

**IMBALI STUDENT ACCOMMODATION AND RETAIL
DEVELOPMENT, IMBALI, UMSUNDUZI LOCAL
MUNICIPALITY, KWAZULU-NATAL**

Phase 1 Heritage Impact Assessment

7 March 2022

**FOR: Vukanih Consultants & Contractors
Vukani Ngwabi**

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EXECUTIVE SUMMARY

ZMM Investment Pty (Ltd) proposes to construct student accommodation and retail shops that are to be located in Imbali which falls within the uMsunduzi Local Municipality, UMgungundlovu District Municipality. The proposed development consists of student accommodation, retail shops, a pool area, combo court, volley ball court and an outdoor gym.

The site is approximately 2.0658 hectares (20658 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 require an HIA. The relevant sub-section refers to: any development or other activity which will change the character of a site- (i) exceeding 5000 m².

The proposed development will take place on Erf 2218 which is situated on FJ Sithole Road, Imbali, Pietermaritzburg. The site is located between Zibukezulu Technical High School and a sports stadium. An inspection of the site was undertaken on 2 March 2022. The site is heavily overgrown with vegetation and an existing path was used to inspect the site.

The 1944 aerial photograph of the project area and surrounds clearly shows FJ Sithole Road as well as some dwellings on both sides of the road. The site proposed for the student accommodation and retail shops is vacant at the time of the photograph. The 1967 aerial image of the area shows a housing development east, north-east and south of the project site, with the proposed site still vacant.

A path that crosses the site was used to inspect the site as most of the site was covered with a dense grass and vegetation layer. Some areas were impassable due to the denseness of the vegetation. No heritage sites were found during the inspection. Students walking past the project site were asked about possible heritage resources on the site. All the students indicated that there were unaware of any sites.

The fossil sensitivity map indicated that the project site falls within an area of moderate fossil sensitivity which requires a desktop palaeontological study. The study found that the site is situated on the Pietermaritzburg Formation which is composed of dark silty mudrock, that coarsens upwards with bioturbated and deformed sandy and silty beds at the top of the sequence. According to the study, soils from this formation do not preserve fossils and so far, there are no records from the Pietermaritzburg Formation of plant or animal fossils in the region so it is very unlikely that fossils occur on the project site. As there is a very small chance that fossils may occur below ground in the shales of the early Permian Pietermaritzburg Formation, it was

recommended that a Fossil Chance Find Protocol should be added to the Environmental Management Programme.

During the inspection, no heritage sites were found. Visibility was poor due to the thick vegetation cover across the site; however, historical aerial images of the site indicate that there has been no habitation or other activity on the site which would explain the lack of heritage sites. The construction of the Imbali student accommodation and retails shops can proceed as long as the recommendations and mitigation measures provided in this report and in the desktop palaeontological report are implemented.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	ii
TABLE OF CONTENTS	iv
1. INTRODUCTION	6
2. LEGISLATIVE BACKGROUND	6
3. LOCATION	7
4. TERMS OF REFERENCE	7
5. METHODOLOGY	10
6. HISTORICAL BACKGROUND OF AREA	10
7. RESULT OF SITE INSPECTION	13
8. DISCUSSION AND CONCLUSION	18
9. MITIGATION MEASURES	18
10. REFERENCES	19

FIGURES

Figure 1: Surrounding area with project area outlined in blue.....	8
Figure 2: Closer view of project area outlined in blue	9
Figure 3: 1943 aerial image of project area and surroundings	12
Figure 4: 1967 aerial image project project site and surroundings	13
Figure 5: View of site with FJ Sithole Road visible in background.....	14
Figure 6: Removal of soil from site near road.....	14
Figure 7: Northern boundary of site with Zibukezulu Technical High School	15
Figure 8: View towards eastern boundary of site with houses visible on other side of wall.....	15
Figure 9: Southern section of project area showing boundary wall with sports stadium	16
Figure 10: View westwards across project site	16
Figure 11: View of site looking from road eastwards.....	17

APPENDIX 1

Desktop palaeontological study

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.

