

**PROPOSED UPGRADING OF P263 AND BRIDGE CONSTRUCTION IN
MATIWANE, LADYSMITH LOCAL MUNICIPALITY**

Phase I Cultural Heritage Impact Assessment

Prepared for

HENWOOD & NXUMALO CONSULTING ENGINEERS

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I, **Mamoluoane Seliane**, in my capacity as a specialist consultant, hereby declare that I -

- Act as an independent consultant;
- Do not have any financial interest in the undertaking of the activity, other than remuneration for the work performed in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and following the provisions of the National Heritage Resources Act, 1999 (Act No. 25 of 1999);
- Have and will not have vested interest in the proposed activity proceeding;
- Have no, and will not engage in, conflicting interests in the undertaking of the activity;
- Undertake to disclose, to the competent authority, any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and/or the National Heritage Resources Act, 1999 (Act No. 25 of 1999);
- Will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not;
- Based on information provided to me by the project proponent, and in addition to information obtained during the course of this study, have presented the results and conclusion within the associated document to the best of my professional judgement; and
- Undertake to have my work peer reviewed on a regular basis by a competent specialist in the field of study for which I am registered.



Mamoluoane Seliane
Heritage Specialist
Accredited by ASAPA Reg. No. 255

15 October 2015

Date

EXECUTIVE SUMMARY

The aim of the cultural heritage survey (Phase I Heritage Survey, in accordance with the National Heritage Resources Act, 1999 (Act No. 25 of 1999) was to locate, identify, document and assess sites of cultural heritage and archaeological significance that may occur within the proposed study area for the upgrade of the Road bet P263 and bridge construction in Matiwane. An assessment of the impact of the proposed Road P263 and bridge construction upgrade on such resources will be provided. Where the impact is negative, alternatives and/ or mitigation plans will be considered.

The study revealed no heritage resources within the 10m developmental corridor of the proposed route upgrade. It is therefore, recommended from a heritage point of view that the proposed upgrade of the Road P263 and bridge construction, proceed with acceptance of the conditions stated in Section 7 of this report.

ACRONYMS AND ABBREVIATIONS

EIAge	Early Iron Age
ESA	Early Stone Age
HIA	Heritage Impact Assessment
LIA	Late Iron Age
LSA	Later Stone Age
MIA	Middle Iron Age
MSA	Middle Stone Age
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998)
NHRA	National Heritage Resources Act, 1999 (Act No. 25 of 1999)
KZNHA	KwaZulu-Natal Heritage Act, 2008 (Act No. 4 of 2008)
Amafa	KwaZulu-Natal Provincial Heritage Resources Authority
SAHRA	South African Heritage Resources Agency
S&EIR	Scoping and Environmental Impact Reporting

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1. INTRODUCTION

The proposed development will involve the upgrade of P263 road, and will also entail bridge and culvert construction and upgrade (approximately six). The extent of the road is 21km. The existing road width is 3.5m in each direction and will be expanded to 4.25 in each direction, consisting of a 3.25m lane width and a 1m blacktop shoulder.

There is an existing bridge at km 10.5, which will not be upgraded; however a new two lane bridge will be constructed in a new alignment. The new two lane bridge will not be in the existing road reserve, and will lie 15m away. This new bridge will be 35m long and 10.96m wide.

The start and end coordinates of the Road P263 are as follows:

Start: 28°24'18.11"S; 29°57'25.88"E

End: 28°16'45.40"S; 29°49'18.70"E

Ms Mamoluoane Seliane was commissioned by Henwood and Nxumalo Consulting Engineers to undertake a Phase I Heritage Impact Assessment (HIA) of the proposed study area. This HIA was carried out in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended, (NEMA), and it is based on the requirements of the National Heritage Resources Act, 1999 (Act No 25 of 1999) (NHRA). This HIA is a specialist study that forms part of the Basic Assessment process for the proposed development on heritage resources within the proposed study area.

Heritage resources of the KwaZulu-Natal Province are protected in terms of the KwaZulu-Natal Heritage Act, 2008 (Act No. 4 of 2008) (KZNHA):

Section 33(1) (a) of the KZNHA states that:

"No structure which is, or which may be expected to be older than 60 years, may be demolished, altered or added to without the prior written approval of the Council having been obtained on written application to the Council."

Section 34 of the KZNHA states that:

"No person may damage, alter, exhume or remove from its original position –
(a) the grave of a victim of conflict;
(b) a cemetery made up of such graves; or
(c) any part of a cemetery containing such graves,
without the prior written approval of the Council having been obtained on written application to the Council."

Section 35 (1) of the KZNHA continues that:

“No grave – not otherwise protected by this Act, and 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 Council having been obtained on written application to the Council.”

