

**PROPOSED BLACK MAMBAZO MUSIC ACADEMY,
LADYSMITH, KWAZULU-NATAL**

Phase 1 Heritage Impact Assessment

November 2018

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**Client: Fuze Environmental Services
Nokuthula Nuyswa**

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EXECUTIVE SUMMARY

The male choral group, Ladysmith Black Mambazo wishes to build a music academy to be located on the outskirts of the town of Ladysmith in KwaZulu-Natal. This report serves as the Phase 1 Heritage Impact Assessment (HIA) for the proposed academy.

The site of the proposed development is 3 Ha (30000 m²) in size hence it triggers section 41 (1)(c)(i) of the KwaZulu-Natal Amafa and Research Institute Act, 2018 (Act No 5 of 2018) which refers to activities that may require an HIA. The relevant sub-section refers to the following type of development: any development or other activity which will change the character of a site - exceeding 5000m² in extent.

The proposed music academy is situated on Erf 17840, Ladysmith, which falls within the Alfred Duma Local Municipality. The site is situated on the south-western edge of Ladysmith and borders onto the R103 road / N11 highway and is situated adjacent to the Ladysmith aerodrome.

A site inspection of the project area was undertaken on 5 November 2018 and on 26 March 2019. Although visibility was good in places, the project area had a thick grass cover at the time of inspection which made visibility poor at times. The area immediately south of the truck stop was especially heavily overgrown with vegetation. Large-scale dumping of building rubble and other waste is taking place in this section of the project area. During the March 2019 inspection, several landowners and residents located close to the development were interviewed regarding the possibility of heritage resources on the project site.

The historical 1:50 000 topographical map (2829DA) shows cultivation of the south-eastern section of the project site that includes structures and an access road to these structures. The remains of these structures were found amongst gum trees and other exotic trees. The topographical map confirms that the remains of the structures are older than 60 years. A round structure made from rough cut stone was found close to a concrete slab on which appears to be the remains of an old borehole. A resident who lives on the project area told the specialist that there were graves amongst the remains of these structures. According to her, due to the lack of stone, the graves were covered with sand/soil and flattened hence there is little evidence of the graves. She also believes that the round structure is a grave.

Close to the above remains, a section of rough stone walling was found which could be the remains of a cattle kraal or traditional hut. The stone wall appears to be over 60 years.

The remains of three circular structures were found that could be evidence of the remains of a homestead. An inspection of the surrounding area was undertaken, and no obvious grave sites were found.

Several occupied houses are located close to the western boundary of the project area. The houses are recent structures. There are five graves situated to the west of the structures and one grave located in a cattle kraal. The remains of several additional structures were also found west of the stream that crosses the project area.

An inspection of the area parallel to the Bloubank Road revealed no heritage sources, only large-scale dumping of building and other waste. This appears to have been ongoing for some time.

The following was recommended:

- The area where the remains of the structures were found (as well as the low stone walling and round structure) is to be secured by an 80 m buffer to avoid impacting on graves that could be located amongst the ruins.
- The remains of the three structures that were found is secured by a 70 m buffer in case there are graves associated with the structures.
- Both grave sites situated near the occupied structures must be protected by a fenced buffer of 5 m to prevent any damage to them during the construction of the academy.
- Due to the presence of several structures found west of the river/stream that crosses the project, no development should take place in this area.

The South African fossil sensitivity map indicates that the project area falls within an area of high fossil sensitivity. An area of high fossil sensitivity requires a desktop palaeontological study at a minimum hence it was recommended that a desktop palaeontological study be undertaken to determine whether significant fossil finds will be impacted by the proposed development.

The desktop study concluded that based on experience and the lack of any previously recorded fossils from the area, it is unlikely that any fossils would be preserved on the surface. There is a very small chance that fossil plant fragments may occur in the Vryheid Formation shales and sandstones so it was recommended that the Chance Find Protocol included in the desktop study be added to the EMPR. It was also recommended that if fossils are found, then they should be rescued, and a palaeontologist called to assess and collect a representative sample.

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I, **Jean Lois 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.

AUTHOR DETAILS

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

1. INTRODUCTION

The male choral group, Ladysmith Black Mambazo wishes to build a music academy that is to be located on the south-western outskirts of the town of Ladysmith in KwaZulu-Natal.

This report serves as the Phase 1 Heritage Impact Assessment (HIA) for the proposed music academy.

2. LEGISLATIVE BACKGROUND

The site of the proposed music academy is 3 Ha (30000 m²) in size hence it 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 may require an HIA. The relevant section of the Act refers to the following development: *any development or other activity which will change the character of a site - exceeding 5000m² in extent.*

The project may also impact on graves, protected 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 described as follows:

- (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 was undertaken to assess whether any heritage resources will be impacted by the construction of the proposed Black Mambazo music academy.

