

**PROPOSED UPGRADE AND REALIGNMENT OF THE
UMBUMBULU M30 ROAD, ETHEKWINI
METROPOLITAN MUNICIPALITY, KWAZULU-NATAL**

Phase 1 Heritage Impact Assessment

August 2017

**For: KSEMS
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EXECUTIVE SUMMARY

Introduction:

The eThekweni Municipality proposes to upgrade the M30 road. The proposed road upgrade is situated within the town of Umbumbulu, which is located within the eThekweni Metropolitan Municipality. The proposed upgrade of the M30 Road forms part of a larger intention to upgrade Umbumbulu Town in order to improve local businesses, services and infrastructure in the area. The project involves the upgrade and widening of the tar road as well as the construction of a short stretch of new tarred road.

This report is the Phase 1 Heritage Impact Assessment (HIA) for the proposed upgrade and realignment of the M30 Umbumbulu road.

The length of the M30 road to be upgraded is approximately 1 km in length hence it triggers Section 38 (1) (a) of the National Heritage Resources Act, 1999 (Act No 25 of 1999) which refers to the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length.

Location:

The M30 road runs through the small community of Umbumbulu which is located approx. 20 km west of and inland of Amanzimtoti. An inspection of the section of the road to be upgraded was undertaken on 16 August 2017.

Results of site inspection:

From the R603, the M30 has a Puma service station on one side and businesses on the other side. However, when the road bends towards the north-west, four structures on its north-eastern side are well over 60 years old. One structure serves as the Thuthuka Superette, the second as Umbumbulu's post office, the third structure is dilapidated and unused and the fourth structure is used as a business and possibly as a residence as well. Although these structures are neglected they appear to be structurally sound.

These buildings are protected in terms of section 33 (1) (a) of the KwaZulu-Natal Heritage Act (KZNHA) (2008) that states that: no structure which is, or which may reasonably be expected to be older than 60 years, may be demolished, altered or added to without the prior written approval of the (Amafa) Council having been obtained on written application to the Council. The demolition or alteration of these buildings is not recommended.

As the M30 heads northwards, the buildings on either side of the road are a mix of old and new. North of the taxi rank there is an open space. Residents indicated that to their knowledge, there were no graves or other heritage sites in this open area. Buildings next to and opposite the open area appear to be less than 60 years apart from one structure which is situated behind very dense vegetation that could be over 60 years of age. It is in a depilated condition but appears to be occupied. It is recommended that the structure is not impacted by the proposed upgrade as it is also protected by section 33 of the KZNHA.

Next to the new magistrate's court is the social grants (SASSA) offices. The building behind the vehicular entrance could be over 60 years old and should not be impacted by the proposed upgrade of the M30. Opposite the magistrate's court are several government buildings that appear to be less than 60 years of age. All these buildings are currently in use.

The South African Fossil Sensitivity Map indicated that the project area is situated in an area of low fossil sensitivity. This means that no additional studies are required but that a protocol must be in place in the event of chance finds of fossils during the upgrade of the road. The protocol is included in Chapter 9 of this report.

Recommendations and conclusion:

During the site inspection, a number of structures were found that are or could reasonably be older than 60 years of age and are therefore protected by section 33 of the KZNHA. It is recommended that the upgrade of the M30 does not impact on these buildings nor on any other buildings as the impact could be highly negative (socially and economically) to those living and using the structures.

The proposed upgrade and realignment of the M30 road can proceed as long as the recommendations and mitigation measures provided are implemented and adhered to.

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AUTHOR DETAILS

Verification	Name	Qualification	Professional Registration
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1. INTRODUCTION

The eThekweni Municipality proposes to upgrade the M30 road. The proposed road upgrade is situated within the town of Umbumbulu, which is located approximately 20 kilometres (km) west of Amanzimtoti within the eThekweni Metropolitan Municipality. The proposed upgrade of the M30 Road forms part of a larger intention to upgrade Umbumbulu Town in order to improve local businesses, services and infrastructure in the area.

The project involves the upgrade and widening of the tar road as well as the construction of a short stretch of new tarred road.

This report is the Phase 1 Heritage Impact Assessment (HIA) for the proposed upgrade and realignment of the M30 Umbumbulu road.

