

**BAYVIEW SOCIAL HOUSING PROJECT,  
CHATSWORTH, ETHEKWINI MUNICIPALITY**

**Phase 1 Heritage Impact Assessment**

**June 2016**

**FOR: ECA CONSULTING  
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## EXECUTIVE SUMMARY

The Human Settlements section of the eThekweni Municipality wishes to develop housing in the Bayview area of Chatsworth, Durban. Chatsworth is located approximately 14km south-west of the Durban city centre, in the Umhlatuzana River Valley, north of Umlazi.

There are two project sites, namely Site 1 and Site 2. Site 1 borders on to Viking Terrace which is the development's northern boundary. The site is located at S29°55'36.73"; E30°55'0.22". Site 2 is situated close to and south-west of Site 1 and is located at S29°55'45.25"; E30°54'55.05". Both sites are approximately 3 hectares in size.

The size of the proposed development triggers Section 38 (c) (i) of the National Heritage Resources Act, 1999 (Act No 25 of 1999) that states the following:

*“(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—*

*(c) any development or other activity which will change the character of a site-*

*(i) exceeding 5 000 m<sup>2</sup> in extent; or*

*must notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.*

A physical survey of the two sites was undertaken on 14 June 2016.

### Findings:

Much of Site 1 is undeveloped. Sections of the site were walked in order to ascertain whether there were any heritage resources that maybe affected by the proposed housing development. No remains of houses were found during the site inspection that could have suggested previous occupation. A number of test pits presumably made for the geotechnical assessment for the proposed housing project were observed. An area on the eastern side of the site has recently been disturbed. The site is also used to dump rubbish.

Discussions with local residents revealed that to their knowledge there were no heritage resources on Site 1. This was confirmed by the site inspection as no visible heritage sites were found.

Most of Site 2 is undeveloped. However, the north-western section of the site is used for the informal growing of vegetables. Some of the fields are fallow and are overgrown with weeds. The Riversdale stream runs through the eastern section of the project site and concrete paths cross

the project site. Discussions with local residents revealed that to their knowledge there were no heritage resources on Site 2. This was confirmed through the site survey as no heritage sites were found.

The South African Heritage Resources Agency's fossil sensitivity map indicates that the project area is situated in an area of low fossil sensitivity. This means that no additional studies are required but that a protocol must be in place in the event of chance finds of fossils during the construction of the proposed housing development. This has been included in Chapter of the HIA report.

#### Recommendation

During the site inspection, no heritage resources were found and local residents interviewed indicated the same. The fossil sensitivity of the two sites is deemed to be low. It is therefore recommended that the project proceed with the proviso that the mitigation measures listed in Chapter 10 of this HIA report are enforced during the construction phase of the project.

The report will be submitted to Amafa aKwaZulu-Natali, the provincial heritage resources authority, for their input and comment.

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## 1. INTRODUCTION

The Human Settlements section of the eThekweni Municipality is proposing to develop housing in the Bayview area of Chatsworth, Durban. There are two sites (namely Site 1 and Site 2) with an approximate size of 3 hectares (ha) each.

This report is the Phase 1 Heritage Impact Assessment (HIA) for the proposed Bayview Social Housing Development project.

## 2. LEGISLATIVE BACKGROUND

The size of the proposed developments (approximately 3 ha each) trigger Section 38 (1) (c) of the National Heritage Resources Act, 1999 (Act No 25 of 1999) that states the following:

*“(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—*

*(c) any development or other activity which will change the character of a site-*

*(i) exceeding 5 000 m<sup>2</sup> in extent; or*

*must notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development. Both sites exceed 5000 m<sup>2</sup> as 3 ha equals 30000 m<sup>2</sup>.*

It is the understanding of the specialist that the heritage resources authority responsible for heritage in KwaZulu-Natal, namely Amafa aKwaZulu-Natali, (referred to subsequently as Amafa) would require a HIA for the proposed developments.

In addition, the project may impact on graves, structures, archaeological and palaeontological resources that are protected in terms of sections 33, 34, 35, and 36 of the KwaZulu-Natal Heritage Act (No. 4 of 2008) as well as sections 34, 35, and 36 of the National Heritage Resources Act (NHRA).