SPECIALIST DETAILS

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

1. INTRODUCTION

ZMM Investment Pty (Ltd) proposes to construct student accommodation and retail shops that are to be located in Imbali which falls within the uMsunduzi Local Municipality, UMgungundlovu District Municipality. The proposed development consists of student accommodation, retail shops, a pool area, combo court, volley ball court and an outdoor gym (Vukanih Consultants and Contractors 2022:1).

The Phase 1 Heritage Impact Assessment (HIA) was undertaken to establish if any heritage resources would be impacted by the proposed development.

2. LEGISLATIVE BACKGROUND

The site is approximately 2.0658 hectares (20658 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 require an HIA. The relevant sub-section refers to: any development or other activity which will change the character of a site- (i) exceeding 5000 m².

The project may also impact graves, 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 National Heritage Resources Act 1999 (Act No 25 of 199), heritage resources are:

- (a) places, buildings, structures and equipment of cultural significance;
- (b) places to which oral traditions are attached or which are associated with living heritage;
- (c) historical settlements and townscapes;
- (d) landscapes and natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and paleontological sites;
- (g) graves and burial grounds, including—
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the *Gazette*;
 - (v) historical graves and cemeteries; and

- (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) 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).

3. LOCATION

The proposed development will take place on Erf 2218 which is situated on FJ Sithole Road, Imbali, Pietermaritzburg. The centre of the site is at 29°39'00.20" S; 30°21'06.32" E. The site is located between Zibukezulu Technical High School and a sports stadium (see **Figures 1 and 2**).

4. TERMS OF REFERENCE

Undertake a Phase 1 HIA in order to determine the possible existence of heritage resources, as listed above, that could be impacted by the proposed project. Provide mitigation measures to limit or avoid the impact of the proposed project on heritage resources (if any).

Submit the HIA report to the provincial heritage resources authority, namely the KwaZulu-Natal Amafa and Research Institute (hereafter referred to as the Institute), for their consideration and comment.