3. LOCATION

The proposed music academy is situated on Erf 1, Ladysmith, which falls within the Alfred Duma Local Municipality. It is proposed to subdivide Erf 1 into proposed Erf 17840 Ladysmith and Remainder of Erf 1 Ladysmith.

The site is situated on the south-western edge of the town of Ladysmith and borders onto the R103 road / N11 highway and is situated adjacent to the Ladysmith aerodrome (see **Figures 1** and **2** below). The approximate centre of the site is at: 28°34'35.77"S 29°44'22.11"E.

4. TERMS OF REFERENCE

Undertake a Phase 1 Heritage Impact Assessment in order to determine the possible existence of heritage resources in the project area that could be impacted by the proposed music academy.

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



Figure 1: Wider view showing project area outlined in pink and Ladysmith



Figure 2: Closer view of project site

5. METHODOLOGY AND CONSTRAINTS

A survey of literature was undertaken of the project area in order to place the project in a historical context and to establish what heritage resources might have been identified in the immediate and wider project area during previous heritage assessments.

A site inspection of the project area was undertaken on 5 November 2018 and on 26 March 2019. Although visibility was good in places, the project area which is largely undeveloped, had a thick grass cover at the time of inspection which made visibility difficult at times. The area immediately south of the Ladysmith Truck Stop was especially heavily overgrown with vegetation. Large-scale dumping of building rubble and other waste is taking place in this section of the project area.

During the March 2019 inspection, several landowners and residents located close to the proposed development were interviewed regarding the possibility of heritage resources on the project site. The people who were interviewed were as follows:

- Mr. A. Watson, landowner (Farm Rietkuil 1067 situated on the southern boundary of the proposed development) – he was unaware of any heritage sites but explained that the people living on the site had been employed by the previous owner many years ago to look after the owner's cattle;
- Warrant Officer Hadebe of the South African Police Service who manages the car pound on the eastern boundary of the project site – he did not know of any heritage sites;
- Mr P. Pillay who lives on the immediate eastern boundary of the site between the SAPS pound and Road Traffic Inspectorate (RTI) – he too was unaware of any heritage sites;
- Mr E. Depindra who is owner/manager of the Ladysmith Truck Stop which is situated on the northern boundary of the site – he pointed out the walled Bloubank Cemetery which is situated on the western boundary of the project site. The cemetery is situated outside the proposed development; and
- Mrs Emily Mlontshwa, who lives on the project site and who pointed out graves inside and outside the project site.
- The specialist also went to the RTI which is situated on the eastern boundary of the development but the head of the RTI, Mr. Steele was unavailable to be interviewed.

This Phase 1 HIA report will be submitted to the provincial heritage authority, namely the KwaZulu-Natal Amafa and Research Institute (hereafter referred to as Amafa), for their consideration and comment., for their assessment and comment.

6. HISTORICAL BACKGROUND OF THE PROJECT AREA

Portions of the greater Ladysmith area have been systematically surveyed for archaeological heritage sites in the past. Sixty-one sites are recorded in the database of the KwaZulu-Natal Museum. These include five Early Stone Age sites, five Middle Stone Age sites, six Later Stone Age sites, three rock art sites, and eleven Later Iron Age sites and twenty historical period Nguni homesteads. The majority of the Later Iron Age and historical period Nguni homesteads are demarcated by stone walling. Stone walling and graves related to the Anglo-Boer War period of 1899-1901 can also be found in the wider Ladysmith area (Active Heritage:2014:6).

In 1847, the area between the Thukela and Buffalo Rivers was ceded to a group of Voortrekkers by Mpanda, the Zulu King at that time and the area was called the Klip River Republic. The republic only lasted a few months before British authority over the area was declared. A town was planned by the British as an administrative centre for the Klip River District and on 20 June 1850 the town was proclaimed and named Ladysmith in honour of the wife of the Governor, Sir Harry Smith (Bulpin 1989:489). Ladysmith became an important stopover for transport wagons on the route between the then Natal and Transvaal colonies (Derwent 2006:22).

Ladysmith became world famous during the Anglo-Boer War, 1899-1902, when the town was besieged by the Boers from 2 November 1899 until 28 February 1900 (Bulpin: 489). Strategically located on the junction of rail and road routes to the Orange Free State and northern Natal, the town was selected as a location for a garrison of regular British troops in the event of war. From 2nd November telegraph communication was cut and the town besieged by Boer forces. The Boers made a determined attack on 6 January 1900 on the town but were repulsed. After a series of reverses, Buller's Natal Army eventually broke the Boer lines on the north bank of the Thukela River and entered the town on 28 February (Jones and Jones 1999:132). Within several kilometres from the project area are sites such as Mounted Infantry Hill to the south-east and Riflemans Ridge to the west.