In terms of Section 3 of the National Heritage Act 25 of 1999, 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) sites 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).

The Phase I HIA will be undertaken to assess whether any heritage resources will be impacted by the proposed developments.

### **3. LOCATION**

Chatsworth is located some 14km south-west of the Durban city centre in the Umhlatuzana River Valley, north of Umlazi.

The two project areas are situated within Chatsworth in an area called Bayview. The first area (Site 1) borders on to Viking Terrace which is the development's northern boundary. The site is located at S29°55'36.73"; E30°55'0.22".

The second area (Site 2) is situated close to and south-west of Site 1 and is bordered by Summerfield and Skylark Roads. The centre of the site is located at S29°55'45.25"; E30°54'55.05".



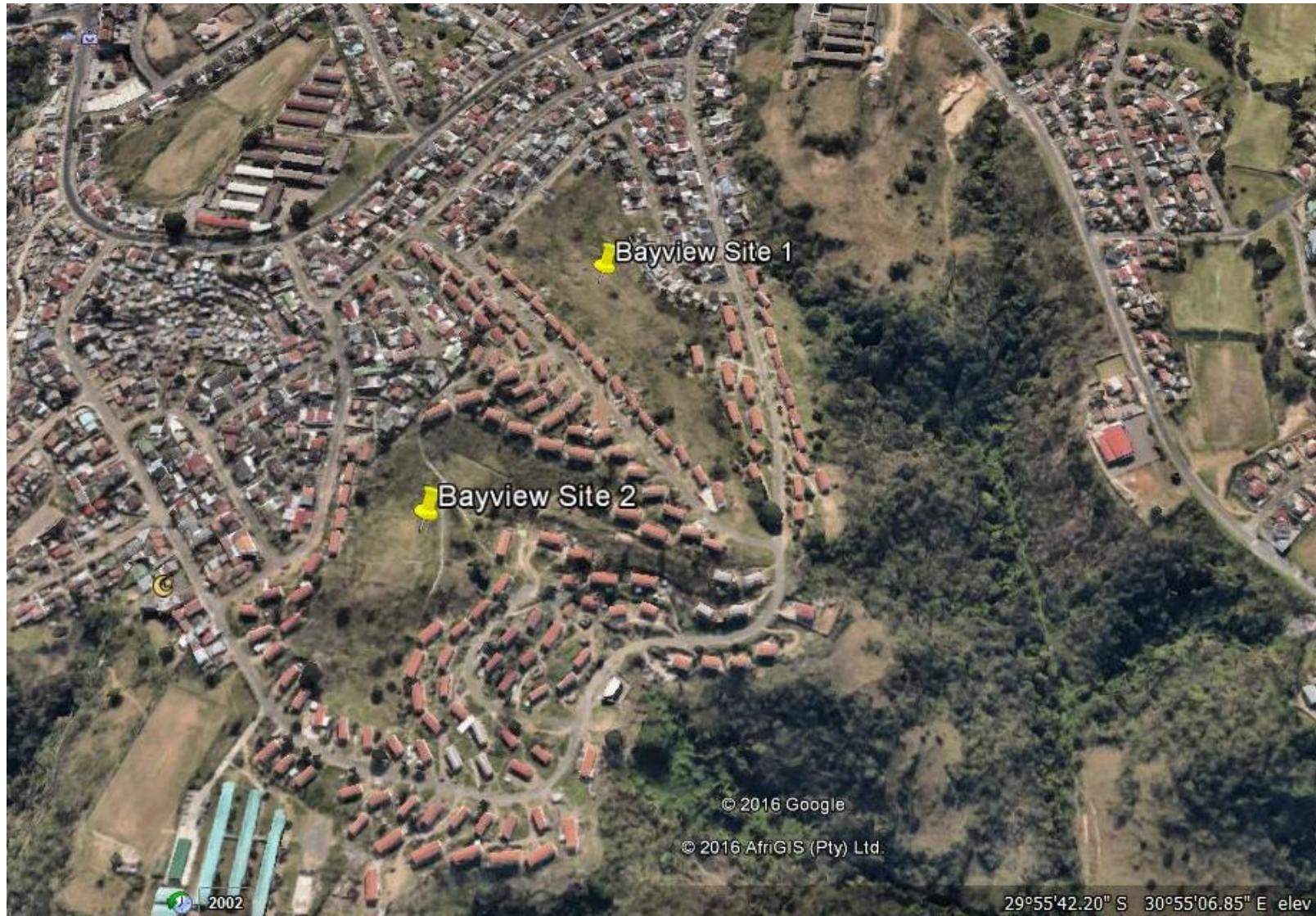


Figure 1: Project sites



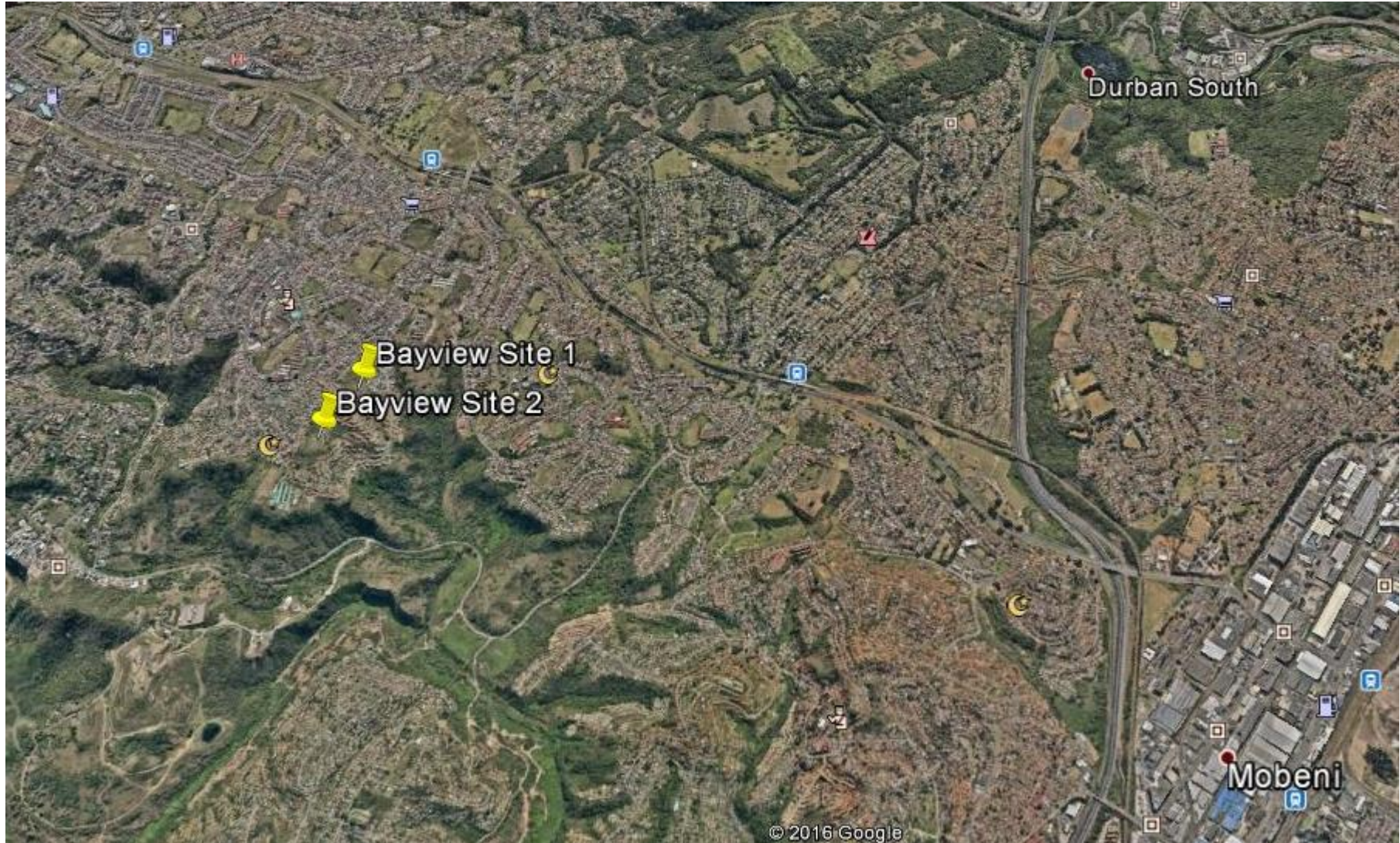


Figure 2: Project sites within surrounding area

## **4. TERMS OF REFERENCE**

Undertake a Phase 1 Heritage Impact Assessment in order to determine the possible existence of heritage resources, as listed above, in the project area that could be impacted by the proposed activity