Figure 1: Surrounding area with project area outlined in blue

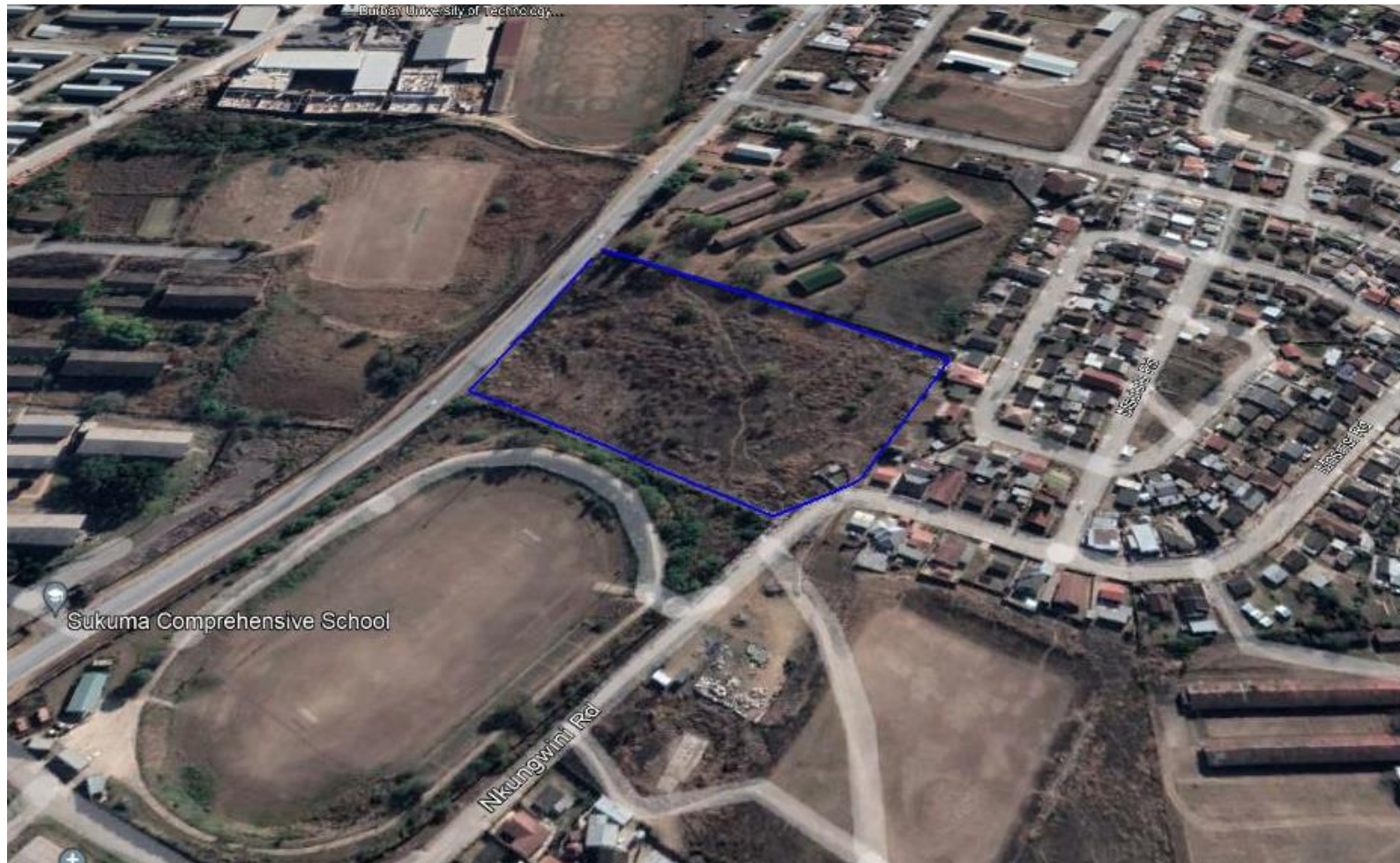


Figure 2: Closer view of project area outlined in blue

5. METHODOLOGY

A survey of literature, including other heritage impact assessment 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 of development.

An inspection of the site was undertaken on 2 March 2022. The site is heavily overgrown with vegetation and an existing path was used to inspect the site. Soil has been removed from the southern corner of the site next to the tar road.

6. HISTORICAL BACKGROUND OF AREA

The greater Pietermaritzburg area and surrounds have a long history of occupation by Stone Age hunter gather groups, Iron Age farming communities and colonial settlers. Middle Stone Age sites occur around the greater Pietermaritzburg area and are often located in rock shelters. The arrival Nguni speaking farming communities from Western Africa during the first half of the 1st millennium AD marks the end of the Stone Age in Southern Africa. During the Early Iron Age, settlements were situated on valley floors and next to rivers. The Later Iron Age period is characterised by stone walled settlements. These Later Iron Age communities in KwaZulu-Natal were the direct ancestors of the present-day Zulu people (NGT Holdings 2018: 24-26).

During the historical period the KwaZulu-Natal region was often left in turmoil due to wars and conflict between the different cultural groups that settled in the area. In the beginning of the 19th century various Nguni-speaking settled on the larger Umngeni Valley area which is located to the north of Pietermaritzburg. During the Mfecane/Difaqane at the end of the 18th and beginning of the 19th centuries, communities who had settled in KwaZulu-Natal were displaced and forced to move by wars between the Zulu chiefdoms (NGT Holdings 2018:26)

Voortrekkers, who became dissatisfied with British rule, started to move from the Cape and in 1837 Piet Retief led the Voortrekkers into Natal, where he met with King Dingane to arrange for permission to settle in Natal (NGT Holdings:26). After the Battle of Blood River, the Voortrekkers settled across the province and named Pietermaritzburg after their leaders Piet Retief and Gert Maritz. In 1843, the town was taken over by the British and became an important staging post in the Colony of Natal (Derwent 2006:58).

Imbali is the IsiZulu word for Flower. Imbali Township was established in 1958 and built in the mid-1960s to settle city workers and employment seekers away from the City of Pietermaritzburg. In 1964, the Department of Bantu Affairs in partnership with Pietermaritzburg Co-operation took over the control of the area. Blacks that were affected by the Group Areas Act, were the first residents of what came to be known as Imbali Bantu Township. It is Pietermaritzburg's biggest and one of the oldest townships and is located 15km west of the city. The Manaye Hall in Imbali was a venue for the All-In-Africa Conference that was organised in March 1961. It is in the Manaye Hall where Nelson Mandela addressed the gathering and made a call for the philosophy of One Man, One Vote (SAHO undated:1).