In Section 36 (1) it is further indicated 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 Council having been obtained on written application to the Council.”

According to Section 3 (2) of the NHRA, 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)."*

In terms of Section 3 (3) 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."*

The aim of the investigation was to identify, verify and analyze heritage issues and to recommend how to manage them within the context of the proposed upgrade of Road P263, bridge and culvert construction.

The objectives of the investigation were:

- Identifying and analysing heritage places, objects, buildings, structures, graves etc.;
- Assessing broad cultural significance of identified sites, places, buildings, structures, graves and objects within the study area;
- Surveying and mapping of significance/sensitivity issues and opportunity/constraint issues;
- Reviewing of the general compatibility of the proposed road upgrade and associated activities with heritage policy planning frameworks;
- Undertaking a preliminary assessment of the acceptability of the proposed road upgrade from a heritage perspective;
- Identifying the need for alternatives, if necessary; and

- Recommending appropriate initial management measures to conserve significant heritage elements and reduce the impact on heritage resources.

2. BACKGROUND INFORMATION TO THE PROJECT

Table 1 Background Information

Consultant:	Mamoluoane Seliane
Type of development:	Upgrade of 21km of Road P263 between coordinates: Start: 28°24'18.11"S; 29°57'25.88"E and End: 28°16'45.40"S; 29°49'18.70"E; and Bridge and culvert construction.
Rezoning or subdivision:	None
Terms of reference	Phase I HIA Study
Legislative requirements:	The HIA was carried out in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended, (NEMA), and following the requirements of the KwaZulu-Natal Heritage Act, 2008 (Act No. 4 of 2008) and the provisions of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA) where applicable.

2.1 Details of the study area

The KwaZulu-Natal Department of Transport proposes to undertake the upgrade of Road P263 and bridge construction in Matiwane. (Figure 1).