2. LEGISLATIVE BACKGROUND

The length of road to be upgraded is approximately 1 km in length hence it triggers Section 38 (1) (a) of the National Heritage Resources Act, 1999 (Act No 25 of 1999) that refers to:

(a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length.

In addition, the project 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 (No. 4 of 2008) as well as sections 34, 35, and 36 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) 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).

The Phase I HIA will be undertaken to assess whether any heritage resources will be impacted by the proposed upgrade of the M30 Umbumbulu road.

3. LOCATION

Umbumbulu is located approximately 20 kilometres (km) inland and west of Amanzimtoti and falls within the eThekweni Metropolitan Municipality (see **Figures 1 and 2** below). The co-ordinates for the start of the upgrade and the end of the upgrade are:

Start: 29°59'16.9"S 30°42'09.2"E

End: 29°59'03.9"S 30°42'16.8"E

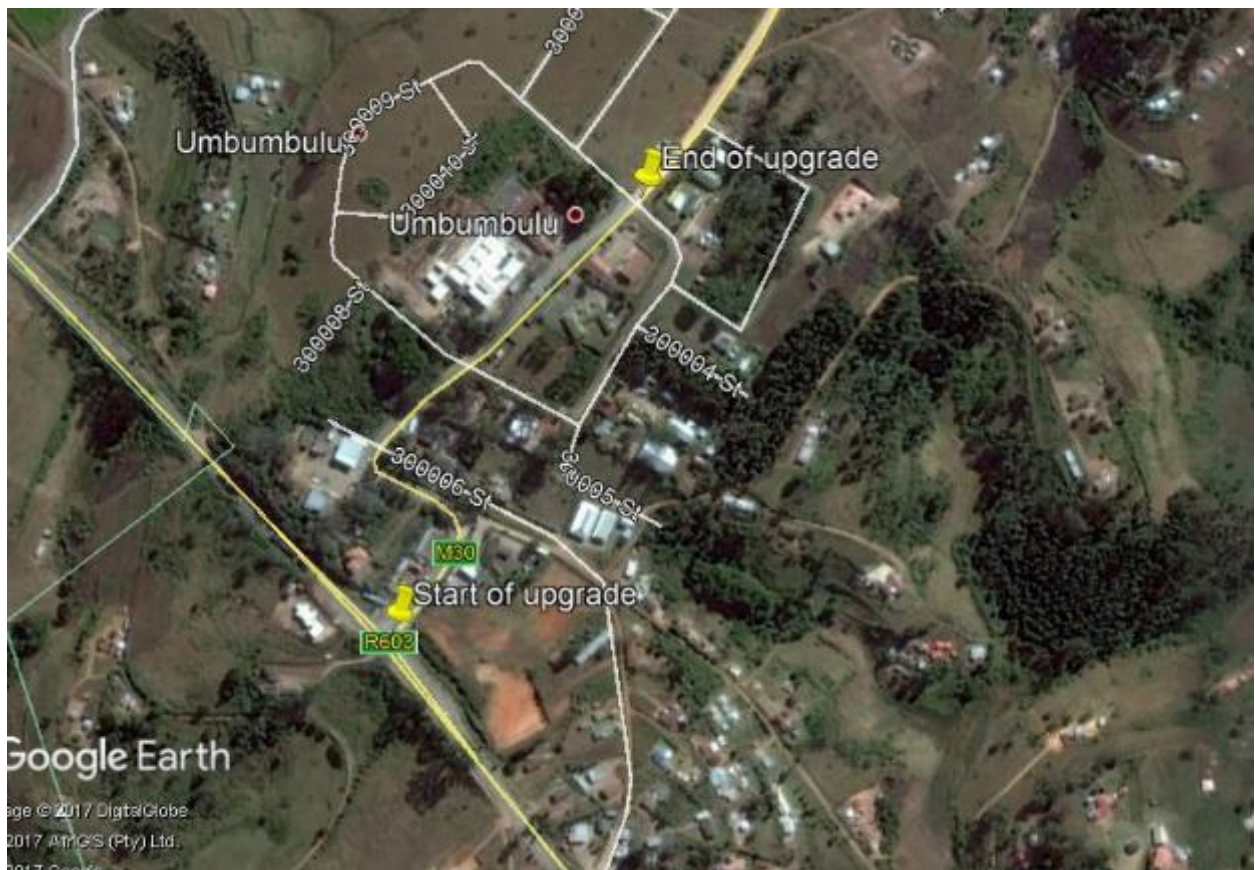


Figure 1: Project area

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 upgrade of the M30 Umbumbulu road.