Provide mitigation measures to limit or avoid the impact of the construction of the project on undiscovered heritage resources (if any).

Submit the HIA report to Amafa their assessment and comment.

## **5. METHODOLOGY**

A survey of literature, including other Heritage/Archaeological Impact Assessment Reports completed in the area and captured on the SAHRA database or inventory, namely SAHRIS, was undertaken in order to place the development area in an archaeological and historical context. No reports regarding assessments undertaken in Chatsworth were found on SAHRIS.

A site inspection / survey of the project area was undertaken on 14 June 2016. The specialist also talked to several residents regarding the presence of heritage resources at the two sites.

## **6. LIMITATIONS**

Site 1 had a dense layer of undergrowth which made visibility difficult. However sections of the site had been recently cut making visibility easier in these sections of the site.

Site 2 also had a very dense covering of vegetation apart from the areas that have been cultivated for vegetables in the western section of the site and the concrete pathways provided for residents. This area is also very wet indicating the presence of a stream /wetland..

## 7. HISTORICAL BACKGROUND OF THE STUDY AREA

### **Archaeological**

Although there is evidence to suggest Phoenician navigators put in at present-day Durban as long ago as 700 BC, the first reliable written record of Durban dates back to 1497 when Vasco de Gama sighted land on Christmas day and named it Terra de Natalia (Derwent, 2006: 27).

The Durban area is host to a much older heritage. Sibudu Cave, about 40 km to the northeast, contains an important Middle Stone Age sequence. The oldest occupation, the pre-Stillbay, is older than 70 000 years, while the Stillbay itself dates to 70 000 years ago (South African History Online, 1 of 1).

The San were the owners of the land for almost 30 000 years but the local demography started to change soon after 2000 years ago when the first Bantu-speaking farmers crossed the Limpopo River and arrived in South Africa. By 1500 years ago, these early Bantu-speaking farmers also settled adjacent to the uMngeni River in the greater Camperdown area.

Due to the fact that these first farmers introduced metal technology to southern Africa they are designated as the Early Iron Age in archaeological literature. Their distinct ceramic pottery is classified to styles known as “Msuluzi” (AD 500-700), Ndongondwane (AD 700-800) and Ntshokane (AD 800-900). The Early Iron Age farmers originally came from western Africa and brought with them an elaborate initiation process and a value system centred on the central significance of cattle.

By 1820 the original African farmers were dispersed due to the expansionistic policies of the Zulu Kingdom of King Shaka. African refugee groups and individuals were given permission to settle in the larger Durban area by the British colonial authorities after 1845.

### **Historical**

Chatsworth comprises an area that was once a farm called Chatsworth, part of Witteklip, which was acquired in 1848 by Samuel Bennington. In the 1950s, Indians from all over Durban were forcibly moved to Chatsworth under the Group Areas Act of 1950. Areas from which people were moved included Mayville, Cato Manor, Clairwood and Magazine Barracks, and the Bluff (SA History Online 2013:1).

The land for the establishment of Chatsworth was expropriated from 600 Indian farmers, and acquired its real identity as an Indian area through the 1960s and early 1970s. Chatsworth was



officially opened in 1964 and consisted of eleven neighbourhood units containing 7 000 sub-economic and 14 000 economic houses. It was deliberately built to act as buffer between White residential areas and the large African township of Umlazi (SA History Online: 2).

