

Archaeological Impact Assessment

**PROPOSED CONSTRUCTION OF THE 5MW NEWCASTLE SOLAR ENERGY FACILITY NEAR
NEWCASTLE, KWAZULU NATAL**

Prepared For

Savannah Environmental (Pty) Ltd

By



HERITAGE

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EXECUTIVE SUMMARY

Site name and location: The proposed Newcastle PV development is located adjacent to the Karbochem Rubber plant and Lanxess chrome chemicals plant, on the Remainder of Erf 13661, approximately 8 km south-east of Newcastle in Kwa Zulu Natal. An area of approximately 10 ha of the farm is intended to be utilised for establishment of the 5MW PV facility. The site is located within the Newcastle Local Municipality and Amajuba District Municipality.

Purpose of the study: Phase 1 Archaeological Impact Assessment to determine the presence of cultural heritage sites and the impact of the proposed project on these resources within the development footprint.

1:50 000 Topographic Map: 2729 DD

Environmental Consultant: Savannah Environmental (Pty) Ltd

Developer: Building Energy

Heritage Consultant: Heritage Contracts and Archaeological Consulting CC (HCAC).

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Date of Report: 14 July 2014

Findings of the Assessment:

The topography of the study area is relatively flat but gently sloping south ward towards the Ingagane River. There are no geographical features in the study area like pans or rocky outcrops and the area has been fallow in the past mostly utilised for grazing of cattle. The lack of focal points on the landscape and the lack of material suitable for making stone tools could attribute to the lack of archaeological sites in the study area. Several previous studies were conducted in the immediate vicinity of the study area and similarly very few heritage sites were recorded. To the south of the PV project area known sites consisting of cemeteries, historical sites and a Late Iron Age site, all of these sites are located well away from the study area and no impact is foreseen on the known sites in the area.

During the survey for the proposed PV facility, access route and connection into the grid no sites of heritage significance were found in the development footprint. The impacts of the proposed development on heritage resources such as archaeological sites, built structures over 60 years old, sites of cultural significance associated with burial grounds and graves, graves of victims of conflict, and significant cultural landscapes or viewsapes are considered to be low.

In terms of the KwaZulu Natal Heritage Act No. 4 of 2008 and the National Heritage Resources Act No.25 of 1999 (Section 38 (1)), we have no objection to the proposed development (based on approval from AMAFA) if the following recommendations area adhered to:

- If during construction, any graves or archaeological finds are made (e.g. stone tools, skeletal material), the operations must be stopped and Amafa should be contacted.

General

Due to the subsurface nature of archaeological material and unmarked graves the possibility of the occurrence of unmarked or informal graves and subsurface finds cannot be excluded. If during construction any possible finds such as stone tool scatters, artefacts or bone and fossil remains are made, the operations must be stopped and a qualified archaeologist must be contacted for an assessment of the find.

Disclaimer: *Although all possible care is taken to identify sites of cultural importance during the investigation of study areas, it is always possible that hidden or sub-surface sites could be overlooked during the study. Heritage Contracts and Archaeological Consulting CC and its personnel will not be held liable for such oversights or for costs incurred as a result of such oversights.*

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- The results of the project;
- The technology described in any report;
- Recommendations delivered to the Client.

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Annexure A:

ABBREVIATIONS

AIA: Archaeological Impact Assessment
ASAPA: Association of South African Professional Archaeologists
BIA: Basic Impact Assessment
CRM: Cultural Resource Management
ECO: Environmental Control Officer
EIA: Environmental Impact Assessment*
EIA: Early Iron Age*
EIA Practitioner: Environmental Impact Assessment Practitioner
EMP: Environmental Management Plan
ESA: Early Stone Age
GPS: Global Positioning System
HIA: Heritage Impact Assessment
LIA: Late Iron Age
LSA: Late Stone Age
MEC: Member of the Executive Council
MIA: Middle Iron Age
MPRDA: Mineral and Petroleum Resources Development Act
MSA: Middle Stone Age
NEMA: National Environmental Management Act
PRHA: Provincial Heritage Resource Agency
SADC: Southern African Development Community
SAHRA: South African Heritage Resources Agency

**Although EIA refers to both Environmental Impact Assessment and the Early Iron Age both are internationally accepted abbreviations and must be read and interpreted in the context it is used.*

GLOSSARY

Archaeological site (remains of human activity over 100 years old)

Early Stone Age (~ 2.6 million to 250 000 years ago)

Middle Stone Age (~ 250 000 to 40-25 000 years ago)

Later Stone Age (~ 40-25 000, to recently, 100 years ago)

The Iron Age (~ AD 400 to 1840)

Historic (~ AD 1840 to 1950)

Historic building (over 60 years old)

1 BACKGROUND INFORMATION

<i>Kind of study</i>	Archaeological Impact Assessment
<i>Type of development</i>	PV Development
<i>Developer:</i>	Building Energy
<i>Consultant:</i>	Savannah Environmental (Pty) Ltd

The Archaeological Impact Assessment report forms part of the BIA for the proposed project.

The aim of the study is to identify cultural heritage sites, document, and assess their importance within local, provincial and national context. It serves to assess the impact of the proposed project on non-renewable heritage resources, and to submit appropriate recommendations with regard to the responsible cultural resources management measures that might be required to assist the developer in managing the discovered heritage resources in a responsible manner. It is also conducted to protect, preserve, and develop such resources within the framework provided by the National Heritage Resources Act of 1999 (Act 25 of 1999) and the KwaZulu Natal Heritage Act No. 4 of 2008.

The report outlines the approach and methodology utilized before and during the survey, which includes: Phase 1, a desktop study that includes collection from various sources and consultations; Phase 2, the physical surveying of the area on foot and by vehicle; Phase 3, reporting the outcome of the study.

During the survey no heritage sites were identified within the proposed footprint of the development. General site conditions and features on sites were recorded by means of photographs, GPS locations, and site descriptions. Possible impacts were identified and mitigation measures are proposed in the following report.

