

**KING CETSHWAYO PRIVATE AND TRAINING
HOSPITAL, ULUNDI, KWAZULU-NATAL**

Phase 1 Heritage Impact Assessment

November 2018

**FOR: Wagna Projects KZN (Pty) Ltd
Mr. Thulani Mengoe**

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EXECUTIVE SUMMARY

Wagna Projects KZN (Pty) Ltd proposes the development of the King Cetshwayo Private and Training Hospital in Ulundi, Zululand District Municipality, KwaZulu-Natal Province. The project will occupy an area of 4.6 Ha. The project will entail the following: a private hospital accommodating 100/120 beds with an out-patient department, educational facilities, staff and student accommodation, social facilities, and a parking area.

The footprint of the proposed hospital is 4.6 Ha (46000 m²) in size hence it triggers section 38 (1) (c) (i) of the National Heritage Resources Act, 1999 (Act No 25 of 1999) that refers to developments requiring a heritage impact assessment categorised as— (c) any development or other activity which will change the character of a site— (i) exceeding 5 000 m² in extent.

The proposed hospital is situated on Portion 17 of Farm Reserve No: 20 of 15840 registration division GU within section D of the Ulundi Local Municipality

An inspection of the project site on foot was undertaken on 27 November 2018. Visibility was good apart from some areas where there is extensive dumping of building, household and industrial waste. The specialist was accompanied to the site by Induna Andreas Ndwandwe who is also Chairperson of the Mpungose Traditional Council, Mr Victor Shezi, member of the Mpungose Traditional Council and Mr Thulani Mengoe, the project developer.

Induna Ndwandwe pointed out a grave site to the specialist in which members of the Mthemba clan are buried. The graves are located approximately 108 m south of the site of the hospital boundary. There are about 10 graves of various sizes made from packed rock. The grave site is of high heritage significance.

Throughout the project area furrows were found that are elliptical in shape. The furrows were made many years ago and were used to control water run-off and prevent flooding. Eroded areas revealed one or two stone tools but the finds were scattered and ephemeral with no context hence these sites are considered to be of a low heritage significance.

According to the South African fossil sensitivity map, the proposed hospital site falls within an area of moderate fossil sensitivity. An area of moderate fossil sensitivity requires that a desktop palaeontological is undertaken. It is recommended that such a study be undertaken as the project area is largely a greenfields site and the study will determine whether significant fossil will be impacted by the proposed hospital.

The graves pointed out during the site inspection are protected by section 35 of the KZNHA and, if they are older than 60 years, by section 36 (a) (b) of the NHRA. It is recommended that the graves are not moved as graves are of high heritage significance. It is recommended that the grave site is fenced with a 5 m buffer between the graves and the fencing to ensure the protection of the graves during construction.

During the site inspection no heritage resources were found on the footprint of the proposed hospital. Graves were found outside the southern boundary of the development. Due to the moderate fossil sensitivity of the area, the project may proceed only once the desktop palaeontological assessment has been undertaken and any recommendations from this study implemented.

Once the recommendations and mitigation measures have been undertaken, then the construction of the King Cetshwayo Private and Training Hospital may proceed from a heritage perspective.

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TABLE OF CONTENTS

EXECUTIVE SUMMARY	ii
TABLE OF CONTENTS	iv
1. INTRODUCTION	6
2. LEGISLATIVE BACKGROUND	6
3. LOCATION	7
4. TERMS OF REFERENCE	10
5. METHODOLOGY	10
6. HISTORICAL BACKGROUND OF PROJECT AND SURROUNDING AREA	10
7. RESULT OF SITE INSPECTION	12
8. DISCUSSION AND RECOMMENDATIONS	17
9. CONCLUSION	18
10. MITIGATION MEASURES	19
11. REFERENCES	20

