

**EXISTING PERSBERG DAM WALL, PERSBERG FARM
(PORTION LINDE NO 4733) SITUATED NEAR
HELPMEKAAR, MSINGA LOCAL MUNICIPALITY,
UMZINYATHI DISTRICT MUNICIPALITY, KWAZULU-
NATAL**

Phase 1 Heritage Impact Assessment

15 August 2019

**FOR: Afzelia Environmental Consultants
Deshni Naicker**

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EXECUTIVE SUMMARY

The Applicant commenced with listed activities within a watercourse on Persberg Farm in August 2015 without the required authorisation. The dam wall has been raised to a height of 8.5 m and the dam covers an area of 8.4 hectares and is estimated to hold a capacity of 152 000 m³ (cubic meters) of water when full. As a result of a non-compliance with Section 25 of NEMA, a rectification process was commenced that included a Basic Assessment process in terms of the EIA Regulations, 2014 (as amended on 7 April 2017). This Heritage Impact Assessment (HIA) report forms part of the Basic Assessment process.

Interim comment received from the KwaZulu-Natal Amafa and Research Institute, the provincial heritage authority, stated that the development footprint falls within the red zone of the palaeontology sensitivity zone (very high fossil sensitivity) meaning that a palaeontologist must complete a survey of the development area.

Furthermore, the area where the proposed development footprint is located used to have old structures situated close by and the area may therefore contain heritage artefacts or graves hence a heritage impact assessment (HIA) is required. This Phase 1 HIA report is in response to this requirement.

The dam is situated within a watercourse on Persberg Farm (Portions Linde No 4733) that falls in the Msinga Local Municipality that falls within the Umzinyathi District Municipality, KwaZulu-Natal. The dam is located approximately 60m south west of the R33 road between Dundee and Pomeroy which is located approximately 16 km south of the project site.

An inspection of the development area and surrounds was undertaken on 11 August 2019. Visibility was good.

As per the Institute's requirements, the development area and surroundings were inspected. The area to the south of the dam has been used for the cultivation of maize and is highly disturbed. The cultivated area is situated approximately 35 m from the dam.

The area around the dam wall is disturbed not only by the construction of the dam wall but also by the construction of the overflow channel which will drain excess water to the back of the dam wall towards the R33 road.

The area between the dam wall and R33 road is very wet with several small streams found in this area. The area is disturbed by various activities including the channelling of water towards the culvert under the R33.

The northern side of the dam is largely undisturbed. Several rocky outcrops were observed during the site inspection. Some are located close to the dam whilst others are located a distance from it. These areas were inspected and no heritage resources were found.

No heritage resources were found during the site inspection, therefore, no assessment of the significance of impacts on heritage resources was undertaken. However, several general mitigation measures are provided in this report if, in the unlikely event, activities around the dam unearth heritage resources.

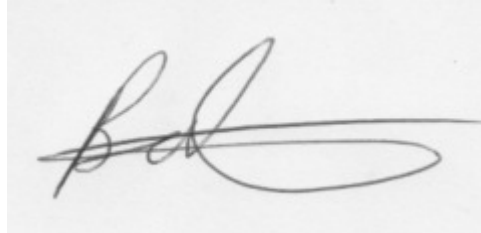
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I, **Jean Lois Beater**, act as an independent specialist for this project and I do not have any vested interest either business, financial, personal or other, in the proposed activity other than remuneration for work performed in terms of the Environmental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



AUTHOR DETAILS

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

1. INTRODUCTION

The Applicant commenced with listed activities within a watercourse on Persberg Farm (Portions Linde No 4733) in August 2015 without the required authorisation. The dam wall has been raised to a height of 8.5 m and the dam covers an area of 8.4 hectares and is estimated to hold a capacity of 152 000 m³ (cubic meters) of water when full (Afzelia 2019:4).

As a result of a non-compliance with Section 25 of NEMA, a rectification process is required for activities which have already taken place. A Section 24G Application was therefore submitted to the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs – Northern Region by the Applicant in February 2016 to commence this rectification process. In terms of the directive, a rectification process i.e. a Basic Assessment process is required to be undertaken. Afzelia Environmental Consultants have been appointed by the Applicant to undertake the rectification process in terms of the EIA Regulations, 2014 (as amended on 7 April 2017). This Heritage Impact Assessment (HIA) report forms part of the Basic Assessment process.

