UGU DISTRICT MUNICIPALITY

ENVIRONMENTAL MANAGEMENT FRAMEWORK

HERITAGE RESOURCES MANAGEMENT REPORT

Prepared for

Mott MacDonal South Africa (Pty) Ltd
Unit 7, Rydall Vale Park,
Douglas Saunders Drive, La Lucia Ridge Office Park, La Lucia, Durban, South Africa, 4320
Telephone 031 566 4368
Fax 086 573 3708 Pravina.Govender@mottmac.com

Prepared by

ETHEMBENI CULTURAL HERITAGE

Elizabeth Wahl and Len van Schalkwyk
Box 20057 Ashburton 3213 Pietermaritzburg
Telephone 033 326 1136 / 082 655 9077 / 082 529 3656
Facsimile 086 672 8557 thembeni@iafrica.com

30 June 2013
EXECUTIVE SUMMARY

eThembeni Cultural Heritage was appointed by Mott MacDonald to undertake the heritage resources component of the Ugu District Municipality Environmental Management Framework.

Status quo of heritage resources

The objective of this report is to identify and highlight the potentially sensitive nature of heritage resources within the District and to inform opportunities for and constraints to future development. Unfortunately, no comprehensive and accurate publically accessible records exist for heritage resources in the area. A further critical constraint to spatial mapping and planning is that heritage authorities will not release details of heritage resources located in provincial databases to local authorities unless the latter can demonstrate competence to manage such resources effectively.

Accordingly, the paucity of available data places the imperative for the effective management and conservation of heritage resources within Ugu District on the creation of a functioning District Heritage Forum between Amafa and the municipality, as required in terms of Section 29 of the KwaZulu-Natal Heritage Resources Act 4 of 2008.

Heritage resource descriptions in this report are therefore limited to publically accessible information. Location information is not provided for most sites and this study did not allow for primary fieldwork to verify data.

The way forward – desired state

The following recommendations for future work have been identified:

- Establishment of Metro and/or District Heritage Forums
- Heritage resource identification and grading
- Tourism and heritage resources
- Development of management plans
- Database development
- Heritage Impact Assessments
- Urban conservation

Implementation and revision schedule

Heritage resources management priorities identified in this component of the EMF should be funded and implemented from the 2015 financial year. These priorities should be subject to annual review, with progress reports submitted to the Minister by Amafa aKwaZulu-Natali (AMAFA) and the District Forum.
Conclusion

The key outcomes of this investigation into heritage resources management in Ugu District are threefold:

— Although the District has a rich and diverse history reflected in the presence of numerous heritage resources, few sites are recorded in either publically accessible or provincial databases. Lack of accurate site data therefore hinders all spatial planning processes.

— Heritage authorities will not release site information to municipalities at a district-wide scale unless such local authorities have demonstrated that they are competent to manage heritage resources effectively.

— Accordingly, heritage resources management in Ugu District is dependent on the creation of a functioning District Heritage Forum between Amafa and the municipality.

The final Heritage Resources Management Report for the Ugu District EMF will be submitted to Amafa for review and comment.
CONTENTS