FIGURES

Figure 1: Aerial view of larger area encompassing hospital site indicated in blue	8
Figure 2: Closer view of project area indicated in blue	9
Figure 3: Vegetation and ground cover in project area	12
Figure 4: Widespread dumping of waste	13
Figure 5: Cattle grazing on project area with building rubble in foreground	13
Figure 6: Location of cemetery outlined in pink in relation to hospital.....	14
Figure 7: Graves.....	14
Figure 8: Graves made from packed rocks	15
Figure 9: Example of furrow	15
Figure 10: Eroded pathway with ephemeral scatter.....	16
Figure 11: Fossil sensitivity of project area as indicated by yellow rectangle	17

B

SPECIALIST DETAILS

Name	Qualification	Professional Registration
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1. INTRODUCTION

Wagna projects KZN (Pty) Ltd proposes the development of the King Cetshwayo Private and Training Hospital in Ulundi, Zululand District Municipality, KwaZulu-Natal Province. The project will occupy an area of approximately 4.6 Ha in size. The project will entail the following:

- Private hospital accommodating 100/120 beds together with a modern out-patient Department
- Educational facilities
- Staff and student accommodation
- Social facilities, and
- Parking area

JLB Consulting was appointed by Plantago Lanceolata Pty Ltd, the Environmental Assessment Practitioner (EAP) on behalf of Wagna Projects, to undertake the Phase 1 Heritage Impact Assessment (HIA) for the proposed hospital. This is the Phase 1 HIA report for the proposed hospital development.

2. LEGISLATIVE BACKGROUND

The footprint of the proposed hospital is 4.6 Ha (46000 m²) in size hence it triggers section 38 (1) (c) (i) of the National Heritage Resources Act, 1999 (Act No 25 of 1999) that lists activities that require a heritage impact assessment (HIA). The relevant sub-section refers to developments categorised as—

- (c) any development or other activity which will change the character of a site—*
 - (i) exceeding 5 000 m² in extent.*

In addition, the proposed construction of the hospital may impact on graves, structures, archaeological and palaeontological resources that are protected in terms of sections 33, 34, 35, and 36 of the KwaZulu-Natal Heritage Act (KZNHA) (No. 4 of 2008) as well as sections of the National Heritage Resources Act (NHRA).

In terms of section 3 of the NHRA, 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).

The Phase I HIA was undertaken to assess whether any heritage resources will be impacted by the proposed King Cetshwayo Private and Training Hospital.

3. LOCATION

The proposed hospital is situated on Portion 17 of Farm Reserve No: 20 of 15840 registration division GU within section D of the Ulundi Local Municipality which falls within the Zululand District Municipality (see **Figures 1** and **2** below). The project area is currently vacant and open space.

