

Phase I Heritage Assessment of Princess Mkabayi Mixed Use Development. Erf 6018, Vryheid.

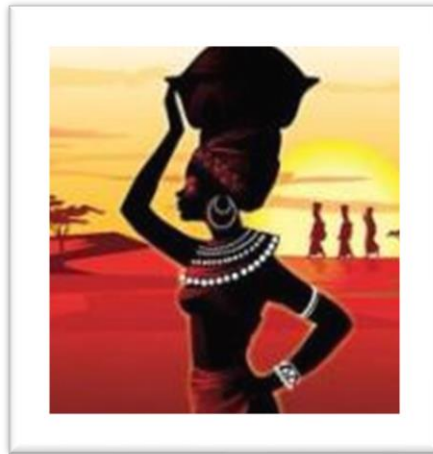
Province: KwaZulu-Natal

District Municipality: Zululand District Municipality

Local Municipality: AbaQulisi Local Municipality

**Implementing Agent: Moolman Group Developments /
Indiflora Environmental Consultants**

For: Indiflora Environmental Consultants



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List of Abbreviations and Acronyms

BID	Intention to Develop
EIA	Early Iron Age
ESA	Early Stone Age
HIA	Heritage Impact Assessment
Historic Period	Since the arrival of White Settlers – c. AD 1820, in this part of the country.
HWC	Heritage Western Cape
Iron Age	Early Iron Age AD 200 - AD 1000 Late Iron Age AD 1000 - AD 1830
KZN	KwaZulu-Natal
LIA	Later Iron Age
LSA	Later Stone Age
MSA	Middle Stone Age, 1998 (Act No. 107 of 1998) and associated regulations (2010)
NEMA	National Environmental Management Act
NHRA	National Heritage Resources Act, 1999 (Act No. 25 of 1999) and associated regulations (2000)
SAHRA	South African Heritage Resources Agency
SAHRIS	South African Heritage Resources Information System
Stone Age	Early Stone Age 2 000 000 - 250 000 BP Middle Stone Age 250 000 - 25 000 BP Late Stone Age 30 000 - until c. AD 200

Details of Specialists

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Brief Résumé of Consultant

Sian Hall

Sian Hall is trained as a Social and Cultural Anthropologist, but with a strong Archaeological component throughout her Undergraduate and Honour's coursework. This includes Physical Anthropology/Early Man Studies; Rock Art; a mini-thesis comprising of an archaeological dig and analysis of the resulting Late Stone Age Archaeology from the Bavianskloof, Eastern Cape; and an Honour's Thesis comprising of Historical-, and Ethno-archaeology, and symbolic usage of space of a historical Methodist Mission Station in the Eastern Cape, and a modern Mfengu community in the Ciskei. Sian Hall also spent two years working towards a Master's Degree in the Department of Archaeology, Cape Town. During this period she completed a number of seasons digging at Dune Fields Archaeological site at Eland's Bay, Western Cape, and conducting an extensive Ethno-archaeological and Anthropological study among shell fish collectors at Eland's Bay.

During the years of 1991 to 1993 Sian researched the Iron Age cities of the Venda petty royalty along the northern slopes of the Soutpansberg Mountains. Here she mapped certain of these extensive Iron Age cities, and pieced together their history through the collecting of oral history from the Tshivula group of people to whom these cities had belonged.

Sian has also extensively researched the Bantu-speaking rock art of the Soutpansberg Mountains area, and this led to a co-authored academic publication on the Bantu-speaking rock art of southern and Central Africa.

Sian's greatest interest lies in the history and status of the indigenous domestic dogs of Africa, which she has researched, and spoken and published on, for a number of decades. Her book, *The Dogs of Africa*, forms the definitive work of the dog in Africa. This was published by Alpine Publishers, in the USA.

Sian is the author of a numerous of books, novels and articles, both academic and for the public. A number of these publications include subject matter relating to ethnography, archaeology, history and anthropology.

More recently, over the last four years Sian Hall has been working towards a Master of Philosopher Degree in "Conservation of the Built Environment", in the Architecture Department, University of Cape Town. During the course of this degree, it has been necessary to compile a number of reports analysing various historic buildings and cultural landscapes, and development initiatives. The methods and theory presented in this course has been implemented in the investigation and analyses of this report.

Sian has published a book through Lambert Press (9th January, 2018) on the remarkable renovation of the Old Church at Centocow Mission Station, KwaZulu-Natal, conducted by the architect, Robert Brusse. This book is entitled *Restoration of the Old Church, Centocow Mission Station*.

Sian has also published a novel, *The Anthropologist, the Waterfall, and the Very Worried Sangoma*, set in Howick and the Drakensberg area of KZN (Reach publishers, 2021); and a cynological book on the Rhodesian Ridgeback dog breed, *The Influence of the Bull Terrier in the Rhodesian Ridgeback Breed* (Reach Publishers, March 2022).

Sian's other books include: Sian Hall and Rob Marsh, *Beyond Belief: Murders and mysteries of Southern Africa* (Struik Publishers, January 1st, 1996) (oral history); *Haunted: Ghosts and Spirits of Southern Africa* (1st January, 2011) (oral history); and the cynological analysis which forms the definitive study of the dog breeds of Africa, *Dogs of Africa* (1st February, 2003). This book is now regarded as a rare book, and as "Africana".

Sian Hall's books are kept in special sections in various major University Libraries within South Africa.

Declaration of Consultants Independence

Sian Hall is an independent consultant to **Indiflora Environmental Consultants**, and has no business, financial, personal or other interest in the activity, application or appeal in respect of which she was appointed, other than fair remuneration for work performed in connection with the activity, application or appeal. There are no circumstances whatsoever that compromise the objectivity of this specialist performing such work.



EXECUTIVE SUMMARY

This is a First Phase Heritage Impact Assessment of the Proposed Development of Princess Mkabayi Mixed Use Development, incorporating a shopping complex, at the co-ordinates 30°31'58.46"S 30°34'14, Erf 6018, Vryheid, AbaQulisi Local Municipality, KwaZulu-Natal.

Various heritage features, or archaeological and cultural features, have been identified within the study footprint. These include an apparent extensive Iron Age / Historic Period traditional African settlement which covers the entire footprint. It is possible that this once formed part of a Cultural Landscape, but this has been destroyed by development outside the borders of the study footprint. Associated features may be present in the form of homestead structures, now only in the form of imprints on the landscape, some walling, hearths, granary bins, pot sherds, grindstones, and graves.

There may also be Early, Middle and Later Stone Age features and objects on site, such as stone tools and flakes. There may even be partial remnants of activity assigned to the Boer War Period as traces of some unidentified activity can be seen on some historical images of the study footprint. Bullet cartridges, and other associated objects may lie scattered under the vegetation.

The study footprint lies within a high Palaeo Sensitivity Zone. This necessitates a Phase II Field Assessment by a registered palaeontologist, to be followed by a report which must be submitted to the heritage authority.

It is suggested that, before further development take place, that the area be burnt, or the vegetation cut, so permitting a visit by a heritage officer / consultant, to examine the human activity and imprints upon the land, and to establish if any visible graves, or engraved stones are present. The heritage officer may also want to obtain GPS co-ordinates of obvious features, and perhaps to collect items for storage. It is also suggested that a notice be placed in a local newspaper advertising a community meeting in a nearby location, during which the developers may present to the interested members of the public, the proposed development. Members of the public may, in return, offer information regarding memory and oral history pertaining to the homestead features on the study footprint, and to the imprints of human activity on the ground in the footprint.

Attention is drawn to the National Heritage Resources Act, 1999 (Act No. 25 of 1999) which, requires that operations that expose archaeological or historical remains should cease immediately, pending evaluation by the provincial heritage resources authority.

1. Limitations to the Study

- The overgrown foliage hampered ground visibility. It is possible that graves, and other heritage features and artefacts, may be present, but not necessarily visible while the overgrowth is present.
- It was difficult to locate individuals living close by, to be interviewed regarding oral history pertaining to the property, and to the study footprint, and as to the presence of hidden graves, or other heritage features.



Photo 1. Thick grass, and sometimes high, grass covered almost the footprint. Photo: Indiflora.



Photo 2. Indigenous vegetation which covered the footprint. Photo: Indiflora.



Photo 3. Exotic trees, indigenous trees, thorn scrubland, and grassland comprise the vegetation-type on the study footprint. Indigenous grassland predominates. Photo: Indiflora.



Photo 4. Indigenous grassland and thorn scrub form the study footprint. The high grass, and abundant cover, hampered visibility of any hidden archaeological, historical, or heritage features. Photo: Indiflora.

2. Background Information to the Project

Moolman Group Developments and Indiflora Environmental Consultants have appointed Sian Hall to compile a Heritage Impact Assessment satisfying Section 38(8) of the National Heritage Resources Act (NHRA) in conjunction with a Basic Assessment process conducted under the National Environmental Management Act (NEMA) for the proposed development of Princess Mbakayi Housing Development, AbaQulisi Local Municipality, Zululand District Municipality. A brief synopsis of the background to this project is provided in Table 1.

The retail development will be divided into four distinct parts. Part 1 will comprise 141 730, 39 square metres (14, 173 hectares); Part 2 will comprise 40 649, 63 square metres (4, 065 hectares); Part 3 will comprise 16 389, 52 square metres (1, 639 hectares); Part 4 will comprise 31 492, 95 square metres (3, 149 hectares).

