

**PHASE ONE HERITAGE IMPACT ASSESSMENT
OF THE PROPOSED EXTENSION AND UPGRADE
OF THE L 1867 ROAD AND CONSTRUCTION OF
A CAUSEWAY STRUCTURE NEAR NQUTHU,
KWAZULU-NATAL.**



ACTIVE HERITAGE cc.

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LIST OF ABBREVIATIONS AND ACRONYMS

EIA	Early Iron Age
ESA	Early Stone Age
HISTORIC PERIOD	Since the arrival of the white settlers - c. AD 1820 in this part of the country
IRON AGE	Early Iron Age AD 200 - AD 1000 Late Iron Age AD 1000 - AD 1830
IIA	Intermediate Iron Age
ISA	Intermediate Stone Age
LIA	Late Iron Age
LSA	Late Stone Age
MSA	Middle Stone Age
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998 and associated regulations (2006).
NHRA	National Heritage Resources Act, 1999 (Act No. 25 of 1999) and associated regulations (2000)
SAHRA	South African Heritage Resources Agency
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

A First Phase Heritage Impact Assessment and survey of the proposed extension and upgrade of L 1867 Road and construction of a causeway structure near Nquthu, KwaZulu-Natal identified no archaeological and historical sites on the footprint. No graves occurred within 30m from the proposed road. The area is also not part of any known cultural landscape. There is no reason from a heritage point of view why the proposed development may not proceed as planned. Attention is drawn to the South African Heritage Resources Act, 1999 (Act No. 25 of 1999) and the KwaZulu-Natal Heritage Act (Act no 4 of 2008) which, requires that operations that expose archaeological or historical remains should cease immediately, pending evaluation by the provincial heritage agency.

1 BACKGROUND INFORMATION ON THE PROJECT

Table 1. Background information

Consultant:	Hanslab (Pty) Lmt sub-consulted Active Heritage cc to conduct the heritage impact assessment.
Type of development:	<p>The KZN Department of Transport proposes to extend and upgrade the existing L1867 road from a mud track to a type 7A Local Gravel Road. The road will be approximately 13.620 km in length and 6 m in width with a road reserve of 20 m which confirms to the Department of Transport standards. The existing mud track is approx. 9 km, and will be extended by a further 4.620 km to form a link road with D1319.</p> <p>The road transverses a watercourse therefore the Department of Transport proposes to construct a standard causeway structure to allow the continuance of the natural flow of the water. The watercourse area becomes flooded during high rainfall seasons leaving community members stranded. The proposed upgrade will also benefit school children going to Bhekisizwe High School and Amacityana Combined. There is concern regarding the lack of economic investment and the associated infrastructure in the area. The upgrading of the existing mud track will improve access for the local community to basic amenities.</p>
Rezoning or subdivision:	Not applicable
Terms of reference	To carry out a Heritage Impact Assessment.
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) and the KwaZulu-Natal Heritage Act, 1997 (Act No. 4 of 2008).

1.1. Details of the area surveyed:

The study area is located near the town of Nqutu in the Nqutu Local Municipality and the uMzinyathi District Municipality (Fig 1). The KZN Department of Transport proposes to extend and upgrade the existing L1867 road from a mud track to a type 7A Local Gravel Road (Figs 2 & 3). The road will be approximately 13.620 km in length and 6 m in width with a road reserve of 20 m which confirms to the Department of Transport standards. The road transverses a watercourse therefore the Department of Transport proposes to construct a standard causeway structure to allow the continuance of the natural flow of the water. The GPS coordinates for the proposed road upgrade is given as:

Start: S 28° 16' 10" E 30° 55' 48"

Middle: S 28° 15' 47.86" E 30° 58' 47.96"

End: S 28° 13' 36.10" E 30° 59' 57.14"

Based on DOT standard details for a causeway the approximately width is 8.45m and length is 7.4m which varies according to the stream width. A standard causeway will be constructed with a length of 30m and width of 8m which will be supported on pad foundation founded on bedrock. The GPS coordinates for the proposed causeway construction are:

S 28° 15' 14.31" E 30° 59' 08.73"

The general area can be described as rural. Zulu homesteads occur adjacent to the proposed road upgrade, and there is ample evidence for small scale subsistence activities along the proposed route trajectory.