This report must also be submitted to AMAFA for review.

1.1 Terms of Reference

Desktop study

Conducting a brief desktop study where information on the area is collected to provide a background setting of the archaeology that can be expected in the area.

Field study

Conduct a field study to: a) systematically survey the proposed project area to locate, identify, record, photograph and describe sites of archaeological, historical or cultural interest; b) record GPS points identified as significant areas; c) determine the levels of significance of the various types of heritage resources recorded in the project area.

Reporting

Report on the identification of anticipated and cumulative impacts the operational units of the proposed project activity may have on the identified heritage resources for all 3 phases of the project; i.e., construction, operation and decommissioning phases. Consider alternatives, should any significant sites be impacted adversely by the proposed project. Ensure that all studies and results comply with Heritage legislation and the code of ethics and guidelines of ASAPA.

To assist the developer in managing the discovered heritage resources in a responsible manner, and to protect, preserve, and develop them within the framework provided by the National Heritage Resources Act of 1999 (Act 25 of 1999) and the KZN Heritage Act (Act 4 of 2008).

1.2. Archaeological Legislation and Best Practice

Phase 1, an AIA or a HIA is a pre-requisite for development in South Africa as prescribed by SAHRA and stipulated by legislation. The KZN Heritage Act also applies (Act 4 of 2008) and stipulates that when a negative impact is foreseen the developer will have to apply for a permit from AMAFA.

The overall purpose of a heritage specialist input is to:

- » Identify any heritage resources, which may be affected;
- » Assess the nature and degree of significance of such resources;
- » Establish heritage informants/constraints to guide the development process through establishing thresholds of impact significance;
- » Assess the negative and positive impact of the development on these resources;
- » Make recommendations for the appropriate heritage management of these impacts.

The AIA or HIA, as a specialist sub-section of the EIA, is required under the National Heritage Resources Act NHRA of 1999 (Act 25 of 1999), Section 23(2)(b) of the NEMA and section s.39(3)(b)(iii) of the MPRDA.

The AIA should be submitted, as part of the EIA, BIA or EMP, to the PHRA if established in the province or to SAHRA. SAHRA will be ultimately responsible for the professional evaluation of Phase 1 AIA reports upon which review comments will be issued. 'Best practice' requires Phase 1 AIA reports and additional development information, as per the EIA, BIA/EMP, to be submitted in duplicate to SAHRA after completion of the study. SAHRA accepts Phase 1 AIA reports authored by professional archaeologists, accredited with ASAPA or with a proven ability to do archaeological work.

Minimum accreditation requirements include an Honours degree in archaeology or related discipline and 3 years post-university CRM experience (field supervisor level).

Minimum standards for reports, site documentation and descriptions are set by ASAPA in collaboration with SAHRA. ASAPA is a legal body, based in South Africa, representing professional archaeology in the SADC region. ASAPA is primarily involved in the overseeing of ethical practice and standards regarding the

archaeological profession. Membership is based on proposal and secondment by other professional members.

Phase 1 AIAs are primarily concerned with the location and identification of sites situated within a proposed development area. Identified sites should be assessed according to their significance. Relevant conservation or Phase 2 mitigation recommendations should be made. Recommendations are subject to evaluation by SAHRA.

Conservation or Phase 2 mitigation recommendations, as approved by SAHRA, are to be used as guidelines in the developer's decision making process.

Phase 2 archaeological projects are primarily based on salvage/mitigation excavations preceding development destruction or impact on a site. Phase 2 excavations can only be conducted with a permit, issued by SAHRA to the appointed archaeologist. Permit conditions are prescribed by SAHRA and includes (as minimum requirements) reporting back strategies to SAHRA and deposition of excavated material at an accredited repository.

In the event of a site conservation option being preferred by the developer, a site management plan, prepared by a professional archaeologist and approved by SAHRA, will suffice as minimum requirement.

After mitigation of a site, a destruction permit must be applied for from SAHRA by the client before development may proceed.

Human remains older than 60 years are protected by the National Heritage Resources Act, with reference to Section 36. Graves older than 60 years, but younger than 100 years fall under Section 36 of Act 25 of 1999 (National Heritage Resources Act), as well as the Human Tissues Act (Act 65 of 1983), and are the jurisdiction of SAHRA. The procedure for Consultation Regarding Burial Grounds and Graves (Section 36[5]) of Act 25 of 1999) is applicable to graves older than 60 years that are situated outside a formal cemetery administrated by a local authority. Graves in this age category, located inside a formal cemetery administrated by a local authority, require the same authorisation as set out for graves younger than 60 years, in addition to SAHRA authorisation. If the grave is not situated inside a formal cemetery, but is to be relocated to one, permission from the local authority is required and all regulations, laws and by-laws, set by the cemetery authority, must be adhered to.

Human remains that are less than 60 years old are protected under Section 2(1) of the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925), as well as the Human Tissues Act (Act 65 of 1983), and are the jurisdiction of the National Department of Health and the relevant Provincial Department of Health and must be submitted for final approval to the office of the relevant Provincial Premier. This function is usually delegated to the Provincial MEC for Local Government and Planning; or in some cases, the MEC for Housing and Welfare.

Authorisation for exhumation and reinterment must also be obtained from the relevant local or regional council where the grave is situated, as well as the relevant local or regional council to where the grave is being relocated. All local and regional provisions, laws and by-laws must also be adhered to. To handle and transport human remains, the institution conducting the relocation should be authorised under Section 24 of Act 65 of 1983 (Human Tissues Act).

1.3 Description of Study Area

1.3.1 Location Data

The site is located adjacent to the Karbochem Rubber plant and Lanxess chrome chemicals plant, on the Remainder of Erf 13661, approximately 8km south-east of Newcastle in KwaZulu Natal. The study area measures approximately 5 ha. The study area is flat but sloping southwards towards the Ingangane River no geographical features occur on site like ridges or pans. The vegetation type of the area is classified as KZN Highveld thornveld within a Grassland Biome (Mucina & Rutherford 2006).