Several of the famous battles of the war were fought around Ladysmith. These include the Battles of Elandsplaagte, Spionkop, Wagon Hill, Caesars Camp, Lombards Kop and Umbulwana Hill. These battle field sites and associated graves are proclaimed heritage sites and are protected by provincial heritage legislation (Active Heritage:7). Ladysmith is also notable for its association with Mahatma Gandhi. He organised the Indian ambulance corps which contributed towards the relief of Ladysmith, himself serving as a stretcher-bearer with Buller's relief column (Derwent: 22).

7. RESULTS OF SITE INSPECTION

The project area is largely undeveloped and covered with a thick grass layer. Drainage lines and a power line run through the area and a man-made dam occurs on the site.



Figure 3: Project area looking southwards with power line and dam in right hand corner



Figure 4: Ground cover on project area

The 1:50 000 topographical map (2829DA) (air photography was undertaken in 1945, the area was surveyed in 1954 and the map drawn 1956) shows cultivation of the south-eastern section of the project site (referred to as Mara in the figure below) as well as structures and an access road to the structures.

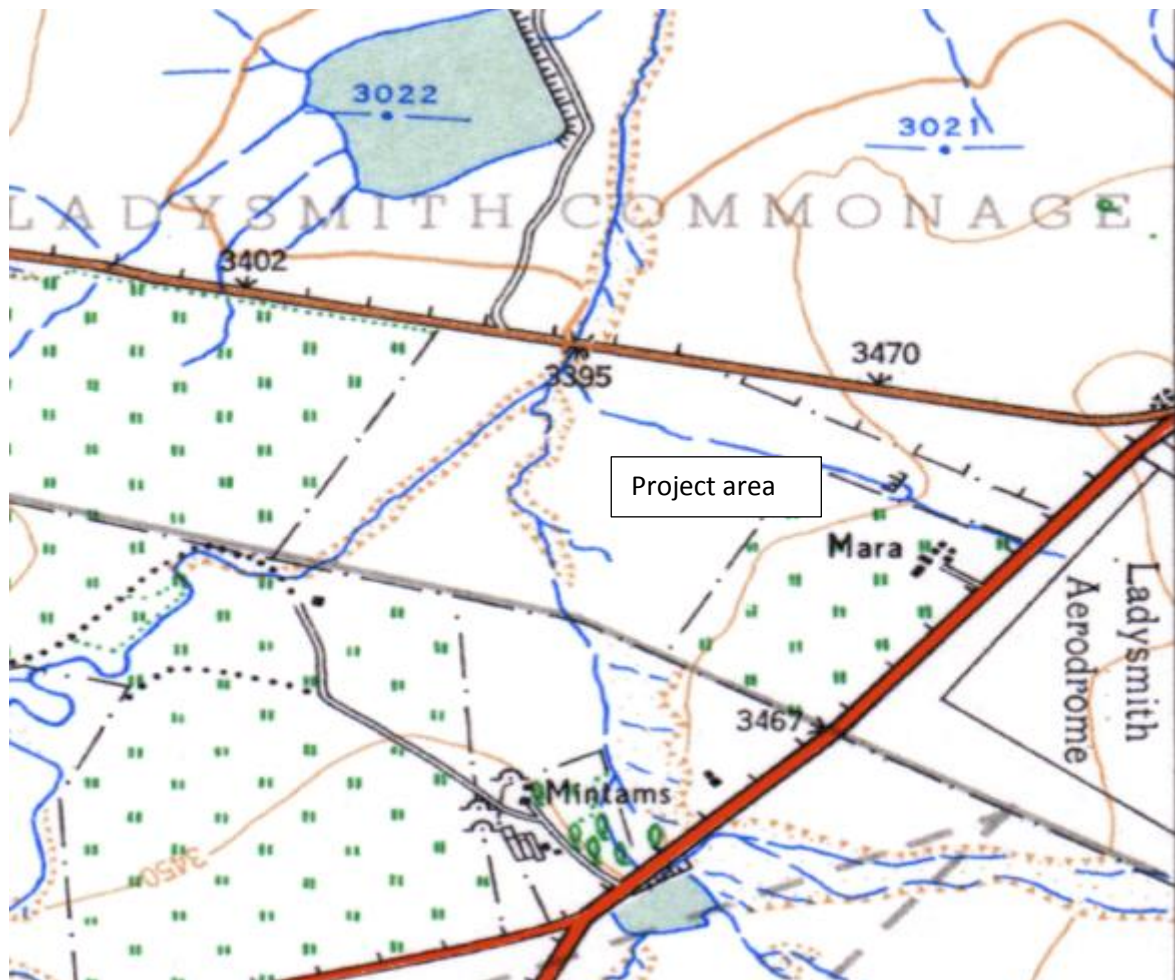


Figure 5: Early topographical map of project area

The year 2000 topographical map (see below) is much the same but without evidence of the structures mentioned above.