2. LEGISLATIVE BACKGROUND

Interim comment received from the KwaZulu-Natal Amafa and Research Institute, the provincial heritage authority, dated 08 August 2019, stated that the development footprint falls within the red zone of the palaeontology sensitivity zone (very high fossil sensitivity) meaning that a palaeontologist must complete a survey of the development area.

Furthermore, the area where the proposed development footprint is located used to have old structures situated close by and the area may therefore contain heritage artefacts or graves hence an HIA is required. This report is in response to this requirement.

In terms of Section 3 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), heritage resources are listed as:

- (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; and

(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).

In addition, the KwaZulu-Natal Amafa and Research Institute Act, 2018, also refers to the intangible aspects of culture that should be kept in mind including cultural tradition, oral history, performance, ritual, popular memory, skills and techniques, indigenous knowledge systems and the holistic approach to nature, society and social relationships.

The Phase I HIA was undertaken to assess whether heritage resources are impacted by the existing Persberg dam.

3. LOCATION

The dam is situated within a watercourse on Persberg Farm (Portions Linde No 4733) that falls in the Msinga Local Municipality that falls within the Umzinyathi District Municipality, KwaZulu-Natal. The dam is located at 28° 26' 02.56" S, 30° 24' 38.38" E (see **Figure 1** below) and approximately 60m south west of the R33 road between Dundee and the nearest town, Pomeroy, which is approximately 16 km south of the project site.