1.3.2. Location Map

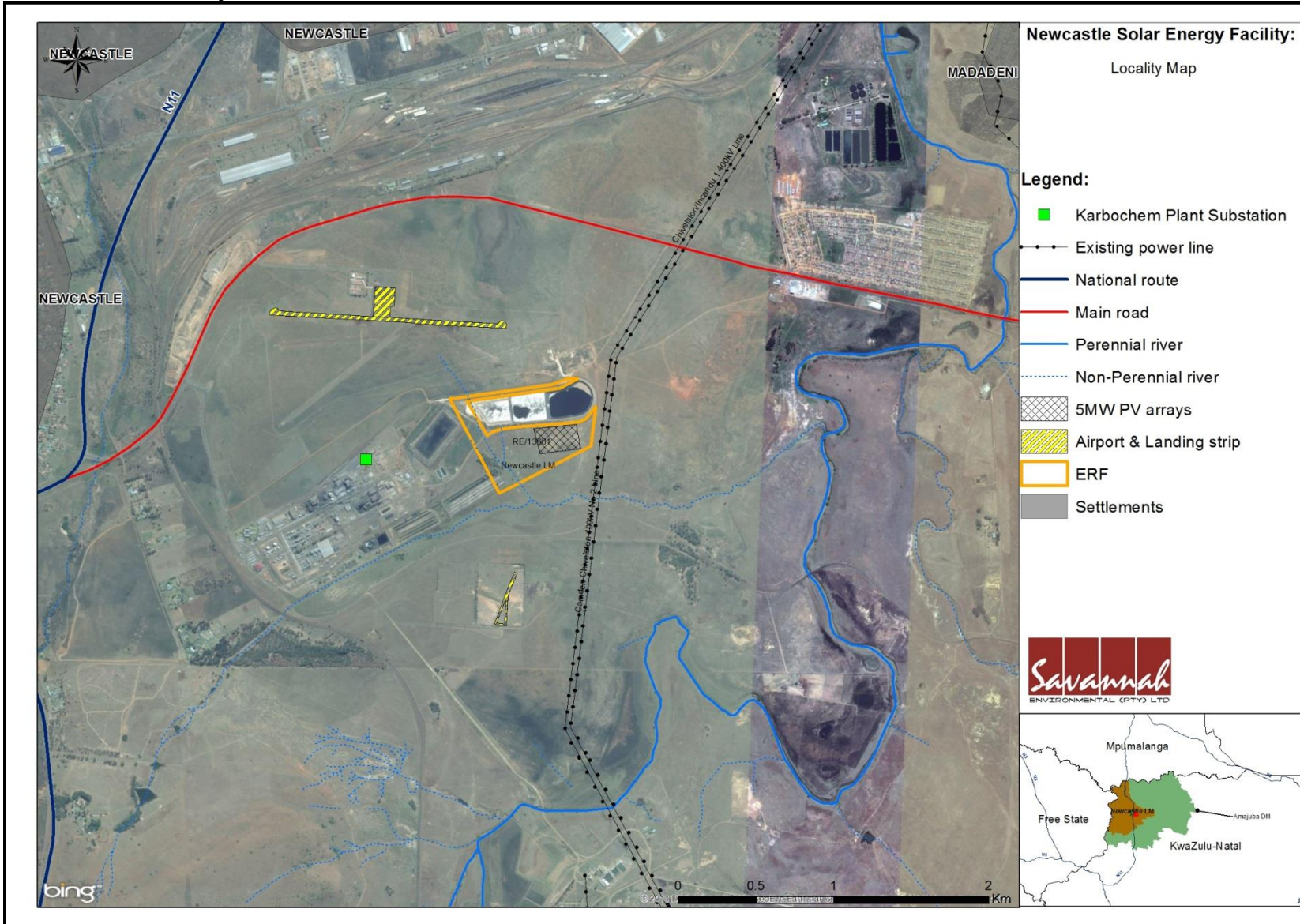


Figure 1: Location map provided by Savannah Environmental (Pty) Ltd

2. APPROACH AND METHODOLOGY

The aim of the study is to cover archaeological databases to compile a background of the archaeology that can be expected in the study area followed by field verification; this was accomplished by means of the following phases.

2.1 Phase 1 - Desktop Study

The first phase comprised a desktop study scanning existing records for archaeological sites, historical sites, graves, architecture (structures older than 60 years) of the area.

2.1.1 Literature Search

Utilising data for information gathering stored in the archaeological database at Wits and previous CRM reports done in the area. The aim of this is to extract data and information on the area in question.

2.1.2 Information Collection

The SAHRA report mapping project (Version 1.0) was consulted to collect data from previously conducted CRM projects in the region to provide a comprehensive account of the history of the study area.

2.1.3 Consultation

No consultation was conducted since no one resides in the study area.

2.1.4 Google Earth and Mapping Survey

Google Earth and 1:50 000 maps of the area were utilised to identify possible places where sites of heritage significance might be located.

2.1.5 Genealogical Society of South Africa

The database of the Genealogical Society was consulted to collect data on any known graves in the area.

2.2 Phase 2 - Physical Surveying

Due to the nature of cultural remains, the majority of which occurs below surface, a field survey of the study area of 10 Ha was conducted. The study area was surveyed by means of vehicle and extensive surveys on foot by a professional archaeologist in the week of 7 July 2014.

No sites were discovered inside the proposed development area.

2.3. Restrictions

Due to the fact that most cultural remains may occur below surface, the possibility exists that some features or artefacts may not have been discovered/ recorded during the survey. Low ground visibility of parts of the study area is due to high vegetation, and the possible occurrence of unmarked graves and other cultural material cannot be excluded. Only the surface infrastructure footprint area was surveyed as indicated in the location map, and not the entire farm. Although HCAC surveyed the area as thoroughly as possible, it is incumbent upon the developer to stop operations and inform the relevant heritage agency should further cultural remains, such as stone tool scatters, artefacts, bones or fossils, be exposed during the process of development.