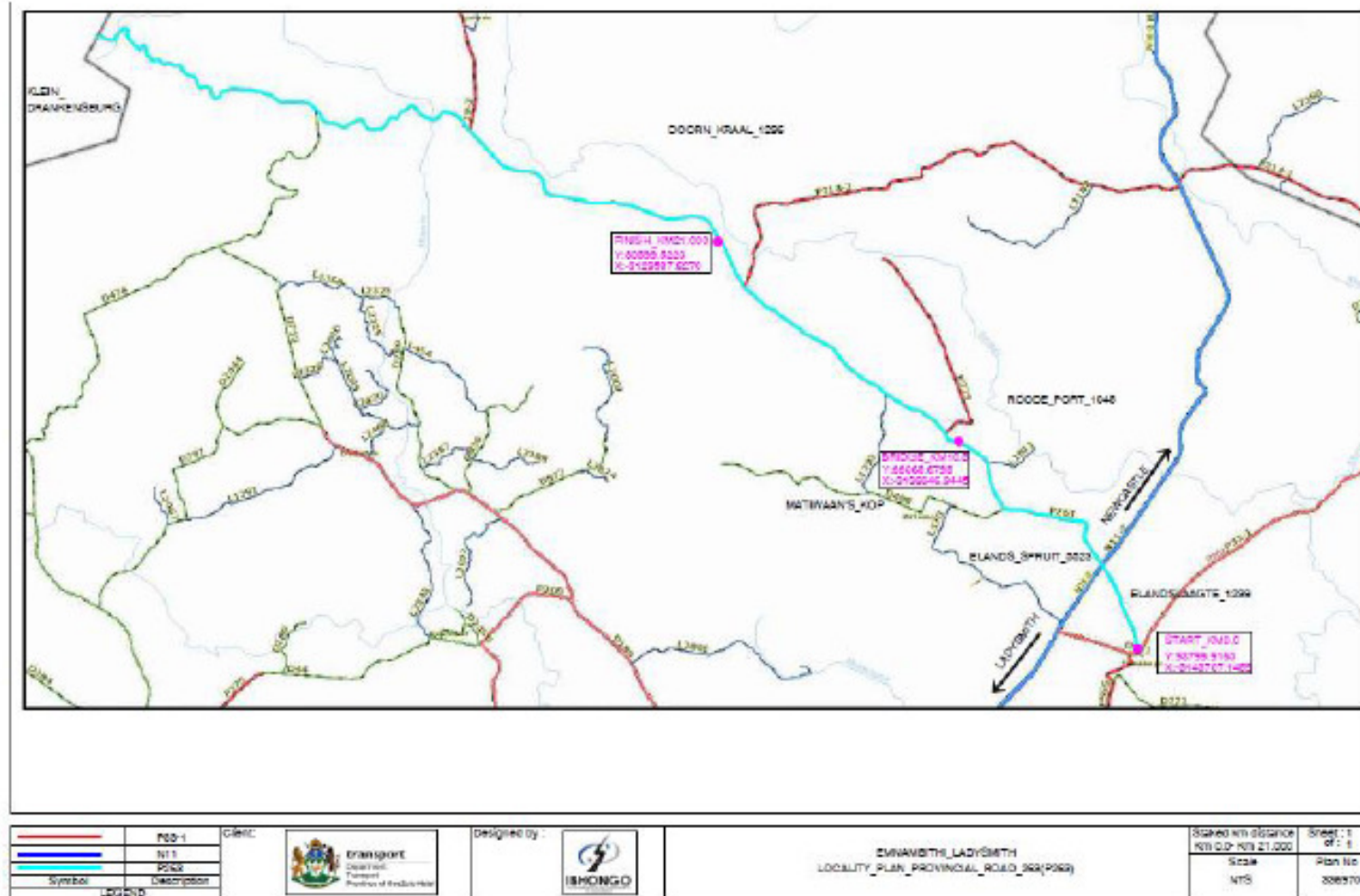


Figure 1: Location of the study area (Map provided by Henwood and Nxumalo)

Current Land-use

The proposed Road P263 section that is indicated for the upgrade is currently under use (Plate 1). The land uses along the route include mixed farming (Plate 2) and residential areas (Plate 3).



Plate 1: Road currently being used

2.2 Locational Data

- Province: KwaZulu-Natal;
- District Municipality: Uthukela;
- Local Municipality: Ladysmith;
- General Coordinates: **Road Start:** 28°24'18.11"S; 29°57'25.88"E
Road End: 28°16'45.40"S; 29°49'18.70"E;



Plate 2: Cattle Farming along the P263 Road



Plate 3: Residential Houses along Road P263 (Cwembe Village)

3. BACKGROUND INFORMATION OF THE SURVEY

3.1 Methodology

3.1.1 Details of the site visit

The site visit for the proposed upgrade of Road P263 was conducted on 02 September 2015. The survey was undertaken by means of walking and driving on site to:

- Search for, locate and identify objects and structures of heritage and/or archaeological significance in accordance with accepted archaeological practices; and
- Document all heritage/ archaeological sites, objects and structures according to minimum standards and procedures accepted by the archaeological profession.
- The survey covered the following:
 - Inspection of approximately 10m on either side of the existing road edge;
 - Inspection of the bridge and culverts which need to be upgraded; and
 - Inspection of the bridge and the area of the new bridge construction.

3.1.2 Literature Review

A brief literature review pertaining to the prehistory of the KwaZulu-Natal Province was undertaken.

3.2 Restrictions to the survey

3.2.1 Visibility

Visibility for the most part of the study area was fair (Plate 4),



Plate 4: Typical vegetation found along the route

3.2.2 Disturbance

There is no disturbance of any potential archaeological stratigraphy noted.

3.3 Details of the equipment used in the survey

- GPS: Garmin eTrek Camo; and
- Digital cameras: Canon Powershot A460.

All readings were taken using the GPS. Accuracy was to a margin of error of 4 m.

4 BRIEF ARCHAEOLOGICAL HISTORY OF THE KWAZULU-NATAL PROVINCE

4.1 Archaeology

The archaeological history of the province of KwaZulu-Natal dates back to about 2 million years and possibly older, which marks the beginning of the Stone Age. The Stone Age in KwaZulu-Natal was extensively researched by Professor Oliver Davies formerly of the Natal Museum (see for example Davies, 1976, 1952). The Stone Age period has been divided into three periods namely: Early Stone Age (ESA) dating between 2 million years ago to about 200 000 years ago, Middle Stone Age (MSA) dating between 200 000 years ago to about 30 000 years ago, and the Later Stone Age (LSA) which dates from 30 000 to about 2 000 year ago. The Stone Age period ends approximately 2 000 years ago when Bantu speaking Iron Age farmers from the north arrived in southern Africa. The Iron Age is also divided into three periods, namely: Early Iron Age (EIA) dating between AD 200 and AD 900, Middle Iron Age (MIA) dating between AD 900 and AD 1300, Late Iron Age (LIA) dating between AD 1300 and 1820 (Huffman 2007).

4.2 Historic Period

Oral tradition is the basis of the evidence of historical events that took place before history could be recorded. This kind of evidence becomes even more reliable in cases where archaeology could be utilised to back up the oral records. Sources of evidence for socio-political organization during the mid-eighteenth to early nineteenth century in the study area and the larger former Natal Province suggest that the people here existed in numerous small-scale political units of different sizes, population numbers and political structures (Wright & Hamilton, 1989). This period was largely characterised by rage and instability as political skirmishes broke out due to the thirst for power and resources between chiefdoms.