The whole development footprint will be approximately 230 262, 49 square metres (23, 026 hectares).

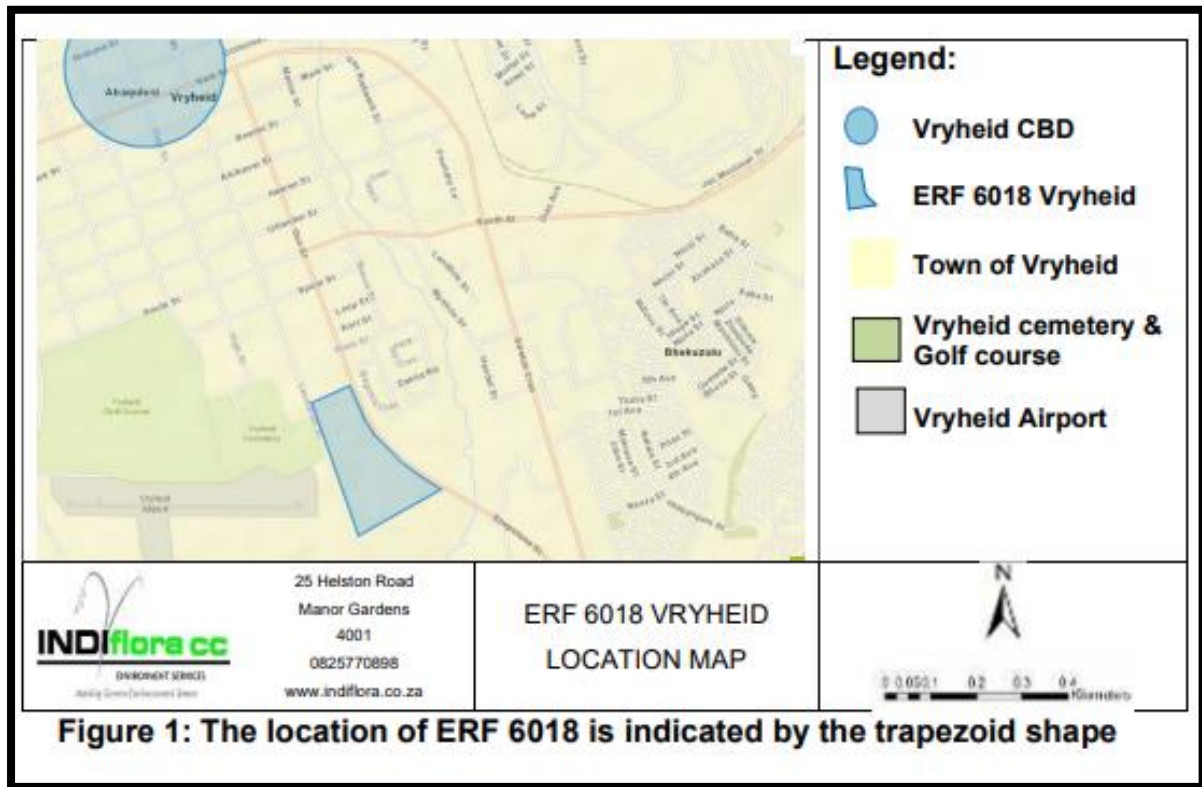


Figure 1: The location of ERF 6018 is indicated by the trapezoid shape

Diagram 2. Locality Plan of proposed activity. Indiflora Environmental Consultants BID Document.

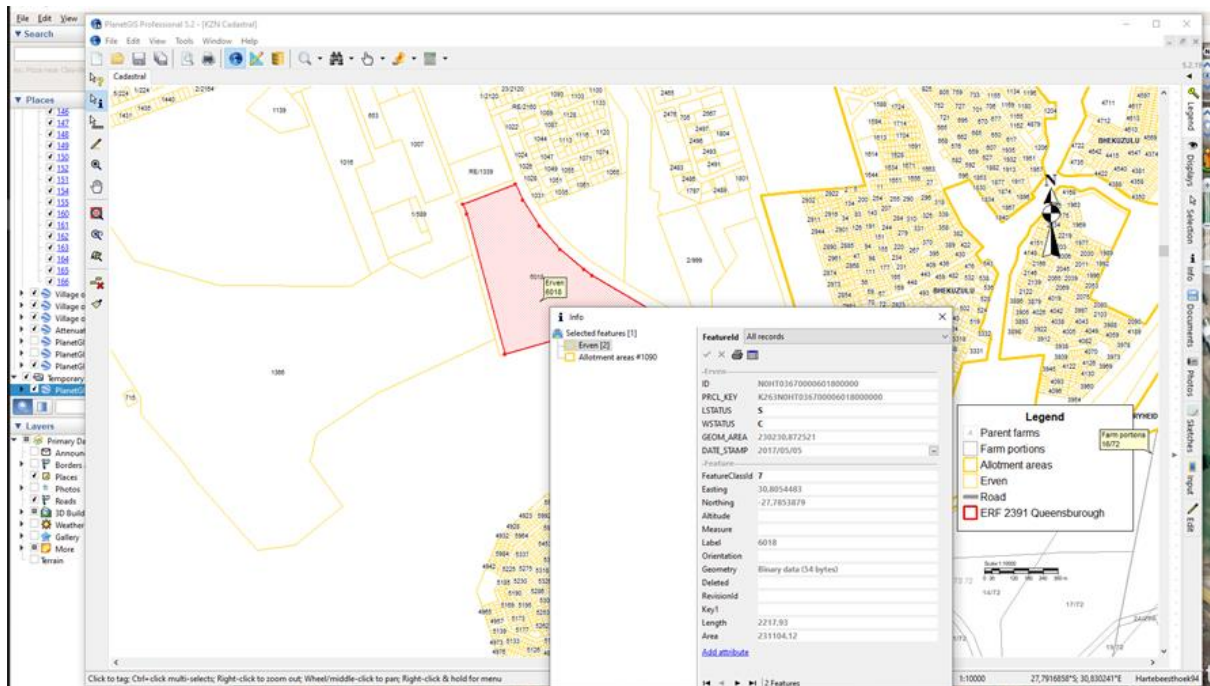


Diagram 2. Location of the proposed mixed development in relation to developed area surrounding the footprint. Indiflora.

The developer (Princess Mkabayi (Pty) Ltd. Proposes to develop PRINCESS MKABAYI MIXED USE DEVELOPMENT, on Erf 6018, Vryheid, as an integrated development. This development will comprise of:

- A regional mall of 79, 200 square metres
- Free-standing and high-density apartments of 52, 000 square metres
- Motor show rooms of 6, 35r0 square metres
- A logistics park of 12, 750 square metres
- A hotel and casino of 14, 600 square metres
- An office park and AbaQulusi Council Chambers of 31, 500 square metres
- A site set aside for a future petrol station drive through and a décor retail show room of 12m 300 metres square (BID Document, Indiflora).



Diagram 3. Site Allocation Plan of the proposed development. BID Document, Indiflora.

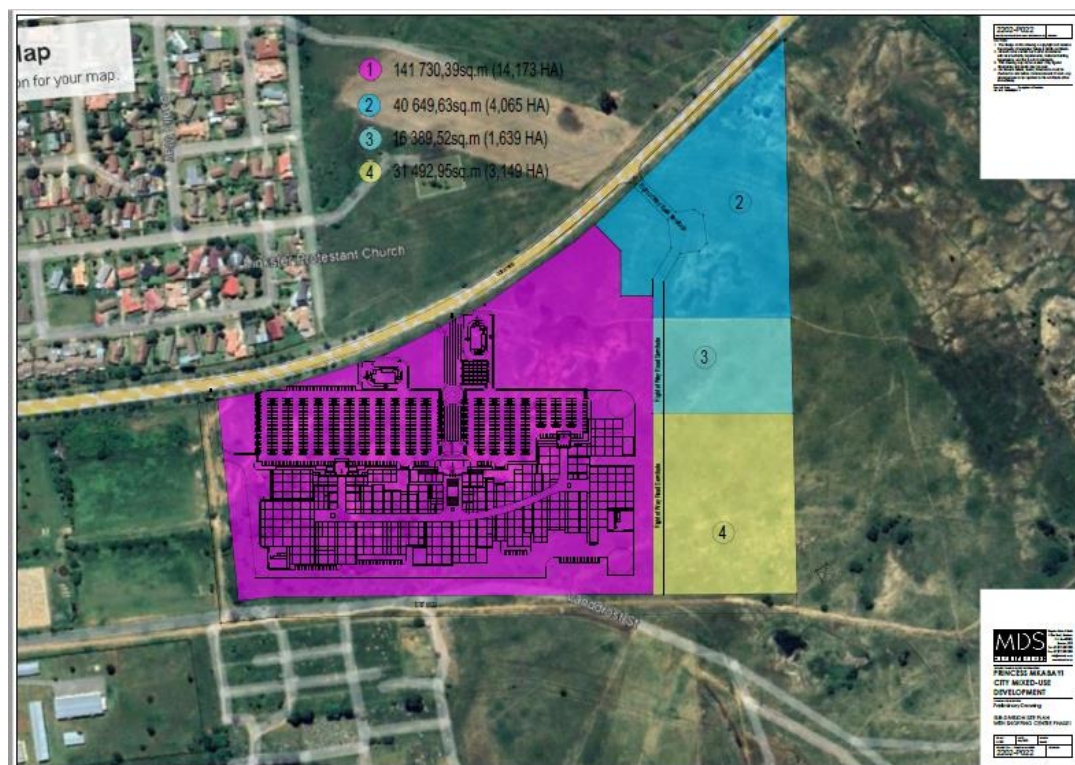


Diagram 4. Proposed Site Plan of Princess Mkabayi Housing Development. Showing all four sections of the proposed development, and the associated area covered by each. Courtesy: Moolman Group Projects.