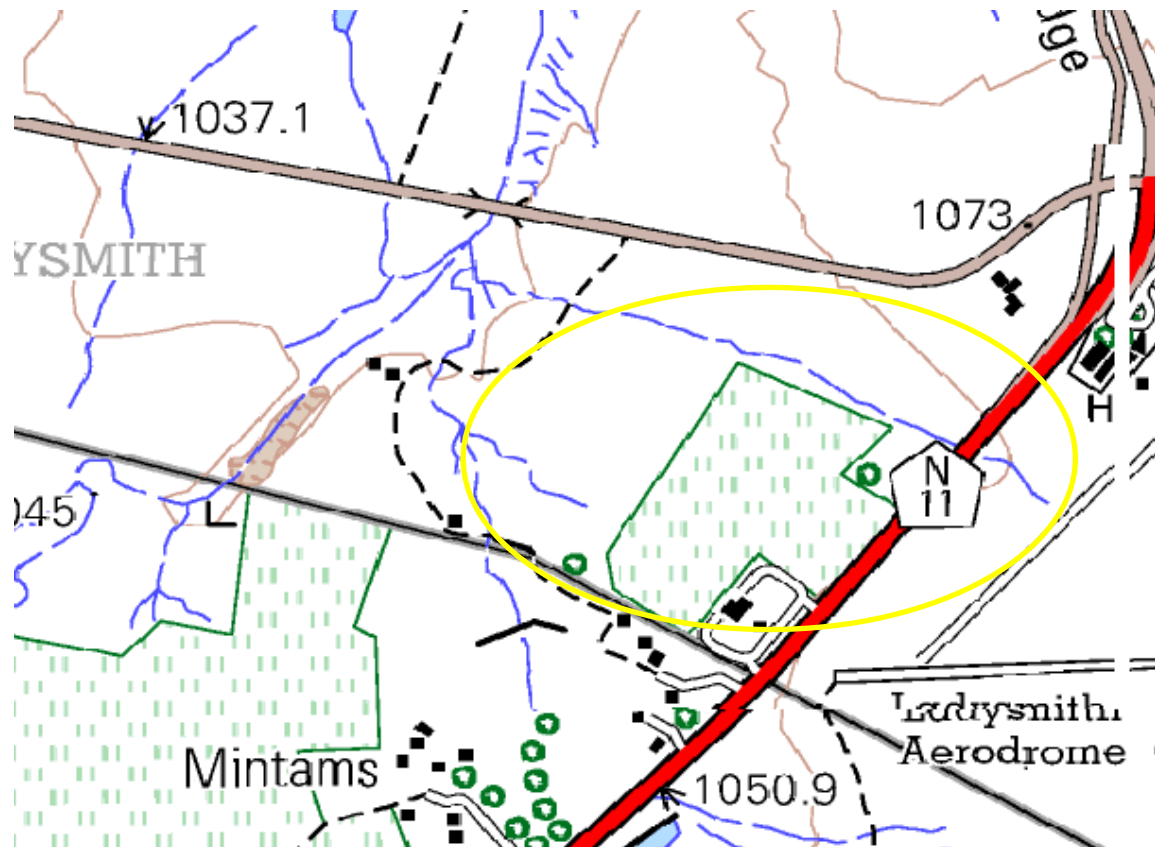


Figure 6: 1:50000 map with project area outlined in yellow

The remains of the structures mentioned above were found amongst gum trees and other exotic trees. These remains are located at $28^{\circ}34'38.0''S$ $29^{\circ}44'39.7''E$, $28^{\circ}34'37.41''S$ $29^{\circ}44'39.18''E$ and $28^{\circ}34'38.2''S$ $29^{\circ}44'38.2''E$ (coordinates for centre of these remains). The area is strewn with rubble. The historical topographical map confirms that the remains of the structures are older than 60 years.

A round structure made from rough cut stone was found close to a concrete slab on which appears to be the remains of an old borehole. This structure is located at: $28^{\circ}34'38.5''S$ $29^{\circ}44'39.7''E$.

In discussion with a resident who lives on the project area, Mrs Mlotshwa, told the specialist that there were graves amongst the remains of the structures mentioned above. According to her, due to the lack of stone, the graves were covered with sand/soil and flattened hence there is little evidence of the graves. She also believes that the round structure mentioned above and depicted in the figure below, is a grave.