3. NATURE OF THE DEVELOPMENT

The development will entail the construction of a 5MW PV solar energy facility and associated infrastructure on a site near Newcastle. The proposed facility will comprise:

- » Arrays of photovoltaic (PV) panels with a capacity of up to 5MW.
- » Mounting structures to be either rammed steel piles or piles with pre-manufactured concrete footing to support the PV panels.
- » Cabling between the project components, to be lain underground.
- » Inverters/Transformer enclosures.
- » An on-site switching station.
- » An overhead power line of approximately 1400m to facilitate the connection between the solar energy facility and the existing Karbochem Plant Substation located to the west of the facility
- » Internal access roads.
- » Fencing and workshop area for maintenance, storage and an on-site office.

4. HISTORICAL AND ARCHAEOLOGICAL BACKGROUND OF THE STUDY AREA

4.1 Databases Consulted

On the 1:50 000 map sheet 2729 DD, one site is on record at the Natal museum Archaeological database. The site is located approximately 3.2 km south of the current study area. The site consists of a LIA site on a hill on the farm Roy Point 2959. No sites are on record for the study area (email correspondence with G. Whitelaw 18 Aug 2014) .

Several previous CRM surveys are on record for the larger study area (SAHRIS 2014). For this report a study by Frans Prins (2013), Becker (2008), Van Schalkwyk & Wahl (2011) and Anderson & Whitelaw (1998) was consulted. The Anderson and Whitelaw report concluded that for their study area (the farm Townlands 4702) no further work would be required based on their desktop. Another recommendation for exemption from further archaeological work was made by Len van Schalkwyk and Elizabeth Wahl (2013) in the town of Newcastle for the application of the Muslim Cemetery in the municipal area. The power line survey by Prins also recorded no archaeological sites. The study by Becker for another power line corridor did record 67 sites but over a much larger geographical area. None of the sites recorded occurred within the current study area.

Genealogical Society and Google Earth Monuments

Neither the Genealogical Society nor the monuments database at Google Earth (Google Earth also include some archaeological sites and historical battlefields) have any recorded sites in the study area.

4.2 Archaeological and Historical Information Available on the greater study Area

The following report will endeavour to give an account of the history of this farm and also a brief overview of the history of the area and district in which the farm is located. The report has been divided into several sections that will focus on the following aspects:

- General history of human settlement in the area
- The history of black and white interaction in the farm area
- The development of the town Newcastle
- The development and ownership of the farm

4.2.1. Historiography And Methodology

It was necessary to use a wide range of sources in order to give an accurate account of the history of the area in which the study area is located. Sources included secondary source material, maps and archival documents. While it was possible to compile a more detailed history of the Newcastle area, there was limited information available on the history of the actual farm under investigation. There were, however, several documents available on the farms surrounding the study area, and some of this information was included in the report when it was believed to be of interest to the general history of the area. Thus, although many sources exist on the general history it is difficult to compile histories that focus on very specific parts of the area, such as individual farms. Several documents relating to the study area and surrounds are located in the Natal Archives Repository and could not be accessed in time.

Due to the limited time in which the report was written, not all of the sources that were found could be incorporated into the report. The following are relevant sources that can be consulted in the future, if a more thorough investigation is done on the history of the general study area:

- Nederduitse Gereformeerde Gemeente Bergsig, Newcastle. 1998. *Nederduitse Gereformeerde Gemeente Bergsig, Newcastle 1973-1998*. Bergsig: NG Gemeente.
- Pretorius, F. 2009. *Historical Dictionary of the Anglo-Boer War*. Plymouth: Scarecrow Press, Inc.
- Kokot, D. F. 1973. Newcastle. Natal. *Standard Encyclopaedia of South Africa*, vol. 8, pp. 47-59; 181.
- Mahoney, M. The Millennium comes to Mapumulo: Popular Christianity in Rural Natal, 1866-1906. *Journal of Southern African Studies*, vol. 25, no. 3, pp. 375-391.
- Christopher, A. J. Colonial Land Policy in Natal. *Annals of the Association of American Geographers*, vol. 61, no. 3, pp. 560-575.

The eGGSA database that provides facts about various cemeteries in South Africa have one cemetery on record to the south of the study area on the farm Roy Point.