EXECUTIVE SUMMARY ................................................................. 2

1 INTRODUCTION ........................................................................... 6

2 THE PURPOSE AND REQUIREMENTS OF AN EMF ......................... 7

3 BRIEF DESCRIPTION OF UGU MUNICIPALITY ............................ 8

4 STATUS QUO OF HERITAGE RESOURCES WITHIN UGU DISTRICT ...................... 9

FORMALLY PROTECTED HERITAGE RESOURCES .................................. 10

PLACES, BUILDINGS AND STRUCTURES ............................................. 12

PLACES ASSOCIATED WITH ORAL TRADITIONS OR LIVING HERITAGE .............. 16

LANDSCAPES AND NATURAL FEATURES .............................................. 16

TRADITIONAL BURIAL PLACES .......................................................... 18

ARCHAEOLOGICAL SITES .................................................................... 19

PALAEOENTHLOGICAL SITES ................................................................ 22

PUBLIC MONUMENTS AND MEMORIALS .............................................. 23

5 PREFERRED AND NON-PREFERRED LAND USES ............................ 24

6 THE WAY FORWARD – ACHIEVING THE DESIRED STATE .................... 30

ESTABLISHMENT OF METRO AND/OR DISTRICT HERITAGE FORUMS ............... 30

HERITAGE RESOURCE IDENTIFICATION AND GRADING ..................... 30

MANAGEMENT PLANS ......................................................................... 31

DATABASE DEVELOPMENT ..................................................................... 31

HERITAGE IMPACT ASSESSMENTS ...................................................... 31

URBAN CONSERVATION ....................................................................... 32

7 IMPLEMENTATION AND REVISION SCHEDULE ............................... 32

8 CONCLUSION .................................................................................. 32

9 BIBLIOGRAPHY .............................................................................. 33

APPENDIX A STATUTORY REQUIREMENTS ........................................ 34

APPENDIX B ARCHAEOLOGICAL AND HISTORICAL CONTEXT OF THE STUDY AREA ....................... 40

APPENDIX C ASSESSMENT OF HERITAGE RESOURCE VALUE AND SIGNIFICANCE .................. 46

APPENDIX D ASSESSMENT OF DEVELOPMENT IMPACTS ................................. 49
LIST OF FIGURES

FIGURE 1 LOCATIONS OF FORMALLY PROTECTED HERITAGE RESOURCES IN UGU DISTRICT. ............... 11
FIGURE 2 LOCATIONS OF FORMALLY PROTECTED HERITAGE RESOURCES IN PORT SHEPSTONE........... 11
FIGURE 3 PORT SHEPSTONE LIGHTHOUSE.......................................................... 12
FIGURE 4 ROYSTON HALL. .................................................................................. 12
FIGURE 5 LOCATIONS OF PROMINENT PLACES IN UGU DISTRICT. ............................................. 15
FIGURE 6 A WEDDING AT BOTHA HOUSE............................................................ 15
FIGURE 7 LYNTON HALL......................................................................................... 15
FIGURE 8 PROTECTED AREAS IN UGU DISTRICT (SOURCE: GOOGLE EARTH)............................ 17
FIGURE 9 LOCATIONS OF KNOWN ARCHAEOLOGICAL SITES IN UGU DISTRICT.................... 20
FIGURE 10 LOCATION OF TRAGEDY ROCK, PORT EDWARD ................................................. 22
FIGURE 11 DICK KING NOONGENI STATUE, PORT SHEPSTONE. ........................................... 23

LIST OF TABLES

TABLE 1 PROVINCIAL AND HERITAGE LANDMARKS LOCATED WITHIN UGU DISTRICT................. 10
TABLE 2 BUILDINGS AND PLACES WITHIN UGU DISTRICT..................................................... 13
TABLE 3 PROTECTED AREAS LOCATED IN UGU DISTRICT......................................................... 16
TABLE 4 GRAVES AND RELEVANT LEGISLATION............................................................... 18
TABLE 5 KNOWN ARCHAEOLOGICAL SITES IN UGU DISTRICT............................................... 19
TABLE 6 SHIPWRECKS WITHIN UGU DISTRICT......................................................................... 21
TABLE 7 PLACES ASSOCIATED WITH MILITARY HISTORY IN UGU DISTRICT.......................... 21
TABLE 8 LAND USES RELATIVE TO HERITAGE RESOURCES IN UGU DISTRICT...................... 28
1 INTRODUCTION

eThembeni Cultural Heritage was appointed by Mott MacDonald to undertake the heritage resources component of the Ugu District Municipality Environmental Management Framework (EMF).

South Africa’s heritage resources are both rich and widely diverse, encompassing sites from all periods of human history. Resources may be tangible, such as buildings and archaeological artefacts, or intangible, such as landscapes and living heritage. Their significance is based upon their aesthetic, architectural, historical, scientific, social, spiritual, linguistic, economic or technological values; their representivity of a particular time period; their rarity; and their sphere of influence.

The integrity and significance of heritage resources can be jeopardized by natural (e.g. erosion) and human (e.g. development) activities. In the case of human activities, a range of legislation exists to ensure the timeous identification and effective management of heritage resources for present and future generations.

Legislation

The legislative framework governing heritage resources and their management in South Africa and KwaZulu-Natal is described in Appendix A. Section 8(1) of the National Heritage Resources Act 25 of 1999 (NHRA) establishes a three-tier system for heritage resources management in South Africa, in which national level functions are the responsibility of the South African Heritage Resources Agency (SAHRA), provincial level functions are the responsibility of provincial heritage resource authorities (PHRAs) and local level functions are the responsibility of local authorities.