Provide mitigation measures to limit or avoid the impact of the construction of the project on heritage resources (if any).

Submit the Phase 1 HIA report to the provincial heritage resources authority, Amafa aKwaZulu-Natali (Amafa), for their assessment and comment.

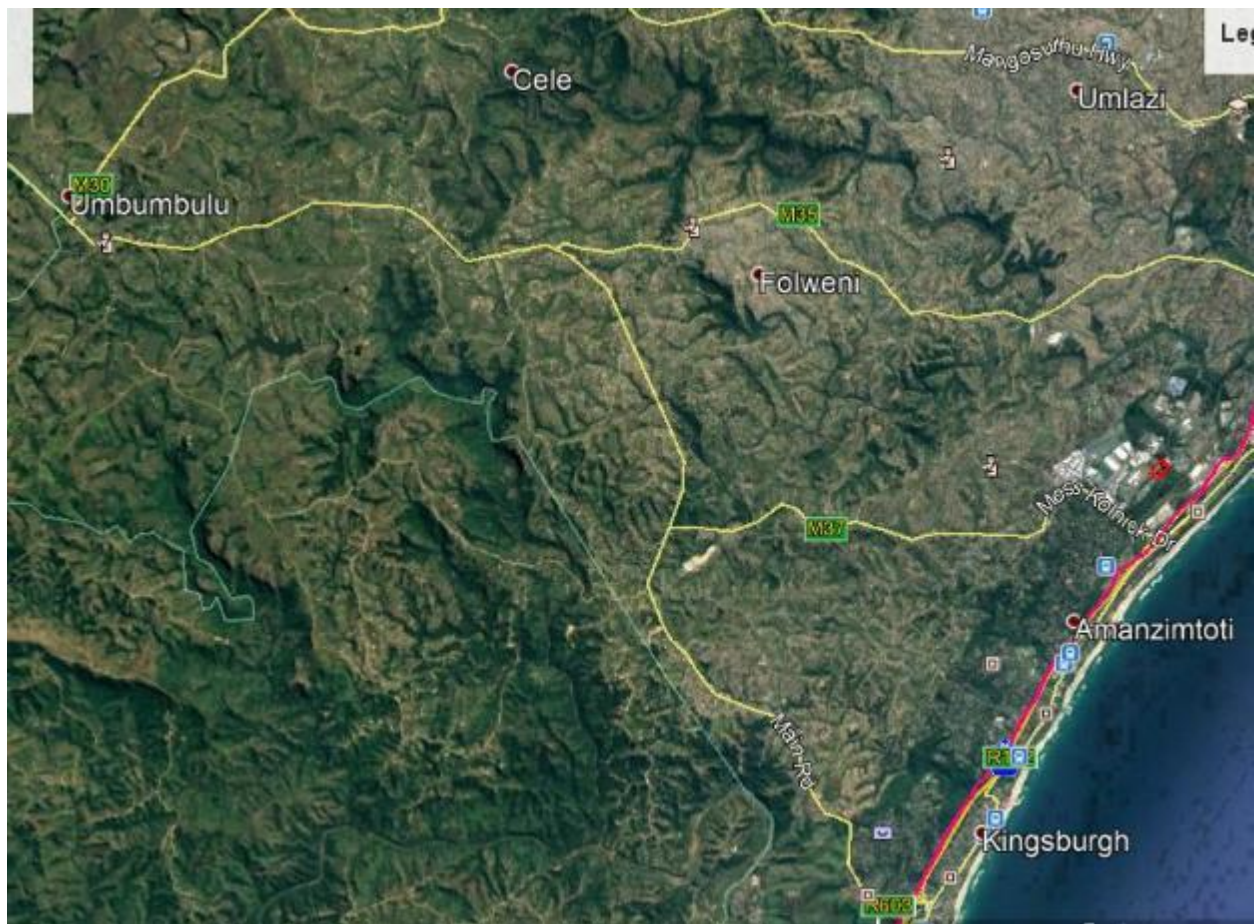


Figure 2: Umbumbulu in relation to Amanzimtoti

5. METHODOLOGY

A survey of literature, including other Heritage/Archaeological Impact Assessment Reports completed in the area and captured on the SAHRA database, namely SAHRIS, was undertaken in order to place the development area in an archaeological and historical context.

