



Attention Bernadet Pawandiwa

Heritage Scoping Report

Proposed Land Use Change and Subdivision of the Remainder of Lot 35 Marburg No. 4956, Ugu District Municipality, KwaZulu-Natal

Project description [information provided by Stott, Milton and Conway – Professional Land Surveyors]¹

The application site is 77.42 Ha in extent and bounded in the East by Kwandwalane Traditional Authority, and in the West by the Port Shepstone CBD. Apart from 17 existing communal houses, 29 existing disaster houses and 30 existing encroaching houses, the site is vacant and currently unused. Land use on the application site was previously predominantly agriculture, but the site has been left unmanaged for a number of years.

The proposed development, undertaken in conjunction with the Ugu District Municipality, will comprise of 142 Free Standing Residential Housing Units in a Settlement Pattern, Community Hall, All Skills Centre, Educational Buildings, Buy Back Recycling Centre, Cash and Carry Centre and Petrol Service Station; Light Industrial and Commercial together with the associated infrastructure (See Site Development Plan as loaded to SAHRIS Case File).

A Brief History of the Application Site's Tenure

In the opening years of the 20th Century the American Assembly of God Ministries moved to Alfred County, southern Natal, to begin evangelical work amongst the tribal authorities settled between the uMzimkulu and uMthavuna Rivers. To this end they established mission stations at Mansfield in Port Shepstone and at Elim in Paddock². In 1928 Dr William Barton, an Englishman, took up an offer from the Assembly of God missionaries and established a clinic for African patients at Murchison, overlooking the middle reaches of the Bhobhoyi River between Port Shepstone and Paddock. This clinic became known as KwaBathini” – The Place of Barton.

¹ See Motivating Memorandum as loaded to SAHRIS Case File

² T. Gilpin. Murder, Missionaries, and Medicine. Believer's Magazine. October 2008

Barton was eventually granted land by Chief Duka Fynn of the Nkumbini Traditional Authority³, and in 1929 erected a wood and corrugated iron building at the site of his open-air clinic. This was the humble beginnings of the Murchison Mission Hospital.⁴ The land grant exceeded the requirements of even the expanded hospital precinct over time and a decision was taken to transfer the unused portions of land to faithful members of the mission's resident congregation.

However, the Natives Land Act (Act No. 27 of 1913) prevailed at the time of transfer. Section 1(a) of the Act clearly stated that "*A native shall not enter into any agreement or transaction for the purchase, hire, or other acquisition from a person other than a native, or any such land or of any right thereto, interest therein, or servitude there over.*" Consequently, none of the beneficiaries were able to claim title to the land although some descendants of beneficiaries did come to occupy it.

In 2005 the Nyenyezi Communal Property Association (NCPA), a legal community entity that represents the dispossessed members of the Nyenyezi Local Community who were discriminated as a result of the Natives Land Act, attained the current application site through a land restitution claim. In terms of the NCPA constitution, the NCPA is obliged to settle 53 family households on the said site. The above proposed development and the resettlement of beneficiaries is to be undertaken in terms of an M.o.U between Ugu DM and the NCPA.

Site assessment and recommendations

eThembeni staff conducted a site inspection on 03 September 2015. Generally, the topography of the site is moderate to steeply undulating and is divided in two distinct units. To the North East the site is located on a North Western facing side slope of a topographic spur characterized by bold convex hilltops and concave valley heads. Along the South Eastern boundary a relatively wide flat valley bottom (a tributary to the Boboyi River) defines the boundary. The portion of the application site to the South West includes hills and spur crests, which are generally flat to rounded and which fall steeply down to the Bhobhoyi River drainage.

The site is covered by sour coastal grassveld and the riparian zones are characterised by a strong woody element comprising some indigenous, but mostly alien invasive species.

Previous agrarian activities, including contour ploughing of the steeply sloped topography, has removed any archaeological material that may have been present, out of primary context. No archaeological residues were observed.

Ten (10) grave locations were located during the survey. Table 1. All grave locations are contained within existing homestead precincts and are known to the resident families. All these homestead precincts will be incorporated into the proposed residential housing scheme. No graves will be impacted upon or wilfully disturbed.

³ Cele, Nokuthula. P. 2009. The Historiography of the kwaMachi People: a Frontier Community between amaZulu and amaMpondo in the Nineteenth Century. *Journal of Natal and Zulu History*, 27: 1-21.

⁴ <http://www.kznhealth.gov.za/murchison/history.htm>

Table 1.

Resident Family	No. of Graves	S	E
Ngcobo	1	30° 44.497'	30° 23.988'
Mtolo	2	30° 44.522'	30° 24.071'
Leo	1	30° 44.482'	30° 24.047'
Ncama	1	30° 44.417'	30° 24.078'
Banda	1	30° 44.371'	30° 24.055'
Mavundla	3	30° 44.561'	30° 23.863'
Gwala	3	30° 44.469'	30° 44.469'
Name indet.	3	30° 44.011'	30° 24.309'
Hlope	2	30° 44.261'	30° 24.107'
Hlope	3	30° 44.154'	30° 24.025'

Drennan Maud Pty Ltd has undertaken a geotechnical investigation⁵. The site is underlain by weathered Dwyka tillite bedrock which has been intruded by Karoo age dolerite. The Dwyka Tillite, a glacial diamictite, occurs across the site and is typically moderately to completely weathered. This produces a pale yellow to light grey, soft to medium hard rock. Overlying the completely weathered tillite is residual tillite and overlying the residual tillite is a colluvium / top soil, which increases in thickness away from hill tops and spur ridges or elevated areas. This formation is considered moderately sensitive in terms of its palaeontology (Groenewald 2012)⁶. However, the bedrock is massive, undifferentiated material and intruded by dolerite. Consequently the study area is of low to no palaeontological significance and no desktop study is required (per.comm. Dr John Almond [Palaeontologist *Natura Viva* cc. naturaviva@universe.co.za])

Accordingly, we request that Amafa allow the proposed development scheme to proceed with no further heritage resource mitigation.

In this regard, please can you notify us timeously via the loaded SAHRIS case file as to the decision of Amafa.

Yours sincerely



Len van Schalkwyk
Principle Investigator.

⁵ See Motivating Memorandum as loaded to SAHRIS Case File

⁶ Groenewald, G. 2012. Paleontological Technical Report for KwaZulu-Natal. Metsi Metseng Geological and Environmental Services.

Figures

See SAHRIS Uploads to Case File

- FIGURE 1** PAN VIEW OF SITE FROM TRIG. BEACON SHEP 3_ 178.9m ASL.
- FIGURE 2** COLLAGE OF IDENTIFIED GRAVE SITES WITHIN HOUSEHOLD PRECINCTS
- FIGURE 3** COMMUNITY GRAVEYARD EXCLUDED FROM CURRENT DEVELOPMENT