4.4.2. Maps Of The Area Under Investigation

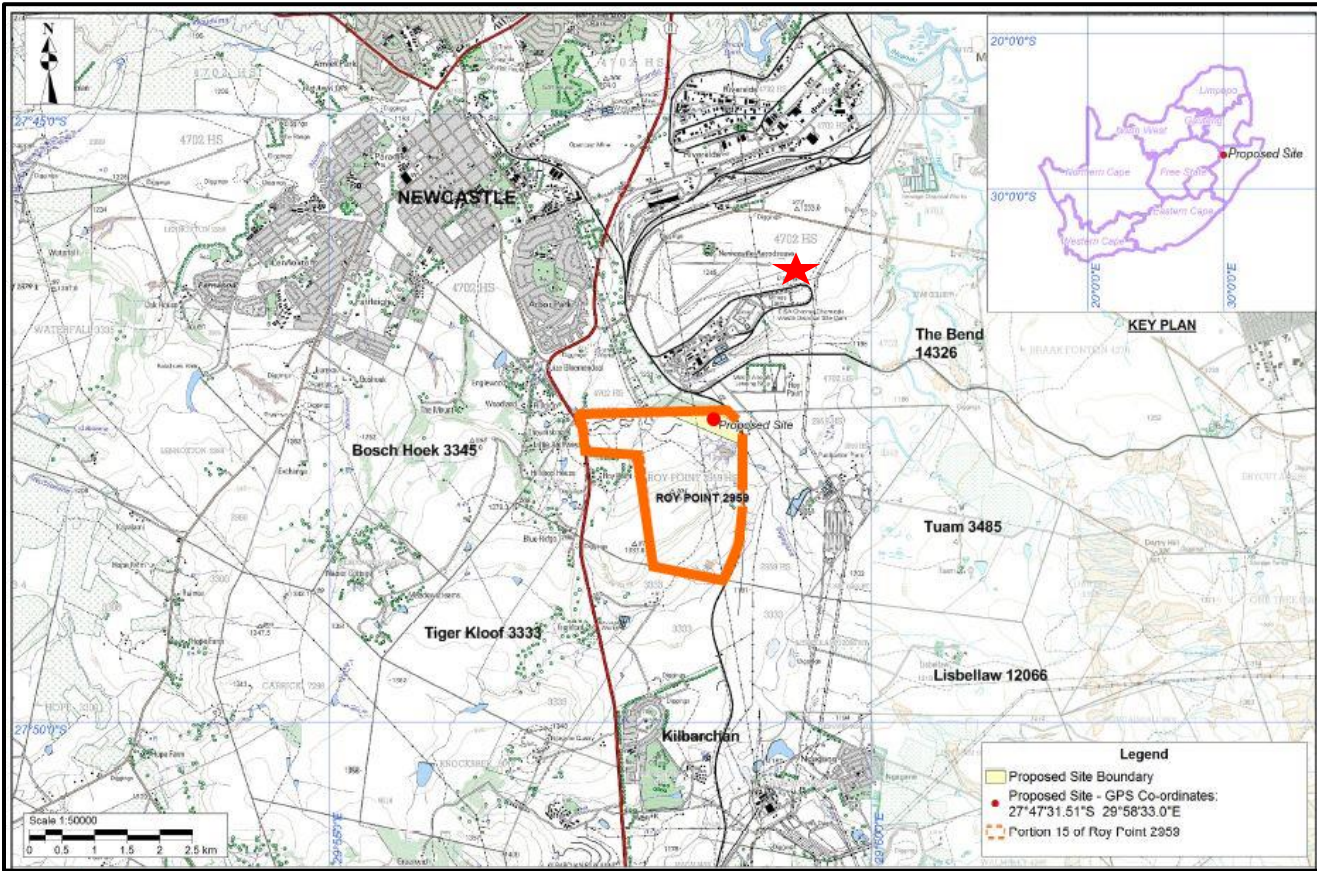


Figure 2 Map showing the farms surrounding the study area like the farm Roy Point that contains archaeological remains as well as a cemetery. The current study area is marked by a red star.

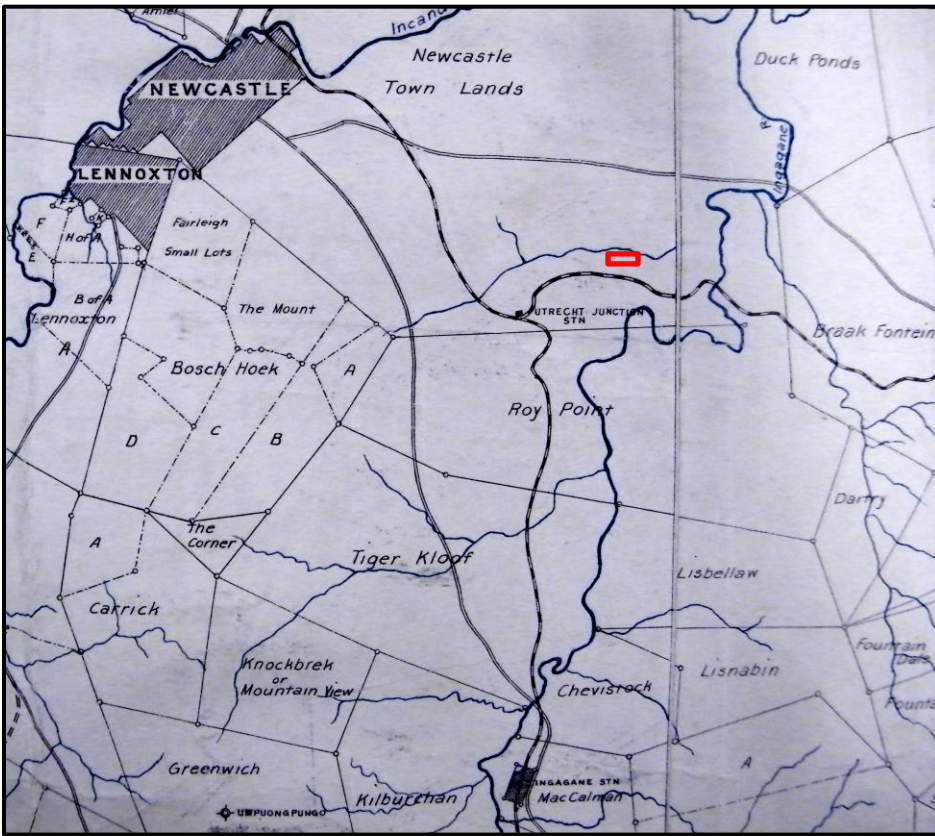


Figure 3 Map of Dundee and Newcastle drawn by the Chairman of the Delimitation Commission for the Provincial Council of Natal in 1913. One can see that no features are located in the general study area. Some of the farms surrounding the study area is Roy Point, Bosch Hoek, Tiger Kloof, Kilburchan and Lisbellaw. (National Archives of South Africa 1913)