Figure 7: Circular structure with cement structure on the right



Figure 8: Remains of circular structure



Figure 9: Concrete slab with remains of possible borehole



Figure 10: Scattered remains of structures



Figure 11: Remains of foundations of walls of structure



Figure 12: Remains of foundation of structure

Close to the above remains, a section of rough stone walling was found which could be the remains of a cattle kraal or traditional hut (see **Figures 13** and **14** below). The coordinates of the stone walling are at: 28°34'37.9"S 29°44'38.0"E. The stone wall, which appears to be associated with the structures, appears to be over 60 years.



Figure 13: Remains of stone walling



Figure 14: Remains of stone walling

The area near and around the traffic police headquarters on the south-eastern corner of the project area had recently been burnt making visibility good. No heritage sites were found during the inspection.

The remains of three circular structures were found at 28°34'31.9"S 29°44'18.0"E, at 28°34'32.6"S 29°44'14.4"E and at 28°34'34.3"S 29°44'15.7"E (see **Figures 15** and **16** below). An inspection of the surrounding area was undertaken, and no obvious grave sites were found. Mrs Mlotshwa did not know of any graves associated with the remains of these structures.



Figure 15: Remains of structure



Figure 16: Remains of circular structure

Several occupied houses and associated structures were located towards the western boundary of the project area and close to a large stream. The houses are recent structures. There are five graves situated to the west of the structures and one grave located in a cattle kraal. The five graves are delineated with rocks and are located at 28°34'29.2"S 29°44'01.2"E and the single grave is located at 28°34'29.5"S 29°44'01.2"E.



Figure 17: Residential structures



Figure 18: One of the five graves



Figure 19: Single grave in cattle kraal

Mrs Mlotshwa, who lives in one of the structures, told the specialist that there was a grave close to the informal entrance to the project area. This area was inspected during the November 2018 inspection, but no grave or graves was found. However, during the site inspection in March 2019, it was established that a grave is situated north of the Bloubank Road and not within the project area. Mrs Mlotshwa pointed out the location of this grave which is situated at: 28°34'16.5"S 29°44'19.8"E.

West of the stream that crosses the project site, the remains of several additional structures were found. The remains of a fenced mud structure were found at 28°34'39.52"S 29°43'55.1"E (**Figure 20** below). Only the partial remains of two adjoining walls are visible. A raised mound close to the remains was observed but the specialist could not determine if it is a grave. Outside of the fence on the western boundary of this site, the foundation stones of a circular structure were also found.

Some 260 m east of the above structure, the remains of foundations of two structures were pointed out to the specialist by the grandchildren of Mrs. Mlotshwa (see **Figure 21**). The two structures are located at 28°34'40.9"S 29°44'5.00"E and 28°34'40.40"S 29°44'5.50"E. An inspection of the surrounding area revealed no obvious grave sites.



Figure 20: Remains of fenced structure



Figure 21: Remains of structure

The remains of more structures were found situated just outside the project area on its southern boundary. The remains of a circular mud structure and the elevated ground of another structure were observed at 28°34'43.41"S 29°44'5.90"E (see **Figure 22** below).



Figure 22: Remains of circular mud structure just outside project boundary

The area between the Bloubank road and barbed wire fencing was inspected on foot. The area has a very dense grass cover and is used extensively for the illegal dumping of building rubble and other waste (see **Figure 23**). The remains of what appears to be a tarred road was also found in this area. No heritage sites were observed in this area during both site inspections.

The early Google Earth images of this area indicate that dumping in this area has been ongoing probably before 2006. The images show the presence of informal roads that allowed easy access to the area and the 2008 image (**Figure 24**) shows a vehicle presumably dumping a load of rubble/waste. From a review of the historical topographical map, this area had telephone and telegraph lines running across it (see **Figure 5**).



Figure 23: Building rubble amongst thick grass layer



Figure 24: 2008 image of area where large-scale dumping is taking place

The South African fossil sensitivity map indicates that the project area falls within an area of high fossil sensitivity (indicated by orange colour) with a small section of along the Bloubank road of insignificant or zero fossil sensitivity (indicated by grey colour) in **Figure 25** below. An area of high fossil sensitivity requires a desktop palaeontological study as can be seen in the Legend

above. As much of the project area is undeveloped, it was recommended that a desktop palaeontological study be undertaken to determine whether significant fossil finds will be impacted by the proposed construction of the music academy.