According to Desai and Vahed (2014: 73), in their study of the making of Chatsworth, the history of Chatsworth is inextricably linked to the housing question which resulted in much of the subsequent community agitation. Even prior to Chatsworth's creation, Indians had faced a shortage of housing in Durban, as the City Council spend little on what they saw as an "alien" population. Groups such as the Natal Indian Congress (NIC) focused their efforts on non-cooperation and active resistance to the state whilst, on the other hand, some groups felt that the very real problem of lack of houses, water, education health facilities and other community concerns meant that at least some co-operation was required with the City Council, no matter how little power and influence was actually granted. According to Desai and Vahed, this has proved to be a dividing line between those who saw themselves as the ideologically "pure" activists and the "collaborators" and created deep divisions within the community.

## **8. DISCUSSION AND RESULTS**

### **SITE 1**

Most of the site is undeveloped. Sections of the site were walked in order to ascertain whether there were any heritage resources that maybe affected by the proposed housing development. No remains of houses were found during the site inspection that could have suggested previous occupation. A number of test pits presumably made for the geotechnical assessment for the housing project were observed. An area on the eastern side of the site has recently been disturbed and this area was, according to local residents, the soccer field that had flooded and had become unusable. This area appears to be a wetland as it was quite wet during the site inspection. Sections of the project site are used to dump rubbish.

Mr. Rodney Govender, a resident of Viking Terrace that overlooks Site 1, informed the specialist that to his knowledge there were no heritage sites, such as graves, on the property. Another resident, Mr. Daniel Naidoo, also confirmed this.

Mr. Govender requested that the playground on the northern border of the development situated along Viking Terrace be kept as a playground and that it be upgraded and improved for the children to use (see Figure 3 below).

## Findings

No archaeological sites were discovered during the site assessment and no other heritage sites, such as graves and the remains of structures, were found.



**Figure 3: Playground overlooking project area**



**Figure 4: Disturbed area (soccer field) with thick vegetation in foreground**





**Figure 5: Mowed section of project site looking north-westerly**



**Figure 6: Dense vegetation covering parts of project site**



**Figure 7: Looking south over project site**

## **SITE 2**

Most of Site 2 is undeveloped. However, the north-western section of the site is used for the informal growing of vegetables. Some of the fields are fallow and overgrown with weeds. The Riversdale stream runs through the eastern section of the project site. Concrete paths cross the project site. Geotechnical test pits were observed during the site inspection.

Local residents, Mrs. Queenie Pillay and Mr. Allan Milan both indicated to that to their knowledge there are no heritage sites on the project site.

### **Findings:**

No heritage resources, such as graves and archaeological sites were found during the site inspection.





**Figure 8: Concrete path through site linking northern and southern residents**



**Figure 9: Overgrown area with remains of test pit in foreground**





**Figure 10: Cultivation of vegetables**



**Figure 11: Fallow field overgrown with weeds**

The South African Heritage Resources Agency's (SAHRA) Fossil Sensitivity Map (see Figure 12 below) indicates that the project area is situated in an area of low fossil sensitivity (blue colour on Figure 12). This means that no additional studies are required but that a protocol must be in place

in the event of chance finds of fossils during the construction of the proposed housing development. See Chapter 10 of this report.