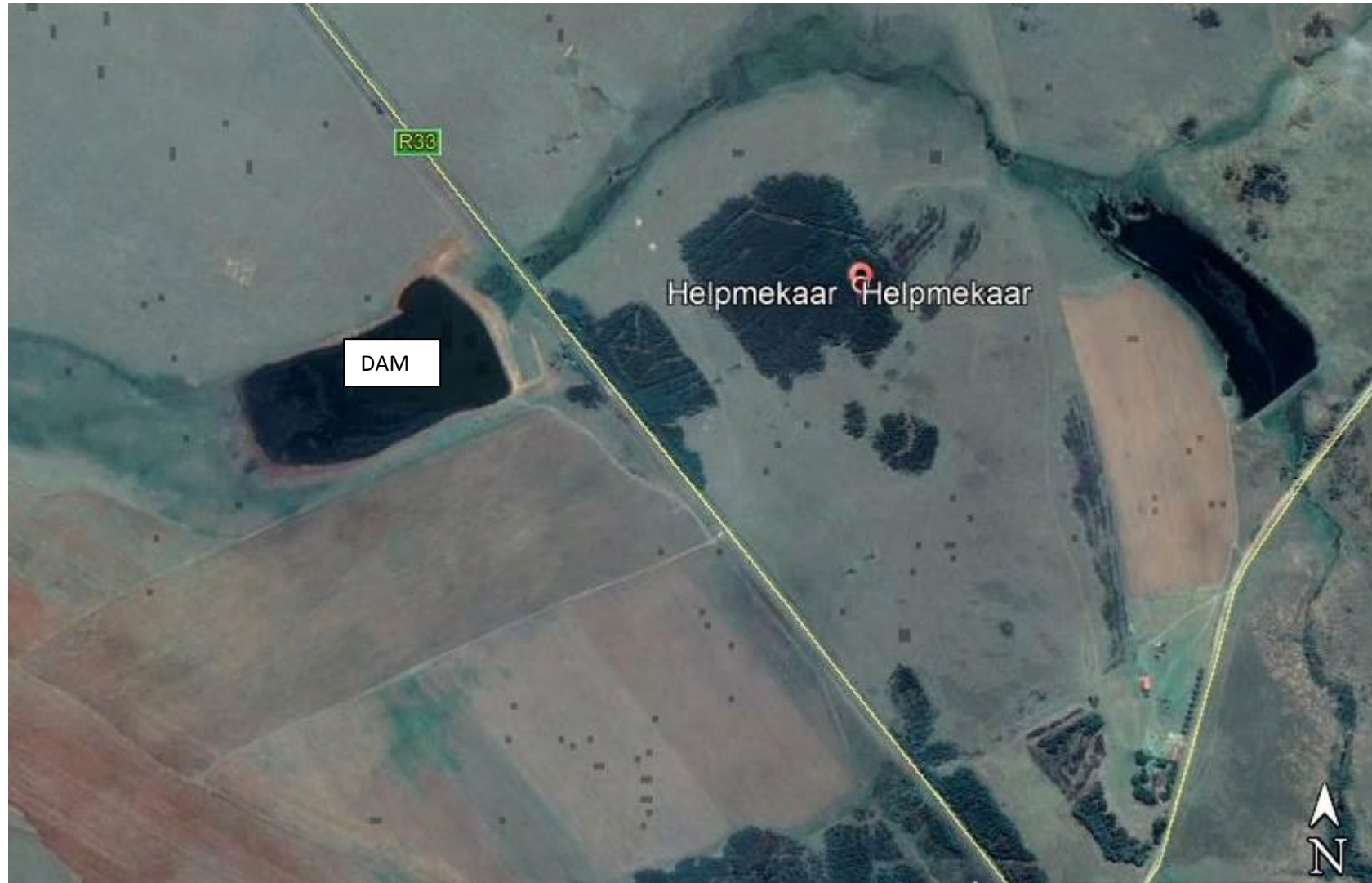


Figure 1: Locality of Persberg dam and dam wall

4. TERMS OF REFERENCE

Undertake a Phase 1 HIA in order to determine the possible existence of heritage resources, as listed above, as well as those referred to in the interim comment received from the KwaZulu-Natal Amafa and Research Institute (hereafter referred to as the Institute) that could be impacted by the activities around the raising of the dam wall and subsequent increase in area coverage by the dam. Provide mitigation measures to limit or avoid the impact of the dam on heritage resources (if any).

The specialist will submit the HIA report to the Institute, for their consideration and comment.

5. METHODOLOGY

A survey of literature, including other heritage impact assessment (HIA) 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.

An inspection of the development area and surrounds was undertaken on 11 August 2019. Visibility was good.

6. HISTORICAL BACKGROUND OF THE STUDY AREA

The surrounding area is home to all three of the Stone Age, namely the Early- (2.5 million – 250 000 years ago), Middle- (250 000 – 20 000 years ago) and Late Stone Age (22 000 – 200 years ago). Early to Middle Stone Age sites are uncommon in the larger area, however, rock-art sites and Late Stone Age sites are much better known (G&A Heritage 2015:15). The landowner told the specialist that there were rock paintings on farms situated some distance from the dam.

During the third century AD, several groups of farming people from eastern and south-central Africa began to settle along the east coast and river valleys that drain into the Indian Ocean. In eastern South Africa, these early farmers display a strong preference for settling a savannah environment along major water bodies where annual precipitation from 400 to over 1000mm provided adequate moisture for grain production. Over thirty EIA identified settlements in the Thukela Basin are clustered on patches of rich colluvial soils within a short distance of the edge of the Thukela River or its tributaries. EIA settlements were initially established in the coastal

forest in the fifth century AD and later in the savannah woodland belt alongside rivers in the (seventh century AD). A considerable number of Late Iron Age, stone walled sites, dating from the 18th and the 19th centuries (some of which may have been occupied as early as the 16th century), occur along and on top of the rocky ridges. These settlements and features in these sites, such as huts, were built with dry stone, reed and clay. Stone walled settlements are concentrated in clusters of sites and sometimes are dispersed over large areas. A site consists of a circular or elliptical outer wall composed of a number of walls facing inwards towards one or more enclosures. Whilst the outer walls served as dwelling quarters for various family groups, cattle, sheep and goat were stock in the centrally located enclosures. Huts with clay walls and floors were built inside the dwelling units. Many of the Iron Age sites are also associated with Zulu encampments. Some of the sites often only manifest as stone circles that were used to anchor structures to the ground (G&A Heritage 2015:16).