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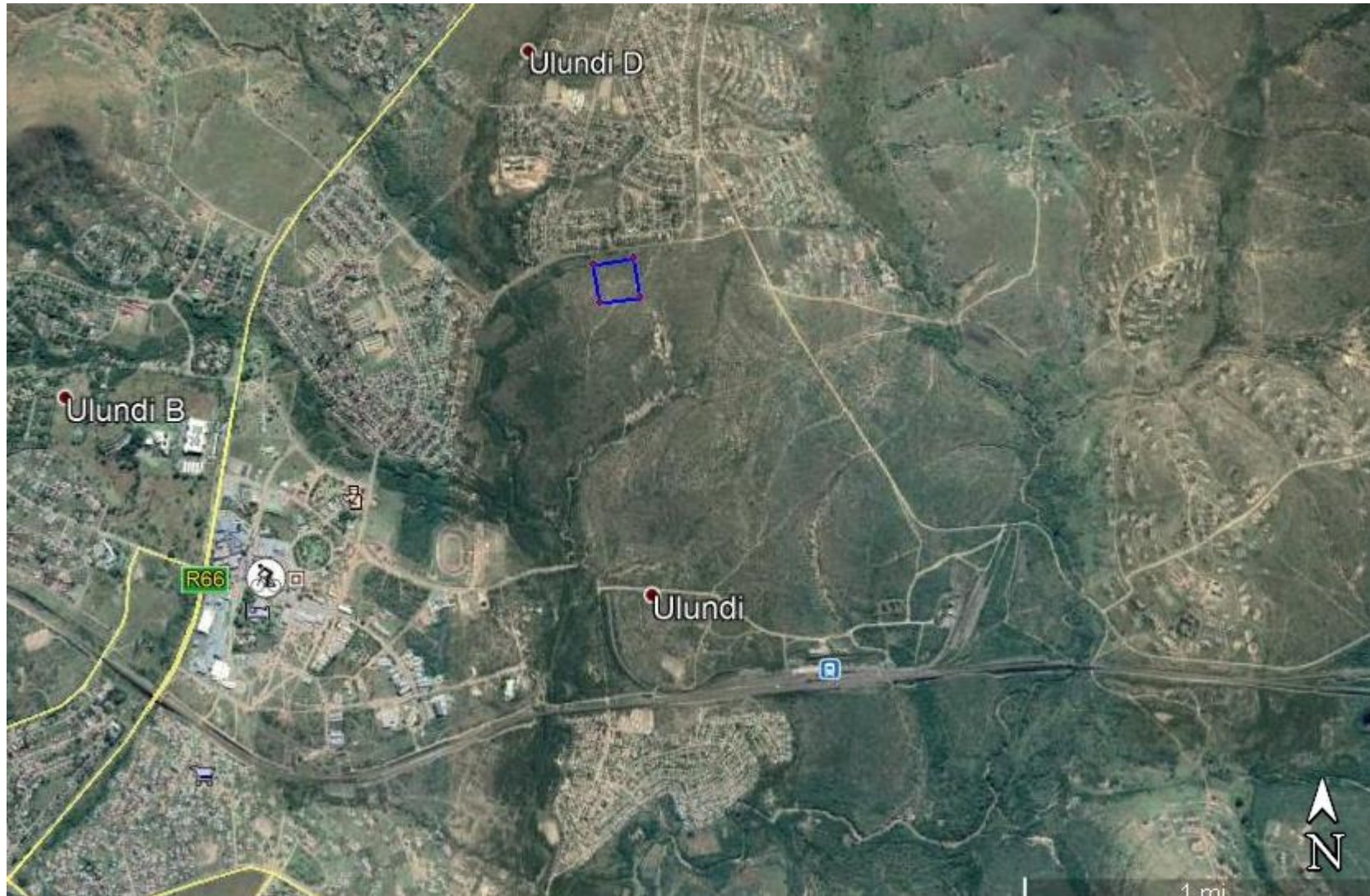


Figure 1: Aerial view of larger area encompassing hospital site indicated in blue