According to Johan Bodenstein of Indiflora Environmental Consultants, this specific piece of land was zoned by the AbaQulusi Local Municipality to “Regional Mall”. It was sold, by tender, to “Green Giraffe (Pty) Ltd”. Green Giraffe is a Development Company created for the sole purpose of erecting this specific mall. This is in accordance with the Municipal ISP and SDF (Electronic from Johan Bodenstein (Indiflora), 23rd September, 2022).

The decision to build a mall was one made by the Vryheid Municipality. Johan Bodenstein points out that the developer is therefore “merely executing the vision within the framework of what is allowed by the Zoning on the land, that being a Regional Mall” (ibid).

Apparent Benefits of the Development

It is envisaged that the development will create 500 temporary jobs, while the development is underway, and 400 permanent jobs. This will be created in an environment in which work opportunities are scarce. The mall will also be seen to provide numerous facilities, such as fast food outlets, where various population groups and communities may meet and interact socially (ibid).

The later phases of the development include a hotel, and possibly a casino, which will provide further job opportunities, and also opportunities for community leisure and

entertainment. The economic injection into the area is envisaged to encourage local entrepreneurs to open businesses in some of the smaller shops in the mall, which will stimulate the secondary and tertiary economies (ibid).

There will be negative impacts, however. Not all of these may yet be clearly seen. One negative outcome will be the ambient noise levels created by the initiative. The development will also likely attract more crime into the area, more traffic, and it is likely that pre-existing prehistoric / historic homesteads, and material culture will be damaged beyond repair. Any pre-existing archaeological, or heritage features will be damaged and obliterated.

Objective of the Report

This report is intended to inform stakeholders of this project about the Heritage Significances of the proposed development footprint. Stakeholders include **Moolman Group Developments and Indiflora Environmental Consultants**. It also includes **Amafa Provincial Heritage Authority**, and **SAHRA National Heritage Authority**.

This Phase I Heritage Impact Assessment is carried out in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), and designed to meet the requirements of the National Heritage Resources Act (NHRA), 1999 (Act No. 25 of 1999), and The KwaZulu-Natal Amafa and Research Institute Act, 2018 (Act No. 05 of 2018).

TABLE 1. DETAILS OF HIA APPOINTMENT AND DEVELOPMENT

Client Name	Moolman Group Developments and Indiflora Environmental Consultants
Consultants	Sian Hall of Ancient Places Pty. Ltd.
Document Title	Phase I Heritage Assessment of Princess Mbakayi Housing Development.
Type of Development	The Applicant wishes to develop a housing development in AbaQulisi Local Municipality, Vryheid, Zululand District Municipality, KwaZulu-Natal. The extent of the development is proposed to be 230 262, 49 square metres (23, 026 hectares).
Rezoning or Sub-division	Rezoning
Terms of Reference	To carry out a Heritage Impact Assessment (HIA).
Address	AbaQulisi Local Municipality, KZN.
GPS Co-ordinates	27°47'06.33"S 30°48'22.68"E
Local Municipality	AbaQulisi Local Municipality, KZN.

District Municipality	Zululand District Municipality
Legislative Requirements	The Heritage Impact Assessment was carried out in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and following the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA).

3. Terms of Reference

A Phase I Basic Heritage Impact Assessment has been advised by Amafa Provincial Heritage Authority, KZN, relating to the proposed development. This development includes the building of a housing development in the AbaQulisi Local Municipality.

This report refers to the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA), Section 38 (1)(c)(i), which states that:

“...any person who intends to undertake a development categorised as—any development or other activity that will change the character of a site – exceeding 5000m² in extent...”;

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

NHRA Section 38 (1)(c)(i) is the primary clause that has triggered the request for this Phase II Built Heritage Assessment.

A Heritage Impact Assessment Report of a development site should generically cover:

1. The identification of all heritage resources within the development footprint, and in the area surrounding the site in question.
2. The mapping of these heritage resources.
3. An assessment of the heritage significance of these resources.
4. An assessment of the potential impact that the development would have on these heritage resources.
5. An appraisal of the impact such development would have on the affected heritage resources, in relation to the sustainable social and economic benefits to be derived from the development.
6. Public and Stakeholder Consultation.
7. Various options available to the clients and developers should the development adversely affect the heritage resources.

As stipulated in the NHRA Section 38 (3), which states that:

(3) The responsible heritage resources authority must specify the information to be

provided in a report required in terms of subsection (2)(a): Provided that the following

must be included:

- (a) The identification and mapping of all heritage resources in the area affected;*
- (b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;*
- (c) an assessment of the impact of the development on such heritage resources;*
- (d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;*
- (e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;*
- (f) if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and*
- (g) plans for mitigation of any adverse effects during and after the completion of the proposed development.*

According to Section 3 (2) of the NHRA, the heritage resources of South Africa include:

- “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 palaeontological sites;*
- g. graves and burial grounds, including*
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 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 terms of section 3 (3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of:

- "a. its importance in the community, or pattern of South Africa's history;*
- b. its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;*
- c. its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;*

- d. its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;*
- e. its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;*
- f. its importance in demonstrating a high degree of creative or technical achievement at a particular period;*
- g. its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;*
- h. its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and*
- i. sites of significance relating the history of slavery in South Africa.”*

The NHRA regulations of 2000 refer for the most part to the processes allowing for permits to be issued for the alteration, destruction or modification of heritage sites and features. These include the following:

- Protected areas
- Burial grounds and graves
- Wrecks
- Exportation of heritage objects
- Reproduction of national heritage sites
- Archaeological and palaeontological sites
- National heritage sites, provincial heritage sites, provisionally protected place, structures older than 60 years

This report reflects the independent opinions of the author, and its recommendations to the legislation, as well as that of international conservation principles.

4. Methodology

Desktop Study: Before any site visit was made to the study footprint, a detailed desktop analysis was made of the study footprint and the impact that the proposed development may have. This desktop study comprised the following:

- The study of available aerial photographs covering the footprint.
- The study of available heritage databases.
- Literature survey covering the study area.
- An examination of the SAHRIS database covering previous surveys in the area, and the listing of known heritage sites and features.

Site Visit: one site visit was made to the study footprint in June 2022. The study footprint was walked and examined according to accepted archaeological methodology. During the visit, there was some evidence in the change of vegetation, of previous Iron Age / historic traditional homesteads. No other obvious anthropogenic, or archaeological, features were noted from the ground. Aerial maps, historical maps, and heritage data bases have revealed the presence, and possible presence, of archaeological and heritage features on the study footprint.

Stakeholder Consultation: While no one was available to engage regarding questioning relating to the significance of the open land to the nearby communities, **Indiflora Environmental Consultants** did engage in a Public Participation Process, with some results which will be discussed in this report.

Photographs: a number of photographs documenting the footprint were taken.

5. Location of the Study Area and Footprint

Princess Mkabayi proposed development lies within the confines of the town of Vryheid in northern KZN.

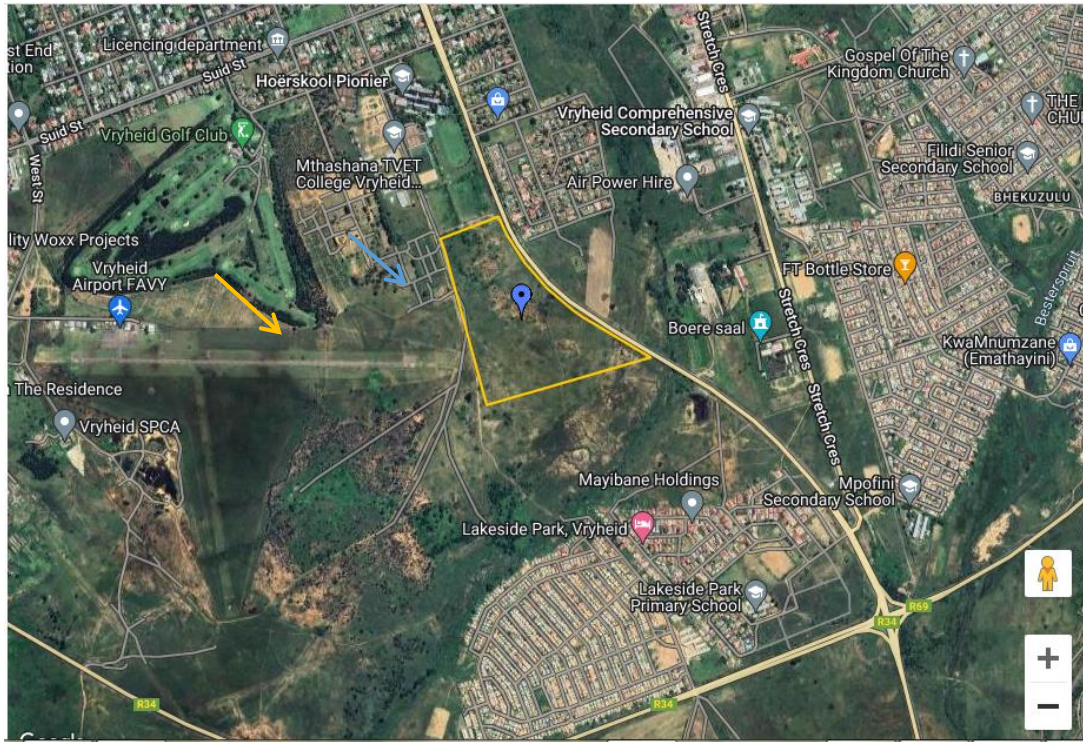


Figure 5. Proposed Princess Mkabayi Development lies within the borders of the town of Vryheid, northern KZN. To the west of the sites lies the Vryheid Airport (yellow arrow). To the north-west is the Vryheid Cemetary (blue arrow). To the north is Hoërskool Pioneer. Open land lies immediately to the south.