In KwaZulu-Natal the PHRA is Amafa aKwaZulu-Natali, with offices in Ulundi and Pietermaritzburg. Heritage resource authorities and local authorities are accountable for their actions and decisions and the performance of functions under this system. The KwaZulu-Natal Heritage Act 4 of 2008 (KZNHA) effects this legal requirement through the creation of Metro and District Forums.

Section 8 of the NHRA states that a local authority is responsible for the identification and management of Grade III heritage resources and heritage resources which are deemed to fall within their competence in terms of the NHRA. However, a local authority may not perform any function in terms of the NHRA or any other law for the management of heritage resources unless it is competent to do so. The capacity of a local authority is assessed in terms of criteria prescribed by the Minister, including the availability of adequate staff, expertise, experience and administrative systems, to be applied by the PHRA.

Whilst the NHRA provides for effective general protection of monuments, historical structures, archaeological sites, burial grounds and graves; a process of identification and nomination of places of heritage significance within the District Municipality is necessary for heritage sites to be declared as local (Grade III), provincial (Grade II) or national heritage (Grade I) sites under the NHRA. Such a process of identification and nomination, in a material way, assists in the realisation of the objectives of the EMF by providing communities with a legal instrument with which to take ownership of their heritage.

Section 38 of the NHRA provides the mechanism for heritage impact assessments (HIAs) and heritage resources management in the event of specifically listed activities occurring during the course of spatial planning and development activities. Independent heritage practitioners undertake pre-development HIAs in compliance with Section 38 of the NHRA.
2 THE PURPOSE AND REQUIREMENTS OF AN EMF

It is important to understand the purpose of an EMF and its place within numerous other development and spatial planning documents that govern local and provincial government objectives and actions. Municipality-based Spatial Development Frameworks (SDFs) are spatial representations of the Integrated Development Plan (IDP) process which plays a major role in the planning, development and implementing of any future development and growth of a municipality. The SDF and IDP focus on the importance of service delivery in a local municipality as well as development trends within the municipal area, and are therefore a key starting point for an EMF.

In terms of the National Environmental Management Act 107 of 1998 (NEMA) EMF Regulations published on 18 June 2010 an EMF means ‘a study of the biophysical and socio-cultural systems of a geographically defined area to reveal where specific land uses may best be practiced and to offer performance standards for maintaining appropriate use of such land’.

The Regulations state that EMFs are aimed at promoting sustainability; securing environmental protection; and promoting cooperative environmental governance. The development of an EMF must include an assessment of:

a. The need for an EMF;
b. The status quo of the geographical area that forms the subject of the EMF;
c. The desired state of the environment; and
d. The way forward to reach the desired state.

A draft EMF must:

A. Identify by way of a map or otherwise the geographical area to which it applies;
B. Specify the attributes of the environment in the area, including the sensitivity, extent, interrelationship and significance of those attributes;
C. Identify any parts in the area to which those attributes relate;
D. State the conservation status of the area and in those parts;
E. State the environmental management priorities of the area;
F. Indicate the kind of developments or land uses that would have a significant impact on those attributes and those that would not;
G. Indicate the kind of developments or land uses that would be undesirable in the area or in specific parts of the area;
H. Indicate the parts of the area with specific socio-cultural values and the nature of those values;
I. Identify information gaps;
J. Indicate a revision schedule for the EMF; and
K. Include any other matters that may be specified.

This report concerning heritage resources addresses these requirements as follows:

Section 3 Brief description of Ugu Municipality (Requirement A)
Section 4 Heritage resources within Ugu Municipality (Requirements B, C, D and H)
Section 5 Preferred and non-preferred land uses (Requirements F and G)
Section 6 Management priorities (Requirements E and I)
Section 7 Implementation and revision schedule (Requirement J)
3 BRIEF DESCRIPTION OF UGU MUNICIPALITY

Ugu District (DC21) is one of the ten district municipalities in the province of KwaZulu-Natal. It is located in the South Coast of KwaZulu-Natal and measures 5,866 km² in extent. Ugu is Zulu for "coast" and the seat of the District is Port Shepstone. It boasts a spectacular coastline of 112 km, which forms its eastern border. The region is bordered on the north by the ETekwini Metropolitan Municipality, in the west by UMgungundlovu District (DC22) and Sisonke District (DC43) and on the southern side it borders on OR Tambo District in the Eastern Cape Province.