During the second half of the eighteenth century, stronger chiefdoms and paramountcies emerged. However, these were not fully grown states as there was no proper formal central political body established. This changed in the 1780's when a shift towards a more centralized political state occurred. This shift was mainly characterized by population growth and geographical expansion of states. The most important and largest and strongest states at the time were the Mabhudu, Ndwandwe and Mthethwa. However, other smaller states, also established themselves in the greater Tugela Region. These included in the south the Qwabe, Bhaca, Mbo, Hlubi, Bhele, Ngwane and many others (Wright & Hamilton, 1989).

The Zulu kingdom, established by King Shaka however remained the most powerful in the region in the early years of the 19th century. Shaka fought ruthlessly and often defeated his rivals and conquered their cattle, wives and even burnt their villages. These wars are often referred to as Difaqane and this period was characterised by rage and blood shedding. Shaka was assassinated in 1828 by which time he had transformed the nature of the society in the Zululand regions. He was succeeded by Dingaan (Wright & Hamilton, 1989).

As the Dutch Settlers realised they were unhappy with the British rule in Cape Town, they decided to explore into the interior of the country, away from British rule. Some groups remained in the Eastern Cape, others kept going and a few settled in the Free State and the former Transvaal. A great number, led by Piet Retief, crossed the Drakensburg into Natal. Here they encountered the Zulus who lured them into a trap and brutally massacred the entire group including families at Weenen. This was only one of the many failures of the white settler expeditions in the frontiers and when the shocking news reached the Cape, more groups were sent to the interior for revenge. A series of battles were fought but the most notable was the Battle of Blood River in 1838 where the Boers defeated the Zulus. This ended the Zulu threat to the white settlers and a permanent and formal settlement in the former Natal Colony was established. However, the Republic of Natalia was annexed by the British in 1845 (Wright & Hamilton, 1989).

5 DESCRIPTION OF THE STUDY AREA HERITAGE

5.1 Description of the materials observed

The investigation revealed no heritage resources within 10m on either side of the proposed road upgrade.

Table 2 Table detailing identified heritage resources and NHRA status

Identified heritage resources	
<i>Category, according to NHRA</i>	<i>Identification/Description</i>
Formal protections (NHRA)	
National heritage site (Section 27)	None
Provincial heritage site (Section 27)	None
Provisional protection (Section 29)	None
Place listed in heritage register (Section 30)	None
General protections (NHRA)	
Structures older than 60 years (Section 34)	None
Archaeological site or material (Section 35)	None
Palaeontological site or material (Section 35)	None
Graves or burial grounds (Section 36)	None
Public monuments or memorials (Section 37)	None
Other	
Any other heritage resources (describe)	None

5.2 Summary of the findings

No heritage resources and structures older than 60 years were identified within 10m of the study area and thus no further permitting processes are required.

However, caution must be taken during construction not to impact on graves that were identified at 28°19'19.4''S; 29°52'18.8''E. The gravesite (Plate 5) is fenced and occurs over approximately 20m from the proposed developmental corridor of 10m from the existing road edge.



Plate 5: Fenced Gravesite within homestead

6. STATEMENT OF SIGNIFICANCE

This section does not apply as no heritage resources were identified within the developmental corridor.

7. RECOMMENDATIONS

It is recommended that the proposed Road P263 Upgrade bridge and culvert construction proceed from a heritage point of view as no heritage resources were identified within 10m of the proposed route upgrade, with acceptance of the following conditions:

Construction activities should be limited to the proposed construction corridor of 10m from the outer edge of the existing road edge. If the size of the construction corridor is increased at a later stage, a heritage specialist should be involved in order to assess how the increase in the corridor width will affect heritage resources.

8. RISK PREVENTATIVE MEASURES ASSOCIATED WITH CONSTRUCTION

Archaeological material, by its very nature, occurs below ground. The developer should therefore keep in mind that archaeological sites might be exposed during the construction phase. If anything is noticed, work in that area should be stopped and the occurrence should immediately be reported to the KwaZulu Natal Provincial Heritage Resources Authority (Amafa) at 033 394 6543 and the author at 083 375 4270. The find should then be investigated and evaluated by the author, who will provide recommendations on when construction activities in the area where the discovery was made can resume.

9. CONCLUSION

The heritage survey and desktop investigation for the proposed Road P263 Upgrade, bridge and culvert construction Project revealed no cultural heritage resources. Therefore from a heritage point of view, the proposed road upgrade and associated activities can proceed.

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