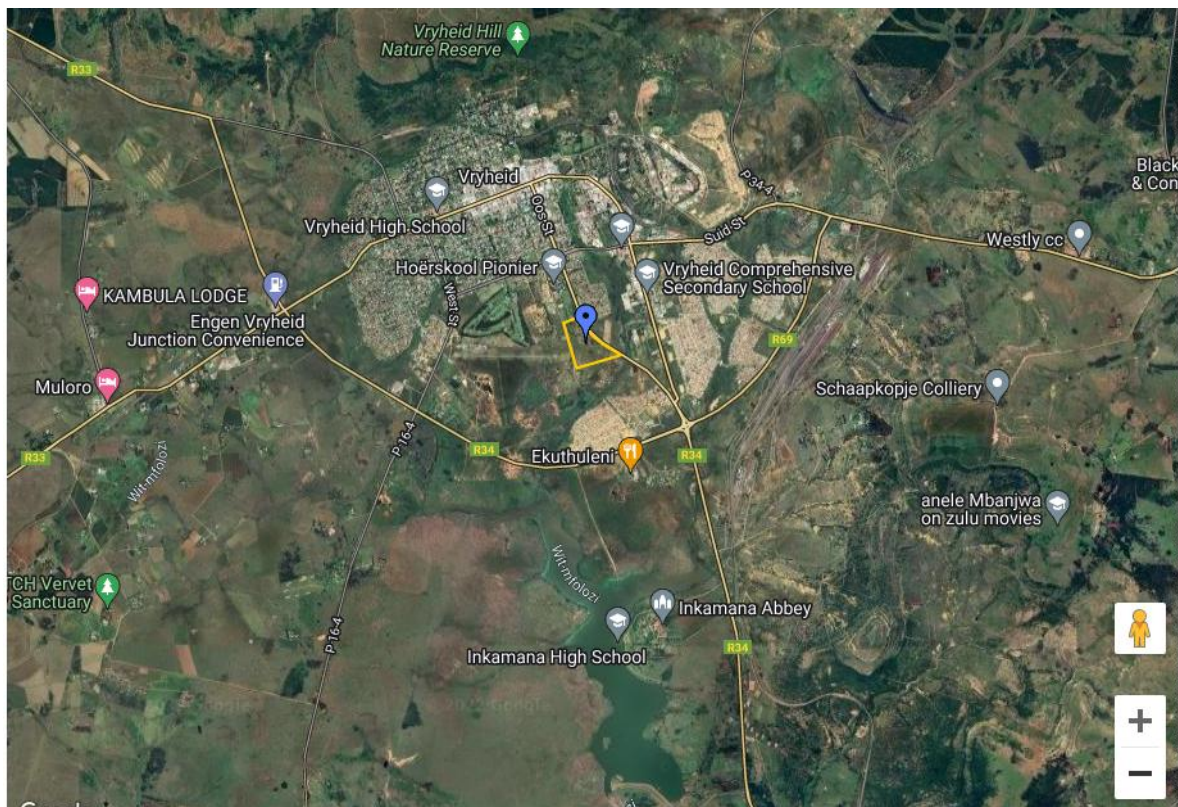


Figure 6. Offers a clear location of the study footprint within the town of Vryheid.

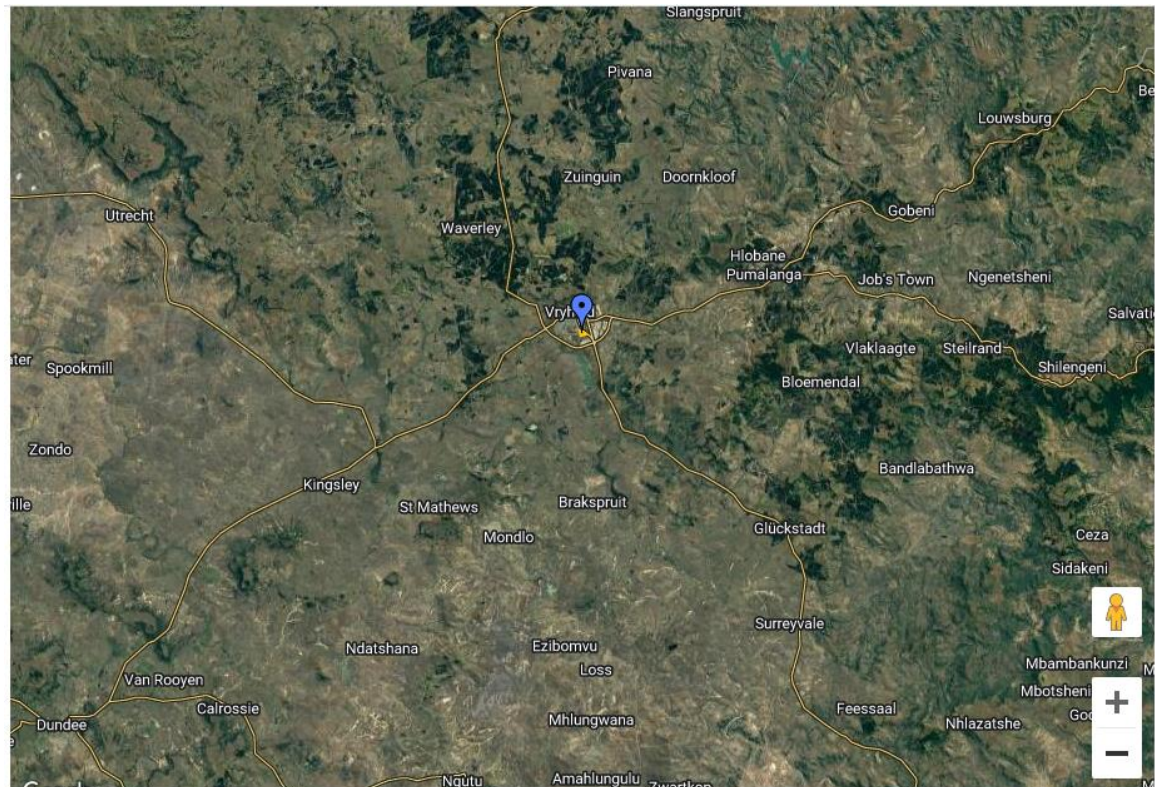


Figure 7. This map places the proposed development within the immediate region, high-lighting nearby towns, such as Dundee, Utrecht, and Nqutu. This area is thickly scattered with archaeological, historical and heritage sites, dating from the Early Stone Age through to the Historical Periods.



Figure 8. Regional Google Map indicating the wider location of the study footprint. The blue arrow indicates the location of the study footprint.



Figure 9. Topographical Map (1:250,000) of the study footprint. The red circle indicates the site of the study footprint.

The study footprint is located in the Vryheid townscape. Around it are located housing developments, Vryheid Airport, Vryheid Cemetery, schools, and other businesses. To the immediate south of the footprint is open land upon which previous prehistoric, or historic, traditional settlements are visible.



Photo 5. Looking to the north. A defined pathway used by neighbouring residents runs along a rough north-south axis across the study footprint. Some of the surrounding built-up areas are visible in the distance. These structures lie outside of the study footprint, and it is unlikely that they will be impacted upon by the development. Photo: Indiflora.



Photo 6. Open, indigenous grassland comprises much of the study footprint. Photo: Indiflora.

6. Background to the Archaeological History of the Area

Portions of the greater Vryheid and adjacent areas have been systematically surveyed for archaeological and heritage sites in the past. These were mostly conducted by archaeologists attached to the then Natal Museum as well as by Amafa staff. Sixty sites are recorded in the data base of the KwaZulu-Natal Museum. These include fourteen Early Stone Age sites, eight Middle Stone Age sites, ten Later Stone Age sites, three rock painting sites, and forty Later Iron Age sites. The majority of the Early Stone Age sites occur in open air context in large dongas. Middle and Later Stone Age sites occur in context in four rock shelters. Two of these shelters also contain typical San fineline paintings. The majority of the known Later Iron Age sites are situated to the south east of Nqutu. They were located during a large scale survey of the area by archaeologists who were interested in the Later Iron Age ecology of Zululand (Hall 1980). They are demarcated by characteristic stone walling. Three stone walling typologies have been identified in the area namely Type A, C, and D (ibid).