1.2. Relevant Legislation:

According to the National Heritage Resources Act, 1999 (NHRA) (Act No. 25 of 1999), 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-
 - i. ancestral graves;
 - ii. royal graves and graves of traditional leaders;
 - iii. graves of victims of conflict;
 - iv. graves of individuals designated by the Minister by notice in the Gazette;
 - v. historical graves and cemeteries; and
 - vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- h. sites of significance relating to the history of slavery in South Africa;
 - 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).

2 SCOPE OF WORK

This study aims to identify and assess the significance of any heritage and archaeological resources occurring on or adjacent to the proposed development. Based on the significance, the impact of the development on the heritage resources will be determined and appropriate actions to reduce the impact on the heritage resources put forward. In terms 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 to the history of slavery in South Africa.

3 BACKGROUND TO HISTORY OF THE AREA

3.1 Archaeology

Portions of the greater Nqutu area have been systematically surveyed for archaeological 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 fine line 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 Nqutu 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. 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 west of the study area in 1838, but it was the Anglo-Zulu war of 1879 that was to a large part acted out in the immediate vicinity of the project area. These battle field sites as well as associated graves and buildings of the era are proclaimed heritage sites and are protected by provincial heritage legislation (Derwent 2006).

3.2 Anglo-Zulu War

The Anglo-Zulu War was a military conflict between the British Empire and the Kingdom of Zululand, taking place from January 8 to July 4, 1879, in South Africa. The root cause of the Anglo-Zulu War was the discovery of diamonds in the region, in the land near the Vaal River, in 1867. This led to an increased British interest in the area. But there were two obstacles: the Boers (politically organized in the Orange Free State and the Republic of Transvaal), and the Kingdom of Zululand, which arose in the first half of the 19th century. During the 1870s, West Griqualand, which was the territory where diamonds had been discovered, was annexed to the British Empire. In December 1878, the British High Commissioner, Sir Henry Bartle Frere, sent an ultimatum to Cetshwayo, the King of Zululand. Having obtained no answer to the ultimatum, 15,000 British troops, under the command of Lord Chelmsford, began the invasion of Zululand by January 8, 1879.

The Anglo-Zulu War was savage and comprises a series of eight battles, beginning with the Battle of Isandlwana to the immediate south west of Nqutu, at which 22,000 Zulu warriors defeated 1,800 British soldiers on January 22, 1879. Isandlwana was an unexpected blow to the morale of the British empire as it was the scene of the defeat

of Imperial & Colonial forces on 22 January 1879 mostly from the 24 Regiment, Natal Carbineers and Natal Native Regiments. This epic battle took place to the south of the project area and a memorial on the site commemorates the brave warriors who gave their lives on this day (Derwent 2006). The defence of Rorke's Drift on 22 January 1879 followed the defeat of the British forces at Isandlwana and commenced at 16.30 pm and went on through the night to about 4 am. The Mission Station at the foot of the Oskarberg was held by 1st & 2nd Company of the 24th Regiment. It had been left under the command of Major Henry Spalding. The battle eventually left about 370 Zulu dead (4000 under the command of Prince Dabulamanzi kaMpande), and 17 British soldiers dead out of a force of about 100 men. The Zulu's eventually withdrew. Having overcome three military defeats (Battle of Isandlwana, Battle of Intombe, and Battle of Hlobane), the British began gaining the upper hand as they obtained decisive victories in the last four battles of the war: Battle of Kambula (March 29), Battle of Gingindlovu (April 2), Battle of Eshowe (April 3), and Battle of Ulundi (July 4, 1879). After the defeat at Isandlwana, the British were determined to take revenge and defeat the Zulu's led by King Cetshwayo kaMpande, and crossed the White Umfolozi on 4 July 1879 with a force of approximately 5124 men. Led by Lord Chelmsford a battle took place that day which led to the Zulu defeat. Fort Marshall, situated near the project area, was occupied between May & July 1879 by the 24th Regiment. There are 11 soldiers buried there, most dying of wounds from the battle of Ulundi. The ramparts and graves are still visible. As a result of the British victory over the Zulus, the Kingdom of Zululand lost its independence and it became part of a British Colony (ibid).

4 BACKGROUND INFORMATION OF THE SURVEY

4.1 Methodology

A desktop study was conducted of the archaeological databases housed in the KwaZulu-Natal Museum. In addition, the available archaeological literature covering the greater Nqutu area was also consulted. The SAHRIS website was consulted to obtain background information on previous heritage surveys and assessments in the area.

A ground survey, following standard and accepted archaeological procedures, was conducted on the 29th June 2016.

In addition, members of local communities were approached to ask for the location of potential grave sites as well as other heritage features in the area.

