used for entertainment and farming have resulted in a site that is highly disturbed. No heritage sites, apart from the workers' compound, were found during the site inspection.

9. MITIGATION MEASURES

- For any chance heritage finds, all work must cease in the area affected and the Applicant / Contractor must be immediately informed. A registered heritage specialist must be called to site to inspect the finding/s. The Institute must be informed about the finding/s.
- The heritage specialist will assess the significance of the resource and provide guidance on the way forward.
- Permits must be obtained from the Institute if heritage resources are to be removed, destroyed or altered.
- Under no circumstances may any heritage material be destroyed or removed from site unless under direction of a heritage specialist.
- Should any recent remains be found on site that could potentially be human remains, the South African Police Service as well as the Institute must be contacted. No SAPS official may remove remains (recent or not) until the correct permit/s have been obtained.
- All recommendations and mitigation measures provided in the desktop palaeontological study must be adhered to such as the inclusion of the fossil chance find protocol into the EMPr.

10. REFERENCES

Bamford, M. 2023. *Palaeontological impact assessment for the proposed mixed-use development at Sugar Rush Park, Ballito, KwaZulu-Natal. Desktop study (Phase 1)*

Confluence Strategic Development & Environmental Department. 2023. *Background Information Document. Sugar Rush Park mixed use development located on agricultural land and within 32m of watercourses, KwaDukuza Municipality*

eThembeni Cultural Heritage. 2008. *Heritage Impact Assessment of Ballito Crushers Quarry Expansion, Shakaskraal, KwaZulu-Natal, South Africa*

Hocking, A. 1992. *Renishaw. The Story of Crookes Brothers*. Bethulie: Hollards South Africa

van Schalkwyk, J. 2016. *Cultural heritage impact assessment for the upgrade of the national route N2, section 26 and 27, from the Othongathi Toll Plaza (N2/26 KM 21.0) to the Ballito Interchange (N2/27 KM 7.4), KwaZulu-Natal*