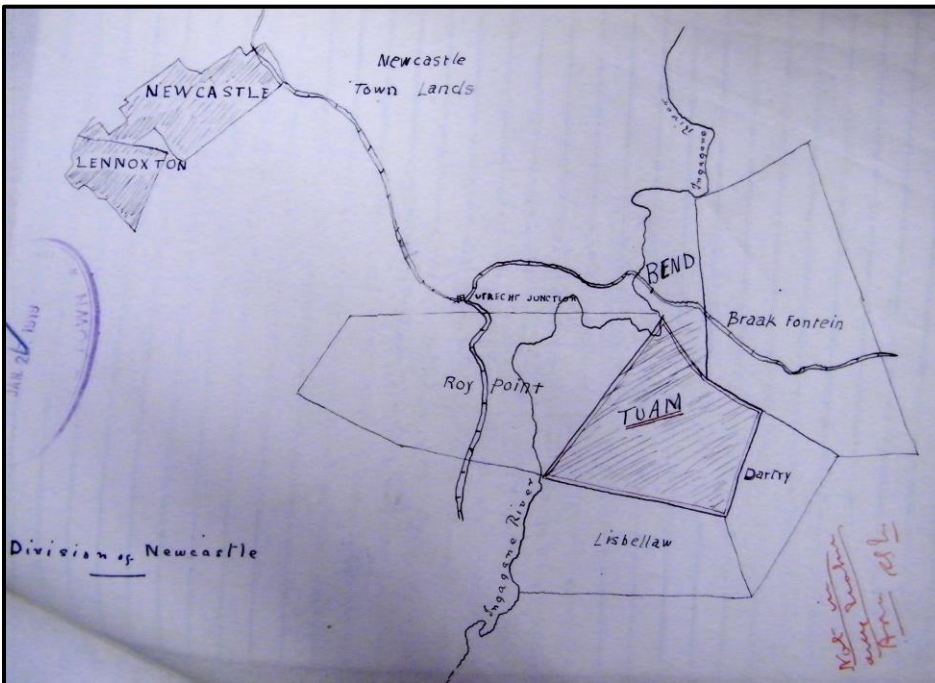


Figure 4 Map showing the location of the farm Tuam that is of historical interest. (National Archives of South Africa 1908-1948)

4.2.3. A Brief History Of Human Settlement And Black And White Interaction In The Newcastle Area

In order to understand the history of Newcastle, it is necessary to take a quick look at the development of the province of Natal. The British Colony of Natal grew from a coastal settlement, Port Natal, which was already well established by 1824 with the permission of Shaka, the chief of the mighty Zulu nation. In the mid-1830s Piet Retief arrived at Port Natal with his Voortrekker companions, and was murdered when he attempted to treat for a grant of land with the new Zulu chief, Dingane. This, and the consequent slaughter of many whites in the province, led to Port Natal being abandoned. After the Boers triumphed against the Zulu nation at the Battle of Blood River in December 1837, the Republic of Natalia came into being, and had its capital in Pietermaritzburg. Britain's interest in having an additional port on the route to India caused the British to reoccupy Port Natal in 1843. Late in the 19th century, gold was discovered at Elandsplaagte, Dundee and Newcastle, and this further increased Britain's economic and commercial interest in maintaining control of this area. (Evans 2000: p. 193) Natal was therefore seen as a secure British base for operations against the Boers by the time that the Anglo-Boer War broke out. This also caused the town to become a prime target for the Boers during the conflict. (Evans 2000: p. 193).

The Anglo-Boer War was an event that had a great role to play in shaping South Africa's history. This conflict took place between 1899 and 1902, and did not only affect the lives of white South Africans, but had a very important impact on the country's black and coloured populations. As Bill Nasson puts it, "Despite the gaps in our knowledge, we are now beginning to appreciate the full and complex dimensions of black involvement in 'the white man's war'." (Nasson 1988: p. 239)

Newcastle, by then the most northern town of importance in Natal, was occupied by the Boers under Assistant Commandant-general D. J. E. Erasmus on 15 October 1899. The Boers found Newcastle to be nearly empty of its inhabitants but there were abundant supplies of foodstuffs. The Boers controlled the town until May 1900 and named it Viljoensdorp. (Torlage 1999: p. 5) It was reoccupied by the British in May 1900 and served briefly as the headquarters of General Sir Redvers Buller. Due to the town being on the railway between the port of Durban and the Transvaal, it became a British supply center during the war. (Evans 2000: p.193-194)

In the Newcastle cemetery there are 419 graves of Imperial soldiers who died between May 1900 and March 1903. These graves are the only reminder today of the role Newcastle played in the war. (Torlage 1999: p. 5)

After the First World War, in 1919, the Town Council of Newcastle decided to set apart a portion of the town land measuring five thousand acres, for the settlement of returned soldiers. There were 40 applications for the 10 plots that were made available. The land was to be occupied by each allottee for 12 years, after which he could purchase the land. The town at this time had a very dynamic Women's Auxiliary, and this association covered the cost of 5 and a half miles of fencing around the new plots. (National Archives of South Africa 1920-1921)

4.2.4. Historical Overview Of The Farm Area Surrounding Roy Point No. 2959

The history of a property should not be studied in isolation. Since there were several documents of interest on the farms adjacent to Roy Point No. 2959, which also bears on the history of this farm, it was decided to include a short section on these properties.

Tuam

It is interesting that one Chief Nkabana settled on the farm Tuam in 1895. He had once been Chief of the Hlutyini Tribe, a large community comprising of some 4000 huts, all in private land, in the Dundee and Newcastle Districts. The Ministers approved Nkabana's settlement on the farm, in consideration of his past services to the Government. In 1908 the recommendation was approved that the chief would be allowed to occupy the farm rent free for life, but that other blacks living on the land would be required to pay rent. In February 1916, however, permission was granted by the Secretary of Native Affairs for the removal of "certain Natives" squatting on the farm Tuam in the Newcastle Division. (National Archives of South Africa 1908-1948)

By April 1928, there were still about 150 black tenants living on the farm Tuam. Some of these individuals were the children of Chief Nkabana, who had paid rent to stay on the property. Though the farm was at the time not located in a "Native Area", these individuals were still occupying the land. The Chief Native Commissioner in Natal recommended to the Secretary of Native Affairs that these persons, some of which were the descendants of Nkabana, be given permission to remain on the land, in consideration of the services the Chief had rendered to the Government. (National Archives of South Africa 1908-1948)