An inspection of the section of the M30 to be upgraded and realigned was undertaken on 16 August 2017. Visibility was good.

6. HISTORICAL BACKGROUND OF THE STUDY AREA

According to Whitelaw (1998:3), limited archaeological work has been done in the Umbumbulu district. Middle and Late Stone Age sites occur associated with river terraces on the Lovu River, near the Mkomazi and elsewhere on the earth surface. There are several archaeological sites at Shongweni Dam that include an important Stone and Iron Age site and several other potentially

important sites, including a rock art site. The full range of human history is represented in the Shongweni area, and probably elsewhere in Umbumbulu, with Early, Middle and Late Stone Age remains, as well as Early and Late Iron Age material.

The advent of the Iron Age saw the introduction of metallurgy as well as the introduction of agriculture, necessitating a more settled village way of life instead of the nomadic patterns of the Stone Age. It also provided for an increase in population density, as well as a more complex life-style. Richly decorated pottery is a hallmark of these early settlements. With the beginning of the Late Iron Age, settlements were no longer located in river valleys, but were built on higher ground where homesteads would benefit from cooling breezes and good views for strategic purposes. Settlements appear to have been much smaller, implying that society underwent a change away from the large Early Iron Age villages and towards the individual family homesteads of the historic Nguni-speaking peoples (eThembeni 2008:16).

The area that is today called Umbumbulu was on the periphery of the Zulu kingdom during the reign of its first king, Shaka, in the early nineteenth century. At that time, chiefdoms in these south-eastern regions were distanced from central Zulu power. During the reigns of kings Shaka and Dingane, expansionism and conflict within the Zulu kingdom led many people to migrate into the wider Port Natal area. In 1840, when the migrating Makhanya clan arrived in what is now Umbumbulu, they found much of the area occupied by the abaMbo (Mkhize) people, also immigrants from the north (McNulty 2012:46).

From 1846 onwards, this area and others to the south of the Thukela River were subject to colonial administration and re-organisation. In 1847, Theophilus Shepstone, placed large numbers of refugees from the Zulu kingdom in 'reserves' in the new Natal colony. In the Umbumbulu area, Shepstone installed chiefs from the Cele and Luthuli clans, which further diversified an already mixed area (McNulty 2012:46).

The 1920s and 1930s were a period of considerable unrest in Umbumbulu, which stemmed from land shortages and disputes, Mkhize succession contests, as well as conflicts between residents of the then Umlazi Reserve (now Umbumbulu) and white farmers. Umbumbulu was incorporated into the Bantustan of KwaZulu in the 1970s. In the mid-1980s, Umbumbulu was wracked by local disputes predominantly between Mkhize and Makhanya groupings but with a complex array of allegiances including the broader conflict between Inkatha and the ANC, which played itself out in Umbumbulu as in other peri-urban areas around Durban and beyond (McNulty 2012:37-38).

7. RESULT OF SITE INSPECTION

The existing tar road services mainly businesses along its route together with a few residential homes and open spaces.

From the R603, the M30 has a Puma service station on one side and businesses (including the Mbumbulu Supermarket and Zama Zama supermarket) on the other side. The structures appear to be fairly recent developments and less than 60 years of age.

However, when the road bends towards the north-west, four structures on its north-eastern side (along 300006 Street) are well over 60 years old. One structure serves as the Thuthuka Superette, the second as Umbumbulu's post office, the third structure is dilapidated and unused and the fourth structure is used as a business and possibly as a residence as well. Although these structures are neglected they appear to be structurally sound.