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. Around 800 years ago, if not earlier, Bantu-speaking farmers also settled in the greater Vryheid area. Although some of the sites constructed by these African farmers consisted of stone walling not all of them were made

from stone. Sites located elsewhere in the KwaZulu-Natal show that many settlements just consisted of wattle and daub structures. These Later Iron Age sites were most probably inhabited by Nguni-speaking groups who were the direct ancestors of the Zulu (Bryant 1965). However after 1840 some Southern Sotho-speaking Tlokwe people also settled in the area towards Nqutu. With the expansion of the Zulu kingdom of King Shaka in the early 1820's the study area became firmly incorporated into this pre-capitalist kingdom. It is not surprising that this area played such a central part in the colonial period history of KwaZulu-Natal. The Battle of Blood River, between Boer and Zulu, took place to the immediate west of the study area in 1838 (Derwent 2006). In addition, the Anglo-Zulu War of 1879 was also acted out in large areas adjacent to the study area (ibid). These battle field sites as well as associated graves and buildings of the era are proclaimed heritage sites and are protected by legislation.

The aftermath of the Anglo Zulu War of 1879 left the remnants of the Zulu Kingdom in the hands of Uzibhebhu, Dinizulu's uncle. Dinizulu, the rightful heir, enlisted military support from the Boers in restoring him as king. After a successful campaign Dinuzulu was sworn in, and in return the Boers were granted a large tract of land.

On August 16th 1884, this land was proclaimed as the Nieuwe Republiek with Vryheid as the capital, and Lucas Meijer as the president. A raadsaal for the town fathers, a presidency for Lucas Meijer, and a goal for miscreants were built. The fate of the tiny republic followed that of many others and by 1888 it had been absorbed by its neighbour, the Zuid Afrikaansche Republiek. The moederkerk, which occupies pride of place in the centre of town, was completed in 1894.

At the outbreak of the Anglo Boer War on October 20th 1899, the Vryheid Commando swung into action and, led by General Lucas Meijer, fought at the battle of Thalana. They went on to take part in the siege of Ladysmith and had the honour of capturing the British guns at Colenso.

Vryheid itself was left relatively unscathed by the big battles fought against the British forces to the west, but smaller skirmishes with the Imperial forces did occur at Scheepersnek, as well as a major Boer attack on the British garrison stationed on Lancaster Hill just north of Vryheid. During this battle Lt. Col, Gawne was mortally wounded and a cairn demarcating the place where he fell, as well as the British fortifications, can be viewed on the hill. General Louis Botha, one of five famous generals from Vryheid, tested the British lines the next year and led a successful invasion into Natal via Bloemfontein, drawing thousands of imperial troops from the Transvaal and the Free State in a desperate attempt to trap him.

The incursion finally ended at Italeni and Fort Prospect where the Boers were defeated, however, General Botha managed to elude the pursuing British as he led his men back to the Transvaal.

At the culmination of the Anglo Boer war, chief uSkhobobo Sibiya, encouraged by the British civil authorities, attacked a Boer camp on the eastern slopes of Holkrans Mountain (KwaMthashana), killing 56 burgers of Commandant Jan 'Mes' Potgieter's commando. After the Anglo Boer War the town was incorporated into the colony of Natal. The Carnegie library (presently the Information Bureau) was built with funds from the Carnegie Foundation and houses started springing up along Bree, Kerk and Hoog streets, as well as above the railway line at the base of the hill. 1910 saw the Natal Colony join the Union of South Africa and in 1912 the town was granted municipal status. It gradually grew into an agricultural market-place for maize, sheep and cattle. The Empire Theatre in Hoog Street, the site of many musicals and revues, was completed in 1927.

Coal, which had been used by the early residents of the area east of Vryheid, became commercially viable from 1908 onwards, with the construction of a rail link to the coalfields. Two mines, Coronation and Hlobane, in time grew to provide thousands of jobs for the inhabitants of the area. With the increase in population so the need for water led to the construction of the Grootgewacht, Bloemveld and Klipfontein dams.

The present municipal building complex was completed in 1957 and the post office in 1980. Mondlo township was established to house those who were evicted in the late 1960's from their lands in the neighbourhood of the town of Vryheid and their re-settlement at Trado farm, subsequently known as Mondlo Township. The forced removal was in accordance with the then Government's policy of separate development, but initially no funds were provided for essential infrastructures in the township, such as schools and clinics. Lack of major industries at nearby Nqutu and Vryheid also limited the opportunity of Mondlo inhabitants to find work. During the early 1970's the township was transferred to the KwaZulu Government. Subsequent political resistance in the form of rent and bus boycotts culminated in the murder of Mr Ngobese, the township manager, in 1983 (Zungu n.d. 1)

After the national elections in 1994, political development of the greater Vryheid area followed a peaceful route with the creation of a Transitional Local Council and the birth of the AbaQulusi Municipality in 2001 (www.vryheidtourism.co.za).

6.1. Guidance from Desktop Study (Assumptions and Limitations)

- The desktop study indicates that Stone Age Sites of all periods and traditions may occur in the greater project area.
- Middle Stone Age tools have been found in context in three rock shelter sites in the greater area. However, no rocky outcrops that may harbour such shelters with deep cave deposits occur on the footprint.

- Later Stone Age sites, including associated rock art, also occur in the area. Again these are associated with shelters – none of which occur on the footprint.
- Early Iron Age Sites typically occur along major river valleys below the 700m contour in KwaZulu-Natal. It is very unusual to find sites above the 1000m contour. The project area is situated above the 1000m contour far removed from a major river valley setting. It is therefore most unlikely to expect Early Iron Age sites on the footprint.
- Later Iron Age (perhaps historical) sites appear to occur in the project area. These sites were occupied by the ancestors of the first Nguni-speaking agriculturists as well as their descendants who settled in KwaZulu-Natal. The majority of these occur near Nquto but there is a distinct possibility that such sites may also occur within, or close to, the project area.
- Historical buildings, structures, mission stations and farmsteads do occur scattered throughout the greater Vryheid region. The desktop study indicated that various historical buildings occur in the nearby towns of Vryheid and Dundee. Historical era buildings and structures could occur near the project area.
- The greater Vryheid area also figured prominently during the Anglo-Zulu and Anglo Boer Wars. It is possible that activities relating to these conflicts also took part at the project area.
- Graves and graveyards occur scattered throughout the greater Vryheid area. The probably evidence for traditional homesteads in the past, on the study footprint, render the likelihood of graves within the study footprint very likely.

7. Assessment of Significance and Value of the Study Area and Footprint

7.1. Heritage Markers on the Study Footprint and on the Surrounding Area

A number of impressions on the landscape within the study footprint are highly suggestive of past prehistoric, or historic, traditional Iron Age homesteads, and land disturbance. These impressions are scattered throughout the study area, most notably towards the southern parts of the study footprint, and should these be past homesteads, then the likelihood for the presence of graves are very likely.

The rocky areas within the study footprint, to the north, may have evidence for Stone Age tools. These may include both Middle and Later Stone Age tools, and artefacts.

There is also some indication of activity associated with the Settler-, or Colonial-period, or at least, with the Historical Period. These are apparent in the form of imprints upon the

landscape, when viewed from Google Earth Images. There are no obvious historical buildings, or features, or apparent battle, or skirmish sites, on the study footprint.

If any heritage features are uncovered during development, all work must immediately cease, and the provincial heritage authority, Amafa, must be notified, without delay.



Figure 10. The yellow arrows indicate the impressions upon the landscape which are highly suggestive of prehistoric / historic traditional Iron Age-type settlements within the study footprint. These homesteads each carry the possibility of the presence of hidden graves. Google Earth.



Figure 11. The entire area within the green circle indicates the likelihood of past traditional settlement. Graves may be associated with these homesteads, as would artefacts such as pottery, grindstones (upper and lower stones), some remnant walling, and possible engraved portable stones. Any evidence of any archaeological object, or features, must halt all development work, and the provincial heritage authority must be contacted without delay to assess the significance of the site. The orange arrows indicate areas of erosion, and some rocky / stony areas which may reveal the presence of some Stone Age artefacts. Google Earth.

7.1.2. Iron Age / Historical Features

As mentioned previously, central and southern portion of the study footprint provide indication of the impressions of previous traditional homestead features upon the landscape. The most obvious of these is, is the clear remnants of a traditional homestead in the south-west corner of the study footprint. Here there is evidence for dwellings, cattle, or livestock, kraals, and even a significant tree situated within the centre of the homestead under which residents would sit during the day, and sometimes hold meetings, or traditional court procedures. It is possible that living descendants, or even occupiers, of this homestead remain in the area. There are quite possibly hidden graves in this area. I would caution that development should not take place on this area, and that a buffer of some ten metres be afforded the area.



Figure 12. In the south-eastern corner of the study footprint is a clear impression (delineated by the blue polygon) of a large extended traditional Iron Age / historical period homestead. It includes many features, such as dwellings, livestock enclosures, a central symbolic tree, and there are also likely to be other associated artefacts, such as pottery and grinders. There may also be graves, not obvious on the ground surface. It is suggested that development of this area be avoided, and that a buffer of at least 10 metres be afforded this area. It is also possible that past residents, or the descendants of past residents, may be living in the near vicinity. Google Earth.



Figure 13. Outside of the study footprint, to the south-west, there are clear impressions of further past traditional homesteads. Some of these are indicated by the blue arrows. Any development work must be mindful of the area outside of the study footprint as the extensive past traditional settlement which is evident inside of the study footprint does extend to the outer perimetres of the delineated study footprint. Google Earth.