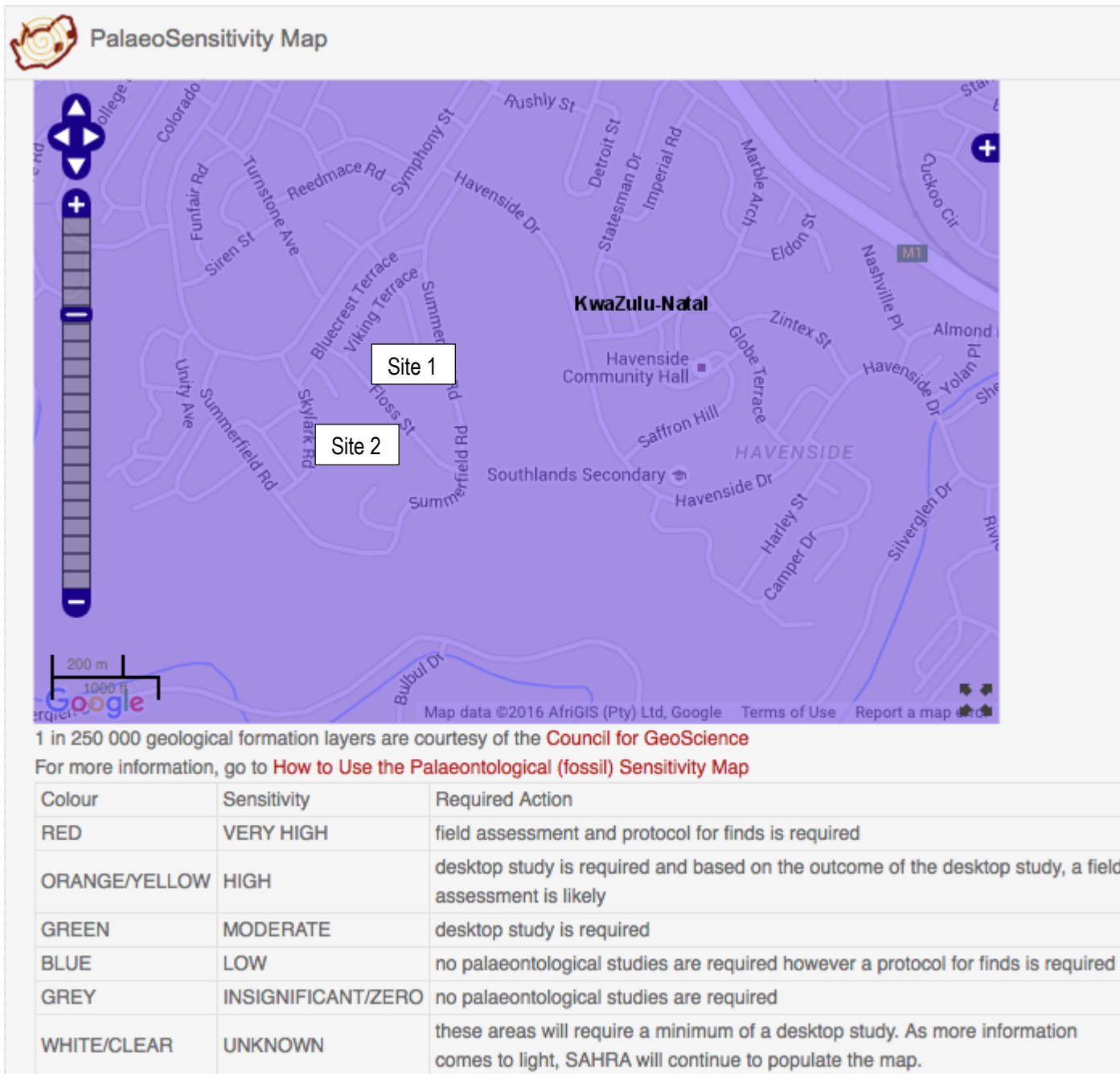


Figure 12: Fossil sensitivity of project area

## **9. CONCLUSION**

During the site inspection, no heritage resources were found and local residents interviewed indicated the same. The fossil sensitivity of the two sites is deemed to be low. It is therefore recommended that the project proceed with the proviso that the mitigation measures listed below are enforced during the construction phase of the project.

This report will be submitted to the provincial heritage resources authority, Amafa, for their input and comment.

## **10. MITIGATION MEASURES**

- For any chance finds, all work will cease in the area affected and the Contractor will immediately inform the Project Manager. A registered heritage specialist must be called to site to inspect the finding/s. The relevant heritage resource agency (Amafa) 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 Amafa if heritage resources are to be removed, destroyed or altered.
- All heritage resources found in close proximity to the construction area must be protected by a 10m buffer in which no construction can take place. The buffer material (danger tape, fencing, etc.) to be highly visible to construction crews.
- Under no circumstances may any heritage material be destroyed or removed from site unless under direction of a heritage specialist.
- Should any remains be found on site that could potentially be human remains, the South African Police Service as well as Amafa must be contacted.
- If there are chance finds of fossils during construction, a palaeontologist must be called to the site in order to assess the fossils and rescue them if necessary (with an Amafa permit). The fossils must then be housed in a suitable, recognized institute



## 11. REFERENCES

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