In 1942, a preacher of the Wesleyan Methodist Church, I. N. Nyembezi, applied to establish a Mission Society on Tuam. This was however declined by the Secretary for Native Affairs in October 1942, since the farm was located outside of the nearest "Released Area" for black occupation. By 1944, the government had bought land in the Released Area, to which the black population on Tuam could be moved. This was a rather delicate matter, since these people had lived there for the past 50 years. The Secretary of Native Affairs finally gave these people notice to leave the area by 30 June 1945. These removals were however still in the process of being finalized by the mid-1950s. (National Archives of South Africa 1908-1948)

Bosch Hoek:

On 3 July 1942, the sale of remainder of Lot 3 York Road, of Fairleigh, of the farm Bosch Hoek No. 3354, was approved. The land was 6 acres 3.53 perches in extent and it was sold for the sum of 170 pounds. The ownership was transferred from one Ramgrip Ramsurup (presumably an Indian man) to Alfred Vilakazi and Lakane Nkosi, who were classified as "natives" and minors, duly assisted by their uncle and guardian, Njojela Nkosi. It is interesting to note that black persons were able to acquire property in the area surrounding Roy Point in the 1940s. (National Archives of South Africa 1942).

Lisbellaw:

There is evidence that there were many black families staying on the farm Lisbellaw by 1908. The Secretary of the Land Board noted in a letter that the collection of rents from "Natives" squatting on the land was strictly prohibited. It was also mentioned that these individuals would be given notice to vacate the land on 30 June 1908. (National Archives of South Africa 1909-1932)

On 17 March 1908 it was recommended that Mr J. Shaw could settle on Lisbellaw. In September 1912, the farm was transferred to one Edward Frederick Hodder for the amount of 320 pounds sterling. (National Archives of South Africa 1909-1932)

In April 1932, the holding Lisbellaw, by then 1564 acres 3 roods 36 perches in extent, was ceded by Crown Grant to Johannes Christoffel Boshoff (Junior). (National Archives of South Africa 1932)

Kilbarchan:

In April 1922, one Reverent Josiah Mtembu, a Minister of the African Native Free Church, applied to become a rent paying tenant on the farm Kilbarchan. The land was at that time in the ownership of one Wynand Peter John Aderdorff. The Chief Native Commissioner of Natal did not recommend his application, since the farm was located outside of the recommended "Native Area", which was situated near Ingagane Railway Station south of Newcastle. The case was however reconsidered, and Mtembu received permission to reside on the land in June 1922. (National Archives of South Africa 1922)

4.2.5. Historical Overview Of The Ownership And Development Of The Farm Roy Point No. 2959

Some information on the farm Roy Point is available on Newcastle's Tourism Website. One of the historical sites mentioned is Hilldrop house. Rider Haggard, the author of King Solomon's Mines, and his friend Arthur Cochrane purchased the farm Roy Point in 1879 for the purpose of ostrich farming. The estate had previously belonged to Sir Melmouth Osborn, who had been the resident magistrate of Newcastle. Haggard's first novel "Jess" is apparently based on his experiences at Hilldrop House. The farm that is named "Mooifontein" in the novel can be recognized as Roy Point and "Lion's Kloof" as the farm Tiger's Kloof. The house had played a host to a number of dignitaries during discussions for the retrocession of the annexation of the Transvaal. Among these were Sir Hercules Robinson, Sir Henry de Villiers, President Brand, President Paul Kruger, General Piet Joubert and M. W. Pretorius. Hilldrop House is presently a national monument. (Newcastle Tourism Website 2011)

In 1942, one Mrs Parks was residing alone on the farm Roy Point. There were rumours that the 50 tenant families on Parks' farm would be evicted from the property on short notice and without provision for new settlement for them. The Natal African Zakhe Association, which was described as an "African self-improvement organisation", raised its objection against such an action being taken. The President of the association, one W. S. Kumalu, noted in a letter to the Minister of Native Affairs that some of these families had been living on the property for more than forty years, and that they were given only one month's notice to vacate the land. One Senator Edward H. Brookes of the Adams Mission Station, also wrote a letter to the Chief Native Commissioner at Maritzburg, noting that the tenant families had long been living on the land and that a government-aided school had been running on the property for the past 15 years (therefore, since about 1927) Brookes requested that the evictions be postponed and that the government would help to find a place for the families to resettle. It seems that such evictions was at the time a general concern in the area, as Brookes noted that it was not only in the Newcastle area, but also in the Ladysmith area that a general policy of eviction was carried out. (National Archives of South Africa 1942-1951)

An investigation by the Native Commissioner of Newcastle revealed that there were actually 59 kraals on Roy Point in 1942, and a total population of 377 black tenants. It was decided that, since the tenants were mostly employed in Newcastle, and their crops were just a "side-line" economic activity, they could be evicted before the reaping of their crops. The tenants had apparently been living rent-free on Mrs Parks' farm, though she had undoubtedly received some form of remuneration. The landowner had received a severe fine for contravening the law with regards to accommodating blacks outside of a "Native Area". It was believed that the tenants would easily find a place to settle, as there was a shortage of farm labour throughout the district at the time. (National Archives of South Africa 1942-1951)

By July 1942, many of the black tenants, having been given notice to leave Roy Point, had made earnest attempts to find new accommodation. There was however one particular (and unnamed) individual who refused point blank to leave the area. By 22 August, 15 families consisting of 164 individuals have not yet left the farm. No further steps were taken to remove the remaining tenants from the land between 1942 and 1946. In March 1946, however, Mrs Parks complained that one Petros Kunene had refused to work in exchange for living on the land. Kunene was also grazing 18 head of cattle on the property without paying anything for the right to do so. The landowner had therefore given Kunene and his family notice to leave Roy Point. (National Archives of South Africa 1942-1951)