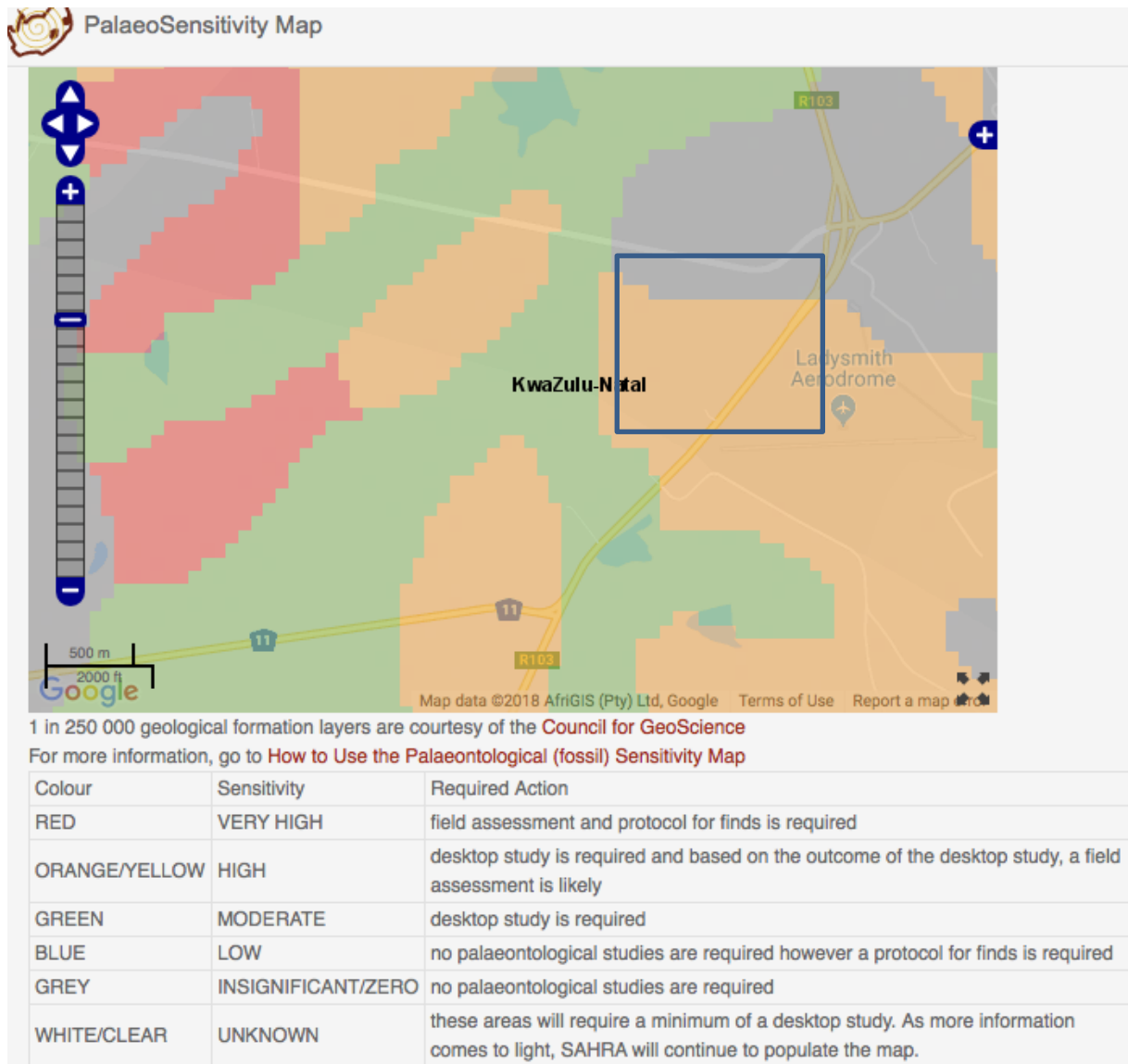


Figure 25: Fossil sensitivity of project area which is outlined in blue

The desktop assessment found that the proposed site lies on the Early Permian Ecca Group Vryheid Formation, sandstones, shales and mudstones. Although fossils have not been reported from this site there is a small chance that typical (but very infrequent) early *Glossopteris* flora plants could occur in the sediments just below the surface. Surface exposures are likely to be very weathered. To date no fossils have been reported from the Ladysmith area although there are numerous sites farther to the west (north), such as Harrismith, and to the south such as Estcourt, Colenso, and Loskop.

Based on the nature of the project, surface activities may impact upon the fossil heritage if preserved in the development footprint. Underlying rocks of the Vryheid Group, namely the mudstones or shales, might preserve fossil plants but this will be evident once excavations commence. Although no fossils have been recorded from near Ladysmith there is a small chance that fossils from the Permian Vryheid Formation may be disturbed. Taking account of the defined criteria, the potential impact to fossil heritage resources is very low. It was, however, recommended that the Fossil Chance Find Protocol provided in the desktop study be added to the Environmental Management Programme (EMPr).