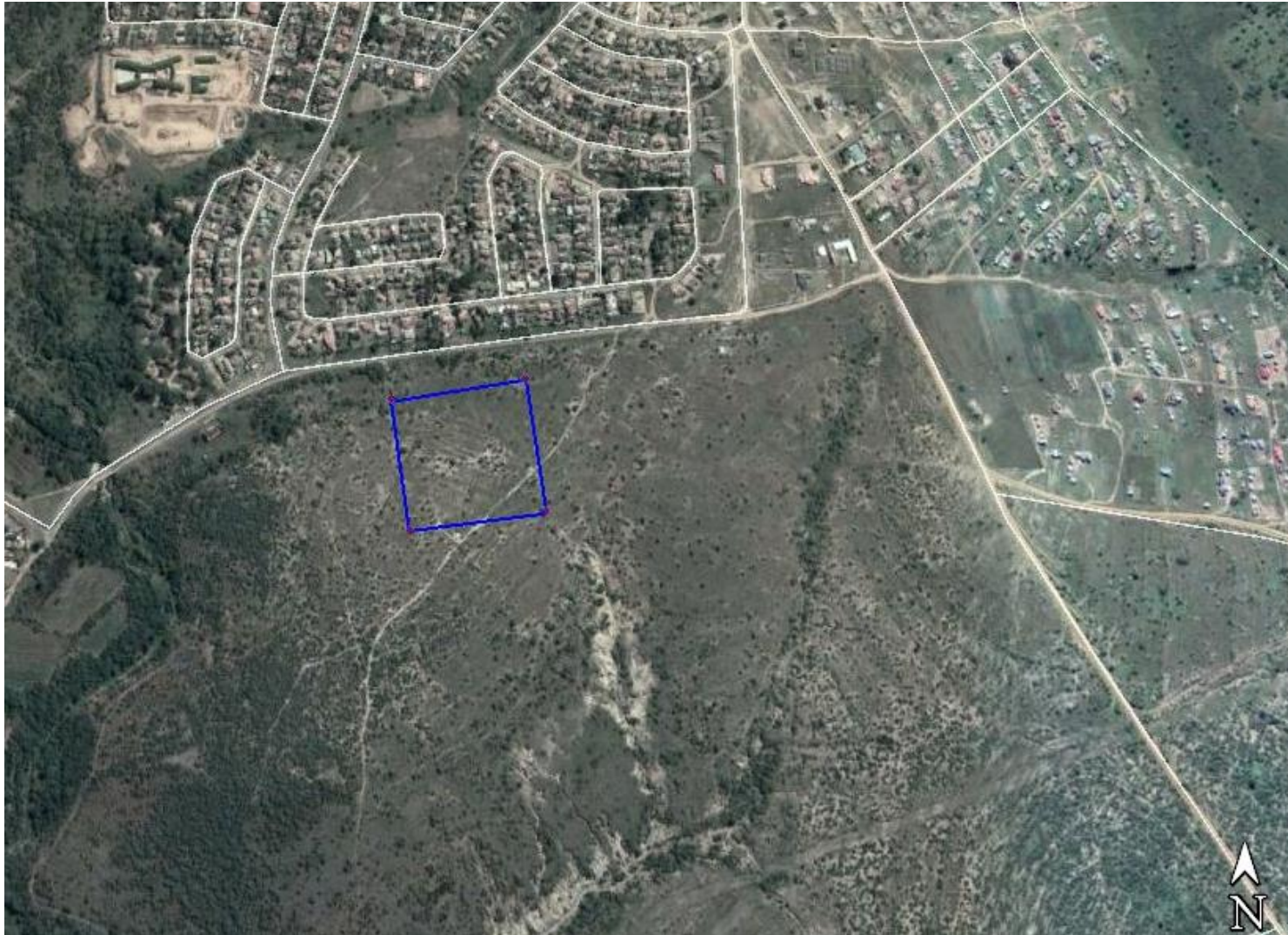


Figure 2: Closer view of project area indicated in blue

4. TERMS OF REFERENCE

Undertake a Phase 1 Heritage Impact Assessment in order to determine the possible existence of heritage resources, as listed above, that could be impacted by the proposed hospital. 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, Amafa aKwaZulu-Natali (Amafa), for their statutory assessment and comment.

5. METHODOLOGY

A survey of literature, including other heritage impact assessment reports completed for the larger area, was undertaken in order to ascertain the history of the area and what type of heritage resources may be found in the area of development.

An inspection of the project site on foot was undertaken on 27 November 2018. Visibility was good apart from some areas where there is extensive dumping of building, household and industrial waste. The project area is criss-crossed with many paths, a vehicle track and power line is located on its northern and eastern boundary. Cattle graze on the area and the sickle bush on the project area is used for firewood with piles of recently cut wood found in the area.