7.1.3. Historical Imagery of the Study Footprint

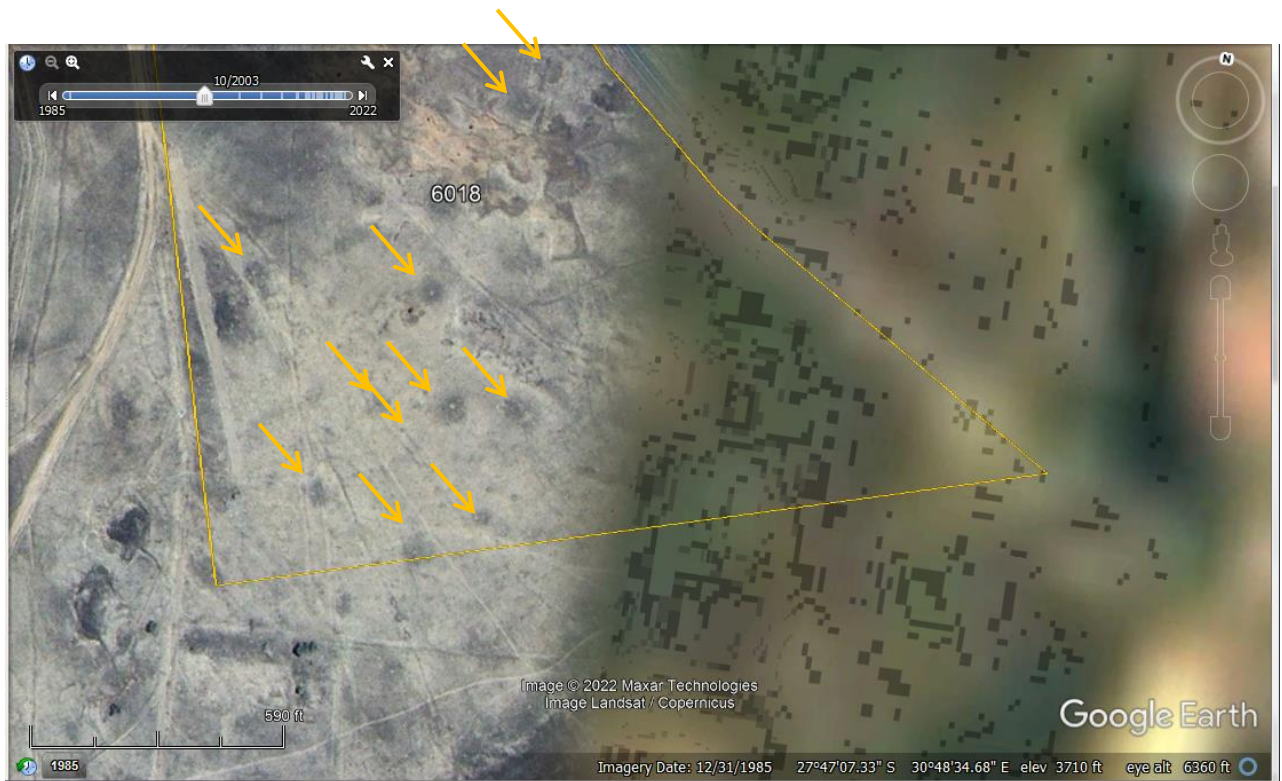


Figure 14. This historical Google Earth image, dating to the October 2003, clearly shows impressions upon the landscape within the study area that very possibly are the remnants of Iron Age / Historical Period traditional dwellings. These impressions are indicated by the yellow arrows. Google Earth.



Figure 15. This historical image, also dating to October 2003, also clearly shows impressions of possible historical dwellings to the north of the study footprint (yellow arrows), and in fact, appears to also show some walling, and perhaps even structures (green arrows). Google Earth.

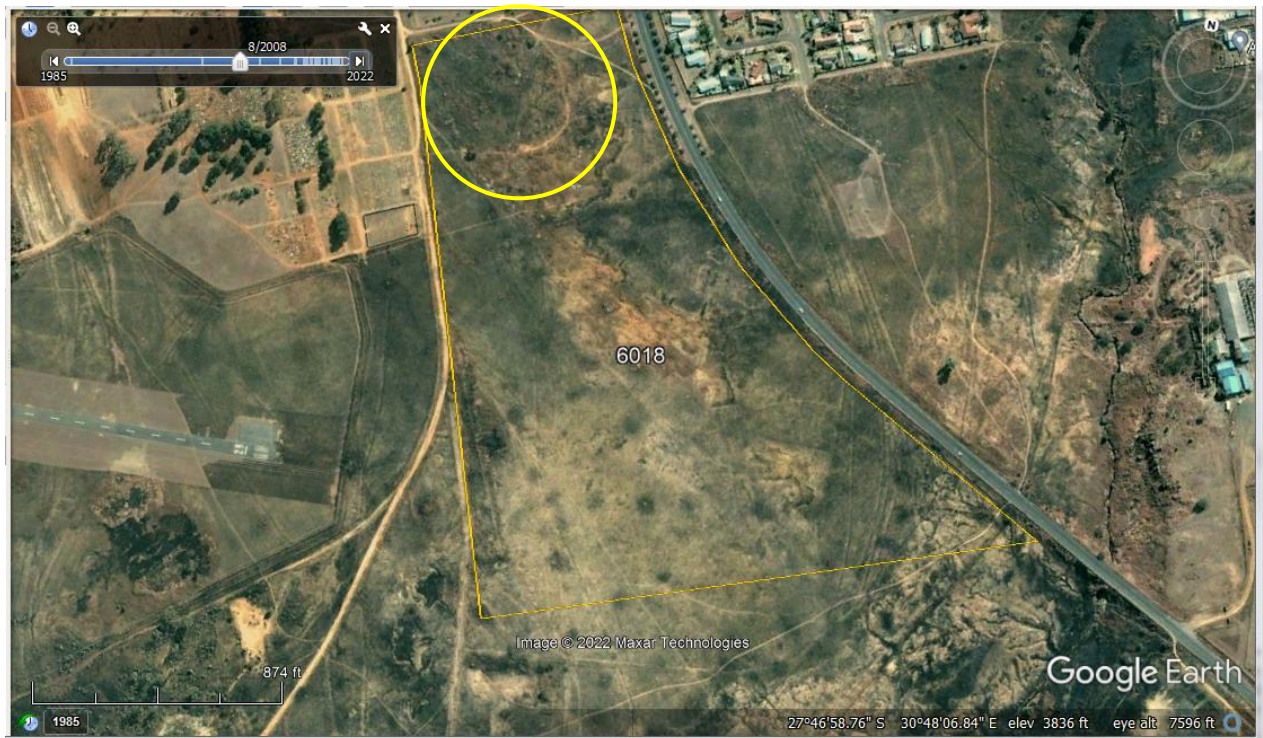


Figure 16. This historical Google Earth image, dating to August 2008 shows the absence of the structures visible on the previous historical images, to the north of the study footprint (indicated by a bright yellow circle). It does, however, clearly show the various impressions of possible past homesteads, indicated by numerous arrows in the previous images. Google earth.

There are a number of heritage markers/features, and possible heritage markers/features located on, or within the immediate environs of the study footprint. None of these are, apparently, highly significant, and are unlikely to impact significantly upon the proposed development. The exception may be the apparent previous homestead to the south-eastern section of the study footprint. Possible features that may impact in some way upon the development include:

- A possible past traditional homestead on the south-eastern section of the study footprint;
- Various impressions on the landscape within the study footprint that may indicate past traditional homesteads, and associated features, such as livestock kraals, and artefacts such as pottery shards, grinders, beads, middens and most notably, hidden graves.

- There are areas of erosion on the study footprint. Within these, and other areas Middle and Later Stone Age tools may become visible during development work.

7.1.4. Heritage Sites within the General Area of the Study Footprint

There are a number of recognised and documented heritage sites in the general vicinity of the study footprint. These include sites and features from various periods, including:

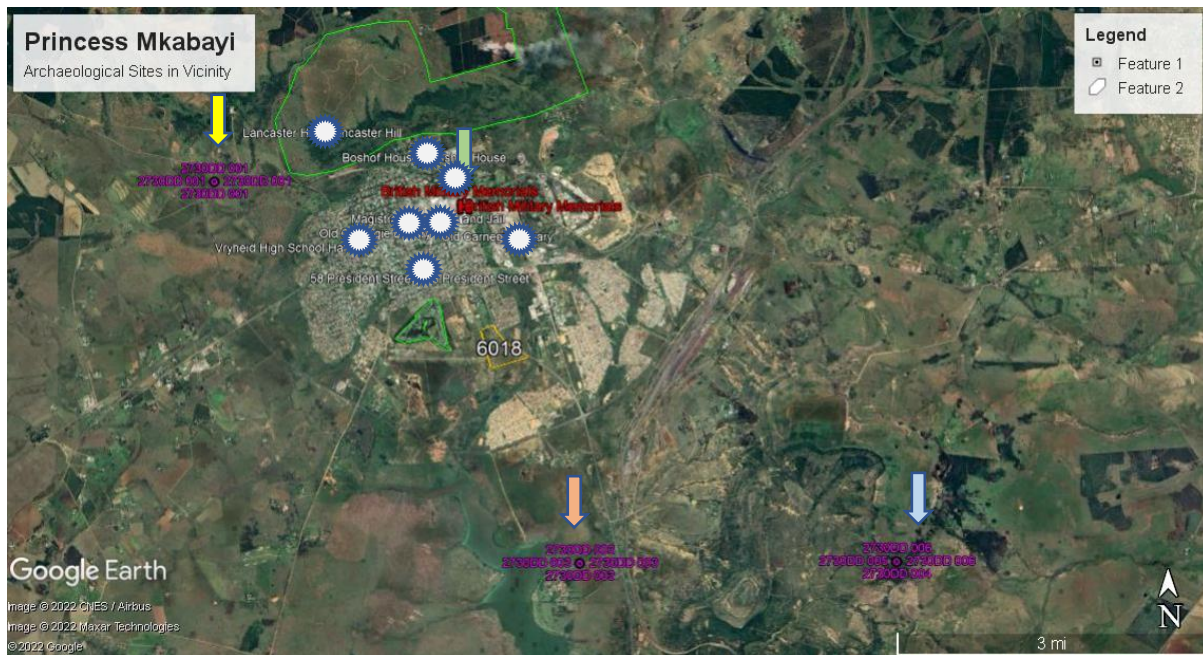


Figure 17. This map shows the closest documented heritage sites and features to the study footprint (outlined in green). These include Middle Stone Age (yellow arrow), Early, Middle and Late Stone Age (light blue arrow, prehistoric site (Pink arrow), a British Military Memorial (green arrow), various heritage buildings and features, mostly including built heritage (white dots). Google Earth.

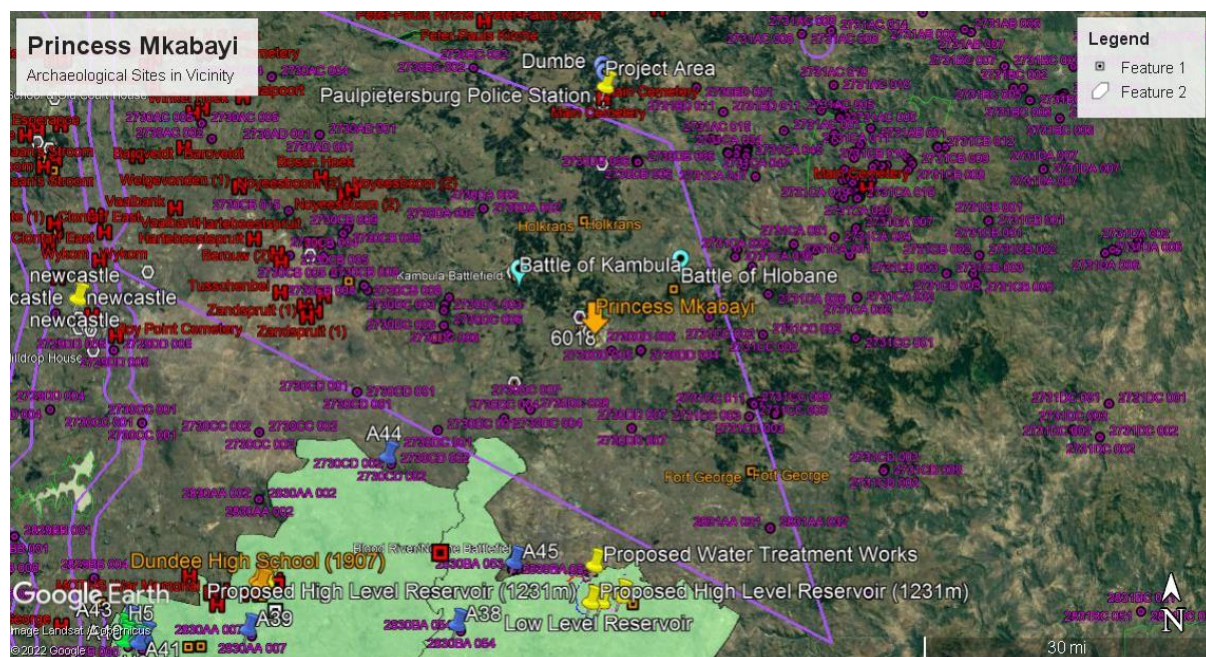


Figure 18. Provides some insight into the density of heritage sites in the greater region. It is a very highly populated heritage area. Google Earth.

TABLE 2. PRESENTING THE PRESENCE AND LIKELY INCIDENCE OF PREHISTORIC, HISTORIC AND HERITAGE FEATURES BOTH WITHIN THE STUDY FOOTPRINTS AND WITHIN A 1 KILOMETRE OF THE STUDY FOOTPRINTS

Table 1. Heritage features and likelihood of incidence

Type of Heritage Feature	Degree of Incidence	Within Footprint, or Degree of Likelihood within Footprint	Within 1 kilometres radius of footprint
Graves	Possible presence	Likely	Likely
Historic structures or foundations	Various indicators of historic/prehistoric homesteads in the close vicinity of study footprint, and within the study footprint are very likely.	Possible historic/heritage features very likely.	Very likely.
Historic middens	Possible Incidence.	Possible.	Possible
Iron Age / Historical Artefacts	Likely. Including pot shards, stone grinders, beadwork, metal objects.	Likely.	Likely.
Oral history and mythology	Possible	Not indicated	Not indicated
Stone Age Tools	Possible. Including Middle and Later Stone Age tools and flakes.	Possible.	Possible.
Artwork	Iron Age / Historic	Possible.	Possible.

Period engraved boulders and rocks are a possibility in this area, and within the study footprint.

The various heritage resources associated with Princess Mkabayi Mixed Development study footprint **Significance Gradings** are as follows:

TABLE 3. VARIOUS HERITAGE INDICATORS POSSIBLY PRESENT ON MKABAYI MIXED DEVELOPMENT STUDY FOOTPRINT

Heritage Indicator	Historic	Aesthetic	Scientific	Social	Rarity	Representivity
Extensive past traditional homestead on south-eastern section of the study footprint	Low	No	Most likely low	Uncertain	No	Yes
Abandoned historic/prehistoric homesteads	Low	No	Low	Uncertain	No	Yes
Graves	Possible	No	No	Possible	No	N/A
Stone Age Artefacts	Low	No	Low	Low	Low	Yes
Iron Age / Historic Period Engraved Rocks	Yes	Yes	High	Possible	High	High

The following table provides the various ratings of heritage resources, following the guidelines as outlined by SAHRA. These ratings will guide the ratings of significance of the heritage resources and indicators present, and possibly present, at the proposed Princess Mkabayi Mixed Development site.

TABLE 5. FIELD RATING AND RECOMMENDED GRADING TABLE OF HERITAGE INDICATORS (BASED UPON FIELD RATING AND GRADING TABLE, SAHRA, 2005).

Level	Details	Action
National (Grade I)	The site is considered to be of National Significance	Nominated to be declared by SAHRA
Provincial (Grade II)	This site is considered to be of Provincial significance	Nominated to be declared by Provincial Heritage Authority
Local Grade IIIA	This site is considered to be of HIGH significance locally	The site should be retained as a heritage site

Local Grade IIIB	This site is considered to be of HIGH significance locally	The site should be mitigated, and part retained as a heritage site
Generally Protected A	High to medium significance	Mitigation necessary before destruction
Generally Protected B	Medium significance	The site needs to be recorded before destruction
Generally Protected C	Low significance	No further recording is required before destruction

TABLE 7. TABLE GRADING OBVIOUS HERITAGE RESOURCES VISIBLE, AND POSSIBLE HERITAGE RESOURCES, ON PRINCESS MKABAYI MIXED DEVELOPMENT STUDY FOOTPRINT

Feature and Artefact	Level	Details	Action
Extensive Possible Homestead on south east of site	Generally Protected A	High to Medium Significance	Further investigation regarding collection of oral history is necessary before destruction of the site. Possible site may require to be retained and a buffer instituted. Graves may be present.
Widespread and multiple imprints of past traditional homesteads and associated features and artefacts throughout the site.	Generally Protected	Medium significance	The site needs to be recorded before destruction
Hidden Graves	Local Grade IIIB	This site is considered to be of high significance locally	Mitigation is necessary, and it may be that a buffer must be created around the grave, and the grave retained, or supervised removal may be permitted, Further investigation regarding the

			identity of the grave must be implemented among local communities before further work may progress,
Stone Age Tools	Generally protected B	Medium Significance	Recording is required before collection and storage by heritage officers
Iron Age / Historic Period Enraged Stones	Local Grade IIIA	These are considered to be of high significance locally	They should be retained as heritage features, or at the very least, recorded by heritage professionals, and collected

The following Table provides a Statement of Significance for each of the possible heritage indicators present and adjacent to the **proposed Princess Mkabayi Mixed Development**.

TABLE 8. FIELD RATING AND RECOMMENDED GRADING OF OBVIOUS HERITAGE INDICATORS RELATING TO UMZUMBE LIBRARY DEVELOPMENT (BASED UPON FIELD RATING AND GRADING TABLE, SAHRA, 2005).