The heritage resources found on the project area during the site inspection are listed in the table below and depicted on **Figure 26** below.

Table 1: List of heritage resources

COORDINATES	DESCRIPTION	Significance	MITIGATION
28°34'29.2"S 29°44'01.2"E	Five graves	High significance for their spiritual, social and cultural value	5 m fenced buffer around the graves in which no activity may take place
28°34'29.5"S 29°44'01.2"E	One grave in cattle kraal	High significance for their spiritual, social and cultural value	5 m fenced buffer around the graves in which no activity may take place
28°34'38.5"S 29°44'39.7"E	Remains of borehole or grave site	Low significance if borehole; high significance if grave	Falls within 80 m buffer described below and must not be disturbed
28°34'38.0"S 29°44'39.7"E; 28°34'37.41"S 29°44'39.18"E; 28°34'38.2"S 29°44'38.2"E	Remains of foundations of structures	Potentially >60 years; high possibility of graves in this area therefore this area has a high significance	80 m buffer around this area from the following centre point: 28°34'38.78"S 29°44'39.33"E No development may take place within the buffer area and the buffer must be clearly marked
28°34'37.9"S 29°44'38.0"E	Remains of circular stone walling or remains of structure	Potentially >60 years; low significance due to high number of intact stone walling in KZN; however, it is associated with remains described above	Falls within 80 m buffer recommended above and should not be disturbed
28°34'31.9"S 29°44'18.0"E 28°34'32.6"S 29°44'14.4"E 28°34'34.3"S 29°44'15.7"E	Remains of foundations of three structures	Possibly >60 years, probably a homestead consisting of several huts / structures; high significance as the structural remains could indicate an area where graves could be found	70 m buffer around this area from the following centre point: 28°34'32.57"S 29°44'16.25"E No development may take place within the buffer; the buffer must be clearly marked

28°34'39.52"S 29°43'55.1"E	Remains of fenced mud structure with potential grave close to remains	The remains of the structure are of low significance, but possible presence of a grave renders the site a high significance status	5 m buffer from fence line in which no development may take place
28°34'40.9"S 29°44'5.00"E 28°34'40.40"S 29°44'5.50"E	Remains of two structures	Potentially >60 years; low significance unless graves are found near the two structures	20 m buffer around both structures in which no development may take place