Helpmekaar, a very small settlement, is situated just over 1 km from the dam. According to the Dictionary of South African Place Names (Raper 1987:203), Helpmekaar is the Afrikaans for 'help each other', the name is derived from transport riders having had to assist each other in making a road over a nearby hill.

The year 1879 witnessed the Anglo-Zulu War during which Helpmekaar became an important military base. Owing to its natural prominence it provided an ideal heliograph station. The remains of this period include an old fort constructed during the war. Graves of the British soldiers killed in the war are buried behind the present police station (Gillings 1985:1).

According to Jones and Jones (1999:97), at the outbreak of the Anglo-Boer War, 1899-1902, the Umvoti Mounted Rifles were positioned at Helpmekaar. When they retired to Tugela Ferry, a Boer commando occupied the hamlet until they were attacked on 13 May 1900 by British troops and were forced to move away from the settlement.

The Bambata rebellion of 1906 witnessed a resurgence of military activity, when the valleys below the Biggarsberg were the scene of vicious fighting. In mid-1906, there was rising resentment against the imposition of a 'Poll Tax'. The protest and subsequent armed rebellion against the tax has become popularly known as the Bambatha/Bambatha Rebellion after Chief Bambatha kaMancinza, who lived in the Mpanza Valley in the Greytown district. Chief Bambatha, with the support of other chiefs in the area, refused to accept a new tax that was being implemented by the colonial administration. Together with a small group of supporters, he launched a series of attacks against the colonial forces, using the Nkandla Forest as a base.

The campaign culminated in a pitched battle against colonial forces at Mome Gorge, where Bambatha and his followers were finally defeated (Gillings 1985:1).

7. RESULT OF SITE INSPECTION

The site was inspected on foot. As per the Institute's requirement, the development area and surroundings were inspected. The area to the south of the dam has been used for the cultivation of maize and is highly disturbed. This can be seen in **Figure 1** above. The cultivated area is situated approximately 35 m from the dam. Cattle were seen grazing in the maize fields during the inspection.



Figure 2: Cultivated field and cattle

The area around the dam wall is highly disturbed not only by the construction of the dam wall but also by the construction of an overflow channel which will drain excess water to the back of the dam wall towards the R33 road.



Figure 3: Dam wall with layer of tyres to prevent erosion of the wall



Figure 4: Overflow area

The area between the dam wall and R33 road is very wet with several small streams found in this area. This area is highly disturbed by various activities including the channelling of water towards the culvert under the road (see **Figure 5** below).



Figure 5: Wetland with channel to divert water towards culvert



Figure 6: View across dam wall looking southwards

The northern side of the dam is largely undisturbed. A number of roughly fenced areas were found where the landowner had tried to grow trees on the side of the dam. Several rocky outcrops were observed during the site inspection. Some are located close to the dam whilst

others are located some distance from it. These areas were inspected and no heritage resources were found.



Figure 7: Northern side of dam looking southwards



Figure 8: Large rocky outcrop located approximately 100m north of dam



Figure 9: Rocky outcrops close to dam

The western end of the dam where a stream enters the dam was found to be wet and clayey. No heritage resources were found in this area.



Figure 10: Western end where stream enters dam

8. DISCUSSION AND CONCLUSION

No heritage resources were found during the site inspection, therefore, no assessment of the significance of impacts on heritage resources was undertaken. However, several general mitigation measures are provided below if, in the unlikely event, activities around the dam unearth heritage resources.

9. MITIGATION MEASURES

- For any chance heritage finds (such as archaeological material), all work must cease in and around the affected area. A registered heritage specialist must be called to site to inspect the finding/s. The provincial heritage resource agency, 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 (SAPS) as well as the Institute must be contacted. No SAPS official may remove remains until the correct permit/s have been obtained.

10. REFERENCES

Afzelia Environmental Consultants. 2019. *Final Basic Assessment Report for Basic Assessment for the existing Persberg dam wall on Persberg Farm (Portion Linde No. 4733) situated in the Helpmekaar area, located within the Msinga Local Municipality and the Umzinyathi District Municipality, KwaZulu-Natal.*

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