4.2 Restrictions encountered during the survey

4.2.1 *Visibility*

Visibility was good.

4.2.2 *Disturbance*

No disturbance of any heritage sites or features was noted.

Details of equipment used in the survey

GPS: Garmin Etrek

Digital cameras: Canon Powershot A460

All readings were taken using the GPS. Accuracy was to a level of 5 m.

5 DESCRIPTION OF SITES AND MATERIAL OBSERVED

5.1 Locational data

Province: KwaZulu-Natal

Town: Nqutu

Municipality: Nqutu Local Municipality

5.2 Description of the general area surveyed

Although the footprint is disturbed due to overgrazing no heritage sites and graves occur in the immediate environs of the proposed road upgrade. Graves were observed in the greater project area but none of them occur closer than 30m to the proposed road upgrade. Iron Age sites occur approximately 1km to the north of the proposed road upgrade but they will not be affected by the development and there is no need for mitigation. The area is also not part of any known cultural landscape (Tables 2 & 3).

6 STATEMENT OF SIGNIFICANCE (HERITAGE VALUE)

6.1 Field Rating

Not applicable, as no heritage sites occur on the footprint within the actual road reserve.

Table 3. Field rating and recommended grading of sites (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 3. Evaluation and statement of significance.

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.	None.
2.	Scientific significance – Possession of uncommon, rare or endangered aspects of South Africa's cultural heritage.	None.
3.	Research/scientific significance – Potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage.	None.
4.	Scientific significance – Importance in demonstrating the principal characteristics of a particular class of South Africa's cultural places/objects.	None.
5.	Aesthetic significance – Importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.	None.
6.	Scientific significance – Importance in demonstrating a high degree of creative or technical achievement at a particular period.	None.
7.	Social significance – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.	None
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.	None.
9.	The significance of the site relating to the history of slavery in South Africa.	None.

7 SUMMARY AND RECOMMENDATIONS

- The heritage impact assessment survey identified no archaeological, historical or living heritage sites adjacent to and within 30m of the L 1867 Road.
- No graves occur within 30m from the proposed road upgrade.
- The project area is not part of any known cultural landscape
- The proposed development may proceed from a heritage perspective.
- All heritage sites are protected by heritage legislation and may not be altered or changed without mitigation. Should the developers happen upon “invisible” heritage sites or graves then all development should cease pending investigation by a heritage consultant or Amafa.

8 MAPS AND PHOTOGRAPHS



Figure 1: Google Earth Photograph showing the locality of the L 1867 Road near Nqutu in northern KwaZulu-Natal (Source: Hanslab)



Figure 2. Photograph of the L 1867 Road. No heritage sites occur in the near environs of the footprint.



Figure 3. Large portions of the existing road is a mud track.

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APPENDIX 1

RELOCATION OF GRAVES

Burial grounds and graves are dealt with in Article 36 of the NHR Act, no 25 of 1999. Below follows a broad summary of how to deal with grave in the event of proposed development.

- If the graves are younger than 60 years, an undertaker can be contracted to deal with the exhumation and reburial. This will include public participation, organising cemeteries, coffins, etc. They need permits and have their own requirements that must be adhered to.
- If the graves are older than 60 years old or of undetermined age, an archaeologist must be in attendance to assist with the exhumation and documentation of the graves. This is a requirement by law.

Once it has been decided to relocate particular graves, the following steps should be taken:

- Notices of the intention to relocate the graves need to be put up at the burial site for a period of 60 days. This should contain information where communities and family members can contact the developer/archaeologist/public-relations officer/undertaker. All information pertaining to the identification of the graves needs to be documented for the application of a SAHRA permit. The notices need to be in at least 3 languages, English, and two other languages. This is a requirement by law.
- Notices of the intention needs to be placed in at least two local newspapers and have the same information as the above point. This is a requirement by law.
- Local radio stations can also be used to try contact family members. This is not required by law, but is helpful in trying to contact family members.
- During this time (60 days) a suitable cemetery need to be identified close to the development area or otherwise one specified by the family of the deceased.
- An open day for family members should be arranged after the period of 60 days so that they can gather to discuss the way forward, and to sort out any problems. The developer needs to take the families requirements into account. This is a requirement by law.
- Once the 60 days has passed and all the information from the family members have been received, a permit can be requested from SAHRA. This is a requirement by law.

- Once the permit has been received, the graves may be exhumed and relocated.
- All headstones must be relocated with the graves as well as any items found in the grave