The 1944 aerial photograph of the project area and surrounds clearly shows FJ Sithole Road as well as some dwellings on both sides of the road. The site proposed for the student accommodation and retail shops is vacant at the time of the photograph.

The 1967 aerial image of the area shows a housing development east, north-east and south of the project site with the proposed site still standing vacant.



Figure 3: 1943 aerial image of project area and surroundings



Figure 4: 1967 aerial image project project site and surroundings

7. RESULT OF SITE INSPECTION

A path that crosses the site was used to inspect the site as most of the site was covered with a dense grass and vegetation layer. Some areas were impassable due to denseness of the vegetation. No heritage sites were found during the inspection. Students walking to the Zibukezulu Technical School and to the Sukuma Comprehensive School were asked about possible heritage resources on the site. All the students indicated that there were unaware of any sites.



Figure 5: View of site with FJ Sithole Road visible in background



Figure 6: Removal of soil from site near road



Figure 7: Northern boundary of site with Zibukezulu Technical High School



Figure 8: View towards eastern boundary of site with houses visible on other side of wall



Figure 9: Southern section of project area showing boundary wall with sports stadium



Figure 10: View westwards across project site



Figure 11: View of site looking from road eastwards

The South African fossil sensitivity map indicated that the project falls within an area of moderate fossil sensitivity which requires a desktop palaeontological study. Such a study was undertaken. The study found that the site is situated on the Pietermaritzburg Formation which is composed of dark silty mudrock, that coarsens upwards with bioturbated and deformed sandy and silty beds at the top of the sequence. According to the study, soils from this formation do not preserve fossils and so far, there are no records from the Pietermaritzburg Fm of plant or animal fossils in the region so it is very unlikely that fossils occur on the project site (Bamford 2022:9-10).

As there is a very small chance that fossils may occur below ground in the shales of the early Permian Pietermaritzburg Formation, it was recommended that a Fossil Chance Find Protocol should be added to the Environmental Management Programme (EMPr). If fossils are found by the environmental officer, or other responsible person once excavations have commenced, then they should be rescued and a palaeontologist called to assess and collect a representative sample. It was concluded that the impact on the palaeontological heritage would be low so, as far as the palaeontology is concerned, the project should be authorised (Bamford 2022:11).

8. DISCUSSION AND CONCLUSION

During the site inspection, no heritage sites were found. Visibility was poor due to the thick vegetation cover across the site; however, historical aerial images of the site indicate that there has been no habitation or other activity on the site since the 1940s which would explain the lack of heritage sites. In addition, discussions with those walking past the project site support this conclusion.

The construction of the Imbali student accommodation and retail shops can proceed as long as the recommendations and mitigation measures provided in this report and in the desktop palaeontological report are implemented.

9. MITIGATION MEASURES

- For any chance heritage finds, all work must cease in the area affected and the Contractor must immediately inform the Project Manager. A heritage specialist must be called to site to inspect the finding/s. The relevant heritage resource agency (the Institute) must be informed about the finding/s.
- The specialist will assess the significance of the resource/s 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 the project 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 the Institute must be contacted. No SAPS official may remove remains (recent or not) until the correct permit/s have been obtained.
- A Fossil Chance Find Protocol must be included in the EMPr for the proposed construction of the student accommodation and shops.

10. REFERENCES

Bamford, M. 2022. *Palaeontological Impact Assessment for the proposed Imbali Accommodation and Retail development, southwest Pietermaritzburg, KwaZulu Natal Province Desktop study (Phase 1)*

Derwent, S. 2006. *KwaZulu-Natal Heritage Sites. A guide to some great places*. David Philip Publishers: Claremont

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South African History Online. Undated. *Imbali Township, Pietermaritzburg*. (<https://www.sahistory.org.za/place/imbali-township-pietermaritzburg>)

Vukanih Consultants and Contractors. 2021. *Notice of Application for Environmental Authorisation for the proposed construction of Imbali student accommodation and retail shops, under uMsunduzi Local Municipality. Background Information Document. January 2021*