Figure 3: Entrance to Umbumbulu from R603



Figure 4: Thuthuka Superette

Speaking to residents did not evince any information regarding the history nor the age of the buildings. The use of red brick and corrugated roofing indicates structures that could reasonably be expected to be over 60 years ago.



Figure 5: Umbumbulu post office



Figure 6: Unused and dilapidated building with post office in background



Figure 7: Last building along 300006 Street

It is the understanding of the specialist that the area in which these buildings are located will not be affected by the proposed upgrade of the M30. However, construction / upgrade activities must not impact on these buildings as they are protected in terms of section 33 (1) (a) of the KwaZulu-Natal Heritage Act (KZNHA) (2008) that states that: no structure which is, or which may reasonably be expected to be older than 60 years, may be demolished, altered or added to without

the prior written approval of the (Amafa) Council having been obtained on written application to the Council. The demolition or alteration of these buildings is not recommended.

Opposite these buildings, on the south western side of the M30, an open space and the Umbumbulu taxi rank were found. No heritage resources were found in the open space and the taxi rank is a recent development.

As the M30 heads northwards, the buildings on either side of the road are a mix of old and new. North of the taxi rank there is an open space which was being cleared of litter by workers during the site inspection. Residents indicated that to their knowledge, there were no graves or other heritage sites in this overgrown open area.

Buildings next to and opposite the open area appear to be less than 60 years apart from one structure which is situated behind very dense vegetation that could be over 60 years of age. It is in a depilated condition but appears to be occupied. It is located approx. at 29°59'09.10"S 30°42'10.18"E and it is recommended that the structure is not impacted by the proposed upgrade as it is also protected by section 33 of the KZNHA.



Figure 8: View of M30 looking south-west with open area on right



Figure 9: Structure north of taxi rank



Figure 10: Building on M30 situated behind dense vegetation



Figure 11: View of M30 to the south and to the north

There is a very new magistrate's court. Next to the magistrate's court is the social grants (SASSA) offices. The building behind the vehicular entrance could be over 60 years old and should not be impacted by the proposed upgrade of the M30.

Opposite the magistrate's court are several government buildings that appear to be less than 60 years of age. All the buildings are currently in use. Along the M30 there are power lines and telephone lines, lamp posts and make-shift stalls indicating an area that is highly disturbed.



Figure 12: SASSA building

The section of gravel road that may be tarred was inspected. On the north-western side of the road is an open field used as a soccer field and grazing for cattle. No heritage sites were found. On the south eastern side is the recently built Umbumbulu community hall and house.



Figure 13: Open area alongside gravel road



Figure 14: Community hall

No other heritage sites were found along or in close proximity to the M30 road during the site inspection.

The South African Heritage Resources Agency's (SAHRA) Fossil Sensitivity Map revealed that the project area is situated in an area of low fossil sensitivity as indicated by the blue colour in **Figure 15** below. This means that no additional studies are required but that a protocol must be

in place in the event of chance finds of fossils during the upgrade of the road. See Chapter 9 below for this protocol.