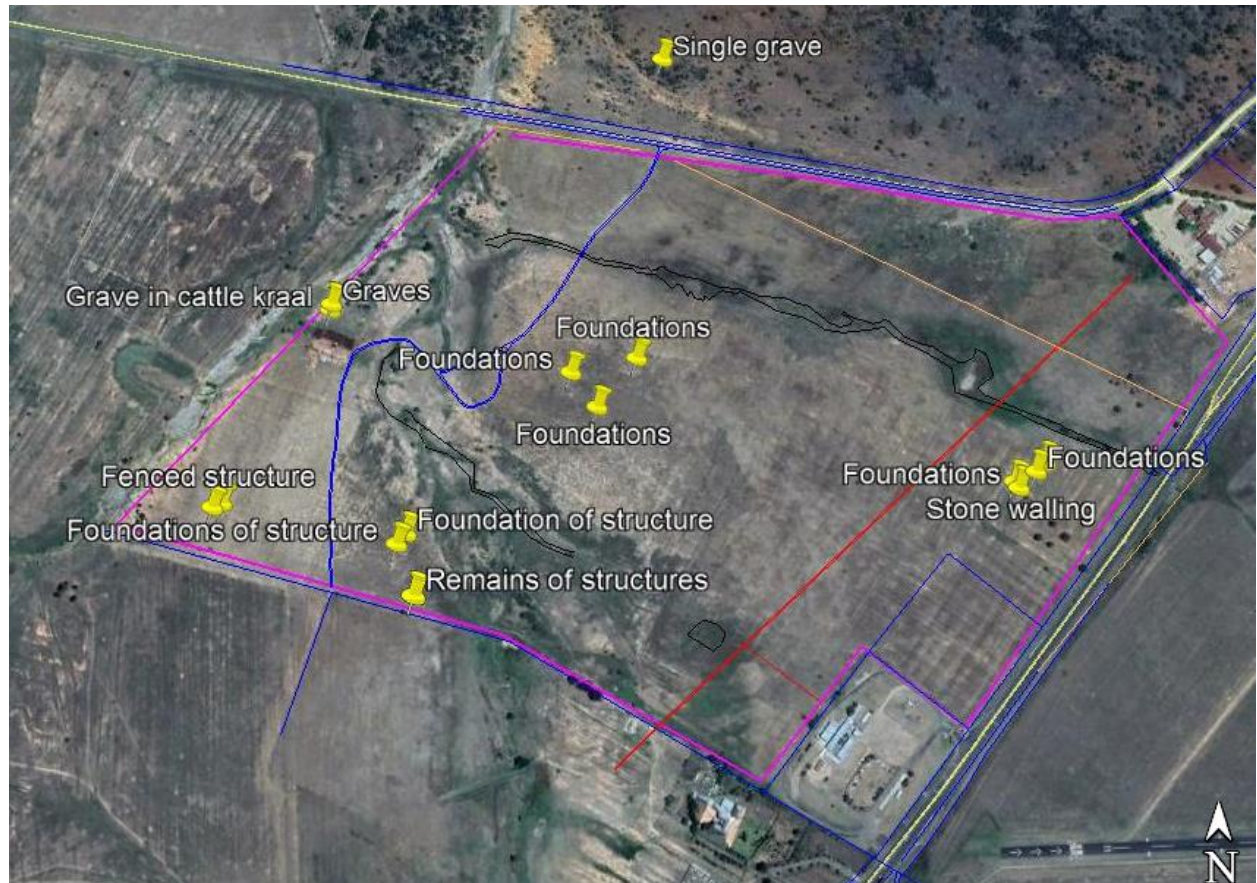


Figure 26: Heritage resources found during site inspection

8. RECOMMENDATIONS AND CONCLUSION

The site inspections revealed the remains of several structures that are older than 60 years. The remains consist of the foundations of these structures and consist of cut stone, brick and rock.

Much of the action that took place during the Anglo-Boer War, 1899-1902, occurred around the project area where hills and ridges provided observation points for both armies. Over 2 km to the east of the project site, Wagon Point and Wagon Hill can be found and still further east are the

sites of Platrand and Caesar's Camp whilst to the west and north-west are ridges that were used by Boer forces including Telegraph Ridge where the 155mm Creusot cannon ('Long Tom') was located which fired effectively on Ladysmith during the siege of the town. Also, to the west of the project area is the Blaauwbank / Blue Bank area which commanded the western entry to Ladysmith and was one of the grouping points for the commandos from the Orange Free State (Jones & Jones 1999:20). It is therefore likely that the project area was crossed by troops from both armies. However, no trenches nor detritus from that time, such as shell casings, was found during the site inspection.

It is recommended that the area where the remains of the structures (as depicted in **Figure 5**) were found is to be secured by an 80 m buffer to avoid impacting on graves that could be amongst the ruins. No construction may take place within the buffer and the buffer should be made of a highly visible and durable material. The buffer would include the round structure (borehole or grave) and stone walling.

It is recommended that the area where the remains of three structures were found is secured by a 70 m buffer in case there are graves associated with the structures. No construction may take place within the buffer and the buffer should be made of a highly visible and durable material.

Both grave sites situated near the occupied structures on the western boundary of the project area must be protected by a fenced buffer of 5 m to prevent any damage to them during the construction of the academy.

The ruins of the fenced mud structure should remain undisturbed because of the possible presence of a grave close to the remains of the structure. This also applies to the remains of the structures located to the east of the above site. It is therefore recommended that no development take place west of the river/stream that crosses the project area from north to south.

From a palaeontological perspective, based on experience and the lack of any previously recorded fossils from the area, it is unlikely that any fossils would be preserved on the surface. There is a very small chance that fossil plant fragments may occur in the Vryheid Formation shales and sandstones so the Chance Find Protocol, as provided by in the desktop study, must be added to the EMPr: It is also recommended that if fossils are found once excavations for foundations, pipes and services has commenced, then they should be rescued, and a palaeontologist called to assess and collect a representative sample.

From a heritage perspective, the construction of the Black Mambazo music academy may proceed as long as the recommendations and mitigation measures recommended in both studies are implemented.

9. MITIGATION MEASURES

- Construction workers should be made aware of the types of heritage resources, such as graves and stone walling, that could be found during the construction of the music academy. The process in terms of chance finds as mentioned in the second bullet point below must then be followed.
- For any chance heritage finds (graves, stone walling sites etc.), all work must cease in the area affected and the Contractor must immediately inform the Project Manager. A registered heritage specialist must be called to site to inspect the finding/s. The relevant heritage resources 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.
- Heritage resources found in close proximity to the project area that were not identified during the site inspection must be protected by a 5 m buffer in which no construction can take place. The buffer material (danger tape, fencing, etc.) must 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 recent remains be found on site that could potentially be human remains, the South African Police Service as well as Amafa must be contacted. No SAPS official may remove remains (recent or not) until the correct permit/s have been obtained.

10. REFERENCES

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