6. HISTORICAL BACKGROUND OF PROJECT AND SURROUNDING AREA

The greater area has been sporadically surveyed for archaeological heritage sites with the most systematic surveys occurred in the Umfolozi-Hluluwe Game Reserve which is situated close to the proposed development. Fifty nine Middle Stone Age (MSA) sites have been recorded in the nature reserve. MSA sites are associated with anatomically modern people and dates back to approximately 40 000 to 200 000 years ago. The vast majority of MSA sites in the game reserve are open-air sites AND therefore do not occur in archaeological context and have limited excavation value. Thirty Five Later Stone Age (LSA) sites occur in various localities in the game reserve. Although the majority of these sites are situated in open air context some are also associated with small shelters and caves. The Later Stone Age is usually associated with San hunter-gatherers or their immediate predecessors and dates back to between 200 years and 30

000 years ago. The game reserve also contains 11 Zululand rock art sites. Although not as well-known as the rock art of the Drakensberg the art of this region is nevertheless unique as it is probably older and executed in a different style from the Drakensberg art (Prins 2014:2-3).

Archaeological sites have also been recorded outside of the Umfolozi-Hluluwe Game Reserve although knowledge of these is more limited. Early Stone Age (ESA) tools have been recorded in the greater Ulundi district. Later Stone Age tools, belonging to the San and their immediate ancestors, occur in various localities in Zululand (Prins:3).

The earliest agricultural sites in KwaZulu-Natal date to between AD 400 and 550. All are situated close to sources of iron ore, and within 15 km of the coast. Current evidence suggests it may have been too dry further inland at this time for successful cultivation. From 650 onwards, however, climatic conditions improved and agriculturists expanded into the valleys of KwaZulu-Natal, where they settled close to rivers in savanna or bushveld environments. Several iron age furnaces occur in the Hluhluwe-Umfolozi Game Reserve (Mitchell 2002:356).

Situated a few kilometres outside of the town of Ulundi, Ondini was the site of King Cetshwayo kaMpande's Royal residence. Today part of the residence has been reconstructed with a site museum. During King Mpande's reign, two of his sons, Cetshwayo and Mbuyazi, fought the bloodiest battle in Zulu history to settle a succession dispute. At the battle of Ndodakusuka, Mbuyazi was killed and Cetshwayo became sole heir to the throne. When Mpande died in 1872, Cetshwayo became King of the Zulus and built Ondini, which means "high place". Ondini was built in the oval shape of Zulu capitals before it. A unique feature was a western style four-corner house within the isigodlo (royal enclosure) that served as a House of State. In 1879 British forces set fire to Ondini. Luckily, the heat from the fire baked the floors of the huts preserving them. Tradition forbids the re-use of royal ground so the Ondini site was virtually untouched until archeological and restoration work was started in 1981 (Amafa 2018:1). The site for the proposed hospital is situated 3.9km north-west of Ondini.

The last battle of the Anglo-Zulu War of 1879 took place close to present day Ulundi and this was when the British forces burnt Ondini to the ground. The battle effectively ended the war, the rule of King Cetshwayo and the independence of the Zulu kingdom (Derwent 2006:16).



7. RESULT OF SITE INSPECTION

The specialist was accompanied to the site by Induna Andreas Ndwandwe who is also Chairperson of the Mpungose Traditional Council, Mr Victor Shezi, member of the Mpungose Traditional Council and Mr Thulani Mengoe, the project developer. The area is covered with sickle bush and low ground cover (see **Figure 3** below).



Figure 3: Vegetation and ground cover in project area

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Figure 4: Widespread dumping of waste



Figure 5: Cattle grazing on project area with building rubble in foreground

Induna Ndwandwe pointed out a grave site in which members of the Mthemba clan are buried. The graves are located approximately 108 m south of the site of the hospital (see **Figure 6** below). The GPS location is: 28°17'18.2"S 31°26'26.8"E.

β



Figure 6: Location of cemetery outlined in pink in relation to hospital

There are about 10 graves of various sizes made from packed rock (see **Figures 7 and 8** below). Graves are considered to be of high heritage significance and should not be disturbed.



Figure 7: Graves



Figure 8: Graves make from packed rocks

Throughout the project area furrows were found that are elliptical in shape. The furrows were made many years ago and Induna Ndwandwe said that they were used to control water run-off and prevent flooding.