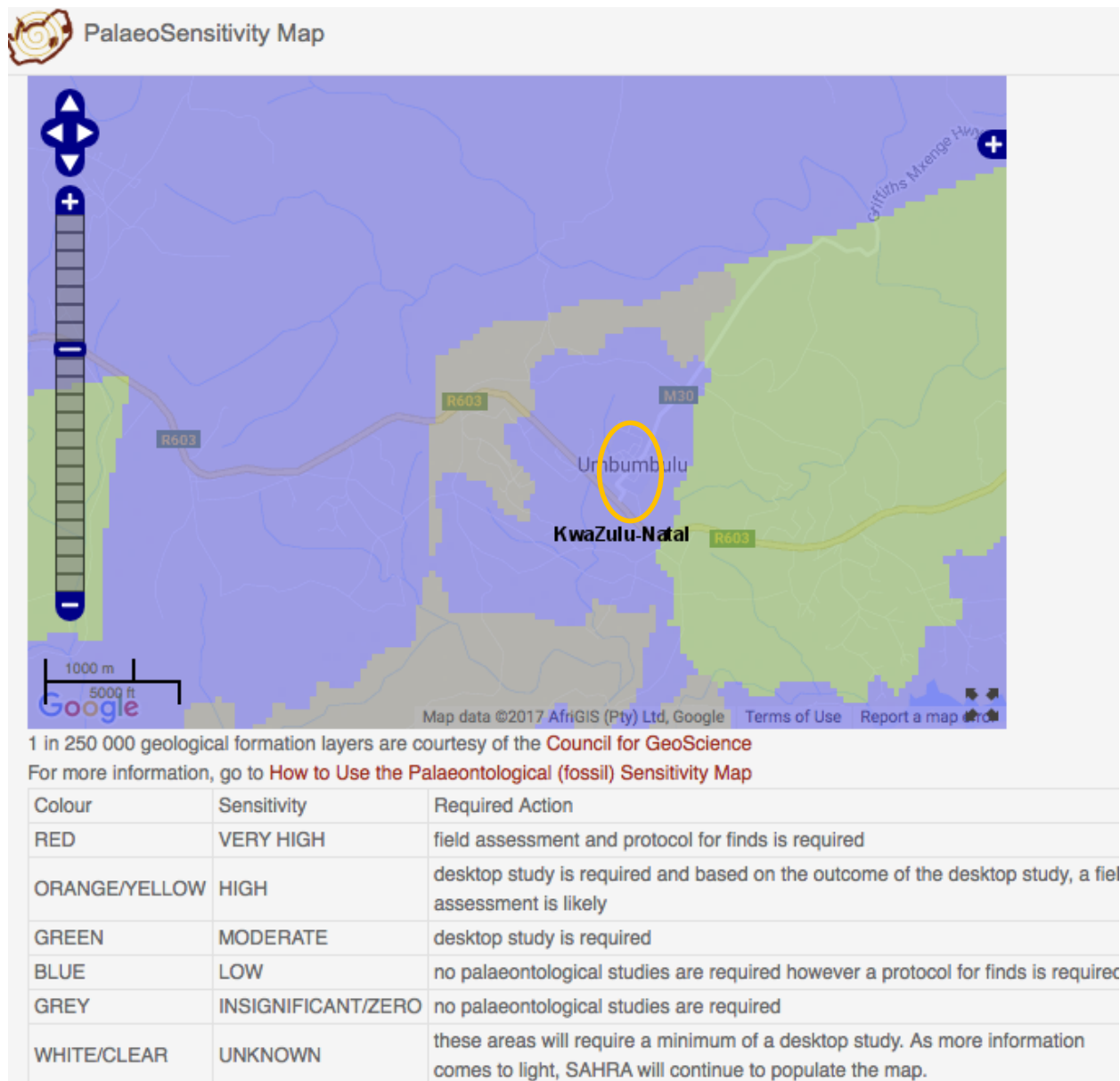


Figure 15: Fossil sensitivity of project area (indicated with orange oval)

8. RECOMMENDATIONS AND CONCLUSION

During the site inspection, a number of structures were found that are situated along side or close to the M30 that are or could reasonably be older than 60 years of age and are therefore protected by section 33 of the KZNHA. It is recommended that the upgrade of the M30 does not impact on these buildings nor on any other buildings as the impact could be highly negative (socially and economically) to those living and using the structures.

The proposed upgrade and realignment of the M30 road can proceed as long as the recommendations and mitigation measures provided are implemented and adhered to.

9. MITIGATION MEASURES

- A buffer zone of 3 m must be placed around all structures along the M30 road to avoid damage to the structures during the upgrading process. The material used for the buffer must be highly visible to all construction workers.
- For any chance finds, all work will cease in the area affected and the Contractor will 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 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.
- If there are chance finds of fossils during construction, a palaeontologist must be called to the site in order to assess the fossils and rescue them if necessary (with an Amafa / SAHRA permit). The fossils must then be housed in a suitable, recognized institute

10. REFERENCES

eThembeni Cultural Heritage. 2008. *Heritage Impact Assessment of Port Edward / Harding power lines, KwaZulu-Natal and Eastern Cape Provinces, South Africa*. Unpublished report

McNulty, G. 2013. Archival Aspirations and Anxieties: Contemporary Preservation and Production of the Past in Umbumbulu, KwaZulu-Natal. *South African Historical Journal*, 65:1, 44-69.

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