Significance criteria in terms of Section 3(3) of the NHRA	
Significance	Rating
1. Historic and political significance - The importance of the cultural heritage in the community or pattern of South Africa's history.	Possible that some homestead remains among the local community retain significance in the form of oral history and memory. Graves would also carry high significance if associated with a known identity.
2. Scientific significance – Possession of uncommon, rare or endangered aspects of South Africa's cultural heritage.	Some indicators of abandoned homesteads. Not significant.
3. Research/scientific significance – Potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage.	Not significant.

4.	Scientific significance – Importance in demonstrating the principal characteristics of a particular class of South Africa’s cultural places/objects.	Not significant.
5.	Aesthetic significance – Importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.	Not significant.
6.	Scientific significance – Importance in demonstrating a high degree of creative or technical achievement at a particular period.	Not significant.
7.	Social significance – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.	This may be possible among members in the local community.
8.	Historic significance – Strong or special association with the life and work of a person, group or organization of importance in the history of South Africa.	Not significant.
9.	The significance of the site relating to the history of slavery in South Africa.	None.

8. Palaeontological Analysis

The Palaeo Significance Overlay Map borrowed from SAHRIS (South African Heritage Resources Information System) official website indicates that the study footprint lies within a red area. This denotes that the study footprint lies within the area of the highest palaeontological sensitivity. From this perspective, a Phase II Paleontological Field Assessment is required by a registered Palaeontologist.



Colour	Sensitivity	Required Action
RED	VERY HIGH	field assessment and protocol for finds is required
ORANGE/YELLOW	HIGH	desktop study is required and based on the outcome of the desktop study, a field assessment is likely
GREEN	MODERATE	desktop study is required
BLUE	LOW	no palaeontological studies are required however a protocol for finds is required
GREY	INSIGNIFICANT/ZERO	no palaeontological studies are required
WHITE/CLEAR	UNKNOWN	these areas will require a minimum of a desktop study. As more information comes to light, SAHRA will continue to populate the map.

Figure 16. Palaeo Significance Overlay Map taken from SAHRIS official website. This map indicates that the footprint lies in an area of very high palaeontological sensitivity, and therefore requires a Phase II palaeontological field assessment by a registered palaeontologist. The general location of the study footprint is indicated by a yellow circle.

7. The National Heritage Resources Act as applicable to Heritage Features identified on the Study Footprints, and within a 1 kilometre radius of the Study Footprints

The National Heritage Resources Act (NHRA)(Definitions, section 2(v) the significance of heritage sites and artifacts, is determined by aesthetic, historical, scientific, social, spiritual, linguistic or technical value in relation to the uniqueness, condition of preservation, and research potential of each indicator. These significances have been discussed earlier in this report, and the significances of these historic and heritage features and indicators assessed

using various relevant heritage criteria, have been presented. These findings have contributed to the conclusions reached in this section of the report.

The primary clause of the NHRA that has triggered the request for this Basic Heritage Impact Assessment is Section 38 (1)(c)(i), which states that:

“...any person who intends to undertake a development categorised as—any development or other activity that will change the character of a site – exceeding 5000m² in extent...”.

The National Heritage Resources Act (NHRA) is very clear about the identification, recording and management of any heritage resources encountered during planned developments and heritage impact assessments. All heritage resources are afforded either Formal, or General Heritage Protection. Pertaining to this particular report are General Protections, as follows:

NHRA Part 2: General Protections,

Archaeology, palaeontology and meteorites

35. (1) *Subject to the provisions of section 8, the protection of archaeological and palaeontological sites and material and meteorites is the responsibility of a provincial heritage resources authority:*

(2) Subject to the provisions of subsection (8)(a), all archaeological objects, palaeontological material and meteorites are the property of the State. The responsible heritage authority must, on behalf of the State, at its discretion ensure that such objects are lodged with a museum or other public institution that has a collection policy acceptable to the heritage resources authority and may in so doing establish such terms and conditions as it sees fit for the conservation of such objects.

(3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

(4) No person may, without a permit issued by the responsible heritage resources authority—

(a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;

(b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;

(c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or

(d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

Part 2: General Protections,

Burial grounds and graves

36. (1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.

(2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associated

with the grave referred to in subsection (1), and must maintain such memorials.

(3) (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority—

(a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;

(b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority;

It must also be noted that all archaeological, heritage, and grave features older than 60 years are protected by National Heritage Legislation, Should any such features or objects be exposed by the developers then all work must stop and a heritage consultant, or the provincial heritage authority, Amafa, be contacted for further advice. This direction is encapsulated in the following clauses extracted from the National Heritage Resources Act, under:

Part 2: General Protections,

Section 35(3), Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

And,

Part 2: General Protections,

Section 36 (6) Subject to the provision of any other law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority—

(a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and

(b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.

8. CONCLUSIONS AND RECOMMENDATIONS

A **Heritage Impact Assessment Report** of a development site should generically cover:

1. The identification of all heritage resources within the development footprint, and in the area surrounding the site in question.
2. The mapping of these heritage resources.
3. An assessment of the heritage significance of these resources.
4. An assessment of the potential impact that the development would have on these heritage resources.
5. An appraisal of the impact such development would have on the affected heritage resources, in relation to the sustainable social and economic benefits to be derived from the development.
6. Public and Stakeholder Consultation.
7. Various options available to the clients and developers should the development adversely affect the heritage resources.

According to Section 3 (2) of the NHRA, the heritage resources of South Africa include:

“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 palaeontological sites;*
- g. graves and burial grounds, including*
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 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 terms of section 3 (3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of:

- “a. its importance in the community, or pattern of South Africa's history;*
- b. its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;*
- c. its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;*
- d. its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;*
- e. its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;*
- f. its importance in demonstrating a high degree of creative or technical achievement at a particular period;*
- g. its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;*
- h. its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and*
- i. sites of significance relating the history of slavery in South Africa.”*

8.1. Recommendations

Since it is probable that an extensive Iron Age / Historical Period traditional settlement covers the entire study footprint, and that other heritage features, or archaeological and cultural features, exist on the site, it is recommended that:

1. The site be cleared of the covering vegetation in order to permit a heritage officer / consultant to correctly identify, and to obtain the GPS co-ordinates, of any definite heritage, or archaeological features, on the site.

Iron Age / Historical Period traditional settlements often include hidden graves. These are of high significance, and it is probable that further mitigation will be required if development is to continue. Often hidden graves are not visible from the ground surface, and only become apparent when excavation occurs. If any burials are uncovered, then all work must cease immediately, and the provincial heritage authority, Amafa, must be contacted for further direction.

Pottery shards, grinders, metal objects, and engraved stones (see Hall, 2021) may be encountered on site in association with traditional Iron Age / Historical sites. These will be left, collected, recorded as seen fit by the attendant heritage officer. Engraved stone hold high significance, and mitigation will be required, as seen fit by Amafa.

This recommended procedure applies equally to any Early, Middle, or Late Stone Age sites, features, and objects encountered on site.

2. Living Heritage is a concern in this region (see Hall, 2021). In the past, due to various inter-ethnic skirmishes, local removals, and political upheavals and disturbances, various groups have moved away from this area, and settled elsewhere. However, a number of members of such groups have filtered back into the area to form small communities. There are also communities and groups who have remained in the area for significant periods of time. It is possible that the past homesteads on the study footprint may have been inhabited by the direct ancestors of living people. It is also possible that Living Memory, and Oral History, may be attached to the settlements, as a whole, or to specific homesteads, and to hidden graves (see Hall, 2021). It is therefore suggested that the implementers of the intended development place a notice in local newspapers of a Community Meeting, at a specific date, at a specific venue during which the developers may outline the intended benefits, and benefits of such development to the public. Interested members of the public will have an opportunity to come together, and to voice their concerns, relationships to the site, any existing memories, and oral history. This may then be noted and recorded. Any concerns raised during such meeting will need to be addressed. In this way, any Living History issues may be attended to in a satisfactory manner to all.
3. The high palaeontological sensitivity of the area within which the study footprint is situated necessitates that a Field Paleontological Assessment be conducted by a registered palaeontologist. This report should be submitted to, and considered by, the provincial heritage authority. It is important to take note, once again, of the KwaZulu-Natal Heritage Act that requires that any exposure of graves and archaeological and historical residues as well as fossils should cease immediately pending an evaluation by the heritage authorities.

8.2. Procedure to Follow Upon the Discovery of Heritage Resources

The exact procedure for any chance finds of heritage resources, such as graves, archaeological residues, any fossils, would be that 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 for inspection. The provincial heritage resource agency (Amafa) must also be informed about the finding. The heritage specialist will assess the significance of the resource and provide guidance on the way forward.

Written permission 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 5m 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 remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, whether of recent origin or not, without the necessary permission.

8.3. Conclusion

A heritage survey of the proposed development of Princess Mkabayi Mixed Development identified potential heritage resources on site. These include visual aerial photographic evidence of the imprints of a large and extensive Iron Age / Historical Period traditional settlement throughout the study footprint. These homesteads are likely to be associated with pot sherds, stone grinding stones, and possibly graves. There may also be portable engraved stones. These are of significance and should be treated with care.

It is also possible that Early, Middle and Late Stone Age tools may be present on site. Certainly, the presence of fossil remains is very high. The incidence of any of the above should result in the Project Manager contacting Amafa immediately, and to await their direction. The National Heritage Resources Act, 1999 (Act No. 25 of 1999) which, requires that operations that expose archaeological or historical remains should cease immediately, pending evaluation by the provincial heritage resources authority.

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