Figure 9: Example of furrow

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Eroded areas, mainly pathways and drainage lines, revealed one or two stone tools but the finds were scattered and ephemeral with no context hence these finds are considered to be of a low heritage significance.



Figure 10: Eroded pathway with ephemeral scatter

According to the South African fossil sensitivity map, the proposed hospital site falls within an area of moderate fossil sensitivity as indicated by the green colour in **Figure 11** below. As indicated in the Legend of **Figure 11**, an area of moderate fossil sensitivity requires that a desktop palaeontological is undertaken. It is recommended that such a study be undertaken as the project area is largely a greenfields site and the study will determine whether significant fossil finds will be impacted by the proposed hospital.

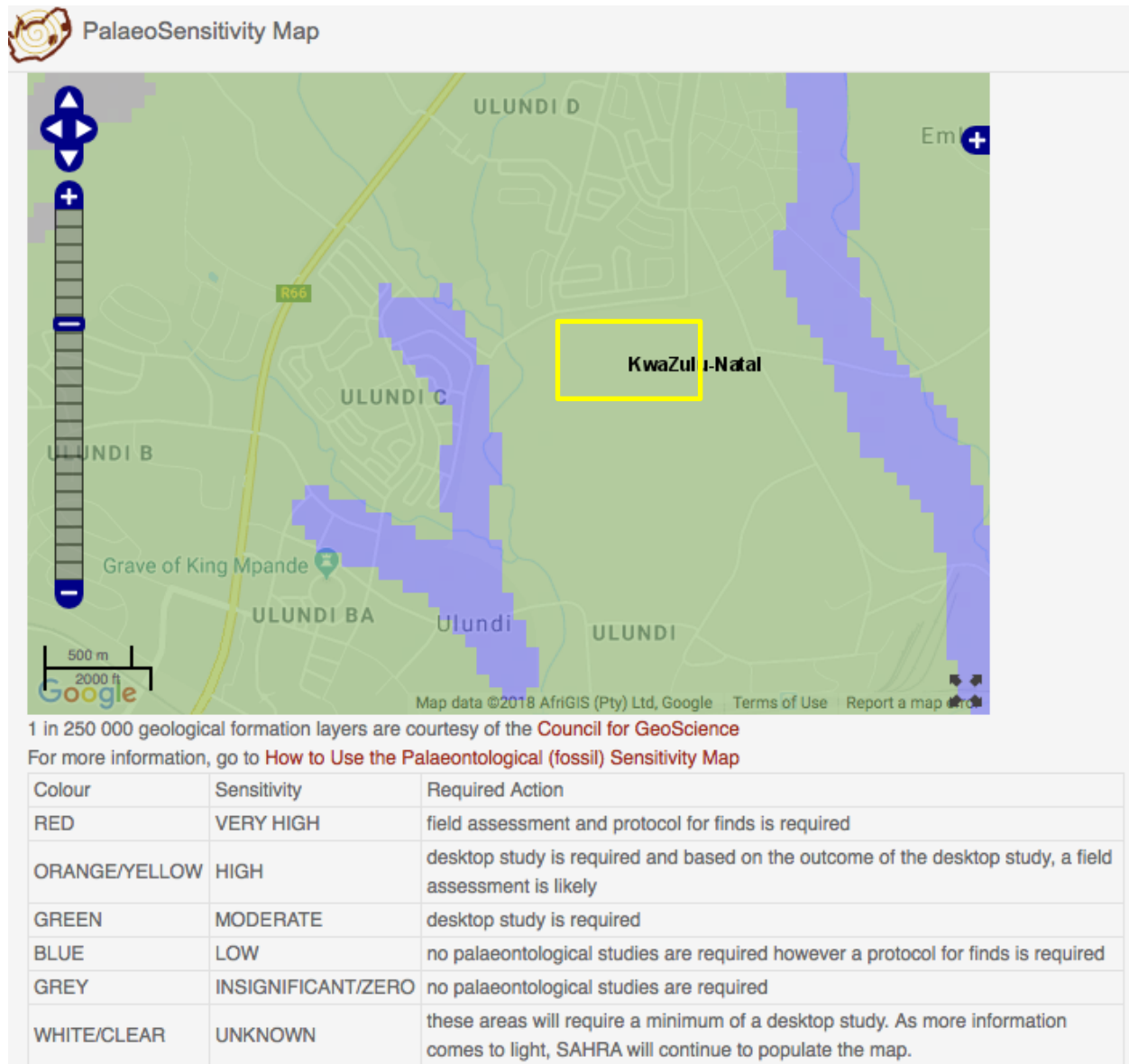


Figure 11: Fossil sensitivity of project area as indicated by yellow rectangle

8. DISCUSSION AND RECOMMENDATIONS

The graves pointed out during the site inspection are protected by section 35 of the KZNHA, which refers to general protection of traditional graves, accordingly:

(1) No grave –

(b) not located in a formal cemetery managed or administered by a local authority, may be damaged, altered, exhumed, removed from its original position, or otherwise disturbed without the prior written approval of the Amafa Council having been obtained on written application to the Council.

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In addition, section 36 (a) (b) of the NHRA, states that no person may, without a permit issued by SAHRA or a provincial heritage resources authority—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. There Mthembu graves could be over 60 years of age.

It is recommended that the graves are not moved. Graves are highly significant to people and there are many traditional, cultural and personal sensitivities concerning the removal of graves. It is recommended that the grave site is fenced with a 5 m buffer between the graves and the fencing in order to ensure that the graves are not damaged during the construction of the hospital.

If it is decided that graves are to be moved, then all the legal requirements in terms of the KZNHA and section 3 of the KwaZulu-Natal Heritage Regulations of 2012 (GNR 40 of 2012), must be implemented and adhered to.