By 1948, the farm Roy Point had been transferred to the Union Free State Coal and Gold Corporation of Johannesburg. The removal of the black families on the farm was therefore once again discussed. At this time 45 families were living on Roy Point. In 1949, the government was negotiating the purchase of farm in the Buffalo Flats area that would become a Native Trust area. The new owners of Roy Point were asked to permit the tenants on Roy Point to remain where they were until the new land was made available. By February 1951, 56 families from Roy Point have been settled on the farm Birkenstock, while some families remained on the farm as labour tenants and the rest moved to other farms. (National Archives of South Africa 1942-1951)

Other documentary evidence shows that, in October 1950, 84 families totalling 313 people, who owned a total number of 220 head of cattle, were moved from Roy Point to SAN Trust farms. While resident on Roy Point these families were allowed to plough from 2 to 6 acres of land. The farms bought by the Trust for the settlement of these families were:

Klipbank No. 7943

Morgenzon or Paddadors

Schoonvlak No. 4279

Birkenstock No. 3733

Subd. Mieliebult or Paddadors

Subd. "A" of Grootgeluk No. 8534

Remainder of Grootgeluk

Ironstone Brae No. 8579

Springvale No. 4274

Paddadors No. 8616

Aardop No. 4268

Lekkerwater No. 3732

The farms had a total size of 5243 acres, and were located 13 miles east of the Town of Newcastle along the Newcastle-Styldrift road. The farms Birkenstock, Klipbank and Schoonvlak bordered partly on the Buffalo River. It was recommended that each family owning stock would be given 6 acres of arable land plus a half acre of residential site, both of which would be beacons. Each stock owning family would be allowed to run 10 head of cattle. Repairs and betterments would also be done on borehole equipment and cattle dips at the new settlement site. (National Archives of South Africa 1950-1961)

5. HERITAGE SITE SIGNIFICANCE AND MITIGATION MEASURES

The presence and distribution of heritage resources define a 'heritage landscape'. In this landscape, every site is relevant. In addition, because heritage resources are non-renewable, heritage surveys need to investigate an entire project area, or a representative sample, depending on the nature of the project. In the case of the proposed quarry extension the local extent of its impact necessitates a representative sample and only the footprint of the areas demarcated for development were surveyed. In all initial investigations, however, the specialists are responsible only for the identification of resources visible on the surface.

This section describes the evaluation criteria used for determining the significance of archaeological and heritage sites. The following criteria were used to establish site significance:

- » The unique nature of a site;
- » The integrity of the archaeological/cultural heritage deposits;
- » The wider historic, archaeological and geographic context of the site;
- » The location of the site in relation to other similar sites or features;
- » The depth of the archaeological deposit (when it can be determined/is known);
- » The preservation condition of the sites;
- » Potential to answer present research questions.

Furthermore, The National Heritage Resources Act (Act No 25 of 1999, Sec 3) distinguishes nine criteria for places and objects to qualify as 'part of the national estate' if they have cultural significance or other special value. These criteria are:

- » Its importance in/to the community, or pattern of South Africa's history;
- » Its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;

- » Its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- » Its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- » Its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- » Its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- » Its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- » Its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa;
- » Sites of significance relating to the history of slavery in South Africa.

5.1. Field Rating of Sites

Site significance classification standards prescribed by SAHRA (2006), and acknowledged by ASAPA for the SADC region, were used for the purpose of this report. The recommendations for each site should be read in conjunction with section 7 of this report.

FIELD RATING	GRADE	SIGNIFICANCE	RECOMMENDED MITIGATION
National Significance (NS)	Grade 1	-	Conservation; national site nomination
Provincial Significance (PS)	Grade 2	-	Conservation; provincial site nomination
Local Significance (LS)	Grade 3A	High significance	Conservation; mitigation not advised
Local Significance (LS)	Grade 3B	High significance	Mitigation (part of site should be retained)
Generally Protected A (GP.A)	-	High/medium significance	Mitigation before destruction
Generally Protected B (GP.B)	-	Medium significance	Recording before destruction
Generally Protected C (GP.C)	-	Low significance	Destruction

6. BASELINE STUDY-DESCRIPTION OF SITES

It is important to note that the entire farm was not surveyed but only the footprint of the proposed development as indicated in Figure 1. During the survey no sites or features of heritage significance were identified inside the demarcated for the PV arrays, connection into the grid and proposed access routes.



Figure 5: Google Image of the study area (in blue) with track logs of the area covered in black.



Figure 6. Existing access roads from the west.



Figure 7. Existing access road from the north.



Figure 8. Study area viewed from the south.



Figure 9. Study area viewed from the east.

7. RECOMMENDATIONS AND CONCLUSIONS

During the survey for the proposed PV facility, access route and connection into the grid no sites of heritage significance were found in the development footprint. The impacts of the proposed development on heritage resources such as archaeological sites, built structures over 60 years old, sites of cultural significance associated with burial grounds and graves, graves of victims of conflict, and significant cultural landscapes or views are considered to be low.

In terms of the KwaZulu Natal Heritage Act No. 4 of 2008 and the National Heritage Resources Act No.25 of 1999 (Section 38 (1)), we have no objection to the proposed development (based on approval from AMAFA) if the following recommendations are adhered to:

- If during construction, any graves or archaeological finds are made (e.g. stone tools, skeletal material), the operations must be stopped and Amafa should be contacted.

8. PROJECT TEAM

Jaco van der Walt, Project Manager

Liesl Bester, Archival Specialist

9. STATEMENT OF COMPETENCY

I (Jaco van der Walt) am a member of ASAPA (no 159), and accredited in the following fields of the CRM Section of the association: Iron Age Archaeology, Colonial Period Archaeology, Stone Age Archaeology and Grave Relocation. This accreditation is also valid for/acknowledged by SAHRA and AMAFA.

I have been involved in research and contract work in South Africa, Botswana, Zimbabwe, Mozambique, Tanzania and the DRC; having conducted more than 300 AIAs since 2000.

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