It should be noted that paleontology or fossils are protected by section 36 (1) of the KZNHA which states that no person may destroy, damage, excavate, alter, write or draw upon, or otherwise disturb any battlefield site, archaeological site, rock art site, palaeontological site, historic fortification, meteorite or meteorite impact site without the prior written approval of the Amafa Council having been obtained on written application to the Council. It is therefore recommended that a desktop palaeontological assessment is undertaken for the proposed development and that all recommendations and mitigation measures emanating from this assessment are implemented.

9. CONCLUSION

During the site inspection no heritage resources were found on the footprint of the proposed hospital. Graves were found outside the southern boundary of the development. Due to the moderate fossil sensitivity of the development area, the project may proceed only once the desktop palaeontological assessment has been undertaken and the recommendations from the desktop study implemented.

Once the above recommendations and mitigation measures provided below have been undertaken, then the construction of the King Cetshwayo Private and Training Hospital may proceed from a heritage perspective.



10. MITIGATION MEASURES

- Construction and operational workers should be made aware of the types of heritage resources, such as graves, etc, that could be found during the construction of the hospital. The process in terms of chance finds as mentioned in the second bullet point below must then be followed.
- For any chance heritage finds (graves, archaeological sites, etc.), all work must cease in the area affected and the Contractor must immediately inform the Project Manager. A registered heritage specialist must be called to site to inspect the finding/s. The relevant heritage resource agency (Amafa) must be informed about the finding/s.
- The heritage specialist will assess the significance of the resource and provide guidance on the way forward.
- Permits must be obtained from Amafa if heritage resources are to be removed, destroyed or altered.
- Under no circumstances may any heritage material be destroyed or removed from site unless under direction of a heritage specialist.
- Should any recent remains be found on site that could potentially be human remains, the South African Police Service as well as Amafa must be contacted. No SAPS official may remove remains (recent or not) until the correct permit/s have been obtained.
- Depending on the outcome of the desktop palaeontological assessment, the mitigation and monitoring recommendations of the study must be implemented and adhered to.



11. REFERENCES

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