The municipality consists of 84 municipal wards and six local municipalities, namely Hibiscus Coast (KZN216), Ezinqoleni (KZN215), Umuziwabantu (KZN214), Vulamehlo (KZN211), Umzumbe (KZN213) and Umdoni (KZN212). The region also boasts of 42 traditional authorities. According to the Household Survey Data, Statistics SA (2007) Ugu District Municipality has a population of 709,918, with the province having a population of 10,259,230.

Ugu's vision is to be a place where everyone benefits equally from socio-economic opportunities and services. Its mission is to create an enabling environment for social and economic development resulting in the provision of quality drinking water and access to decent sanitation by ensuring community participation and coordinate public and private players.

The development challenges and priority issues are as follows:

— Infrastructure Investment (roads, water, sanitation, electricity, housing)
— Economic and Sectoral Development (job creation, employment, led projects, tourism, agriculture, rural development)
— Financial Viability (clean audit, corruption)
— Education and Skills development (skills development, education)
— Institutional Integration and Coordination (institutional development, review of organogram, workforce, principles development)
— Centralised Planning
— Reduce HIV and Aids
— Clean Environment
— Peace and Stability

Five Year Strategic Local Government Priorities/National Key Performance Areas:

— Basic Service Delivery and Infrastructure Investment
— Local Economic Development
— Municipal Transformation and Institutional Development
— Financial Viability and Management
— Spatial Planning and Environmental Management

---

4 STATUS QUO OF HERITAGE RESOURCES WITHIN UGU DISTRICT

The objective of this heritage resources report is to identify and highlight the potentially sensitive nature of heritage resources within the District and to inform opportunities for and constraints to future development. A significant number of unidentified and poorly documented historical and cultural resources occur, as well as resources that have been recorded but for which geographic coordinates are unavailable at present. These include monuments and memorials, places of worship (churches, mosques and temples), cemeteries, open spaces, areas of political significance and areas of past economic significance.

Unfortunately, no comprehensive and accurate publically accessible records exist for heritage resources in the area. A further critical constraint to spatial mapping and planning is that heritage authorities will not release details of heritage resources located in provincial databases to local authorities unless the latter can demonstrate competence to manage such resources effectively.

Accordingly, the paucity of available data places the imperative for the effective management and conservation of heritage resources within Ugu District on the creation of a functioning District Heritage Forum between Amafa and the municipality, as required in terms of Section 29 of the KwaZulu-Natal Heritage Resources Act 4 of 2008 (KZNHA; see Section 6).

The following heritage resource descriptions are therefore limited to publically accessible information. Location information is not provided for most sites and this study did not allow for primary fieldwork to verify data.

---

2 Ms A van de Venter-Radford, Deputy Director of Research, Professional Services and Compliance, Amafa aKwaZulu-Natali and Mr N Wiltshire, developer and administrator of SAHRIS, South African Heritage Resources Agency (pers. comm.).
FORMALLY PROTECTED HERITAGE RESOURCES

Table 1 and Figures 1 and 2 describe and illustrate the locations of Provincial and Heritage Landmarks located within the Hibiscus Coast Local Municipality, as listed in the schedule to the KZNHA (see Appendix A).

<table>
<thead>
<tr>
<th>Heritage resource</th>
<th>Location</th>
<th>Status</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paddock Station, Paddock</td>
<td>30° 45′ 54.86″ S 30° 14′ 40.16″ E</td>
<td>Provincial Landmark</td>
<td>This late Edwardian railway station is situated on the Port Shepstone to Harding narrow gauge line which was constructed during 1917. The platform is raised only slightly above the railway tracks as was the custom at the time3.</td>
</tr>
<tr>
<td>Old Police Fort, Port Shepstone</td>
<td>30° 44′ 01.67″ S 30° 26′ 56.54″ E</td>
<td>Provincial Landmark</td>
<td>No information available at present.</td>
</tr>
<tr>
<td>Port Shepstone Lighthouse</td>
<td>30° 44′ 30.92″ S 30° 27′ 31.84″ E</td>
<td>Provincial Landmark</td>
<td>This unusual cast-iron structure, erected on its present site in 1906, is one of the two oldest functioning lighthouses in the country (Figure 3; also see Appendix B).</td>
</tr>
<tr>
<td>Izotsha River Railway Bridge</td>
<td>30° 47′ 03.13″ S 30° 25′ 27.29″ E</td>
<td>Provincial Landmark</td>
<td>Built in 1907 as part of the Alfred County Railway, the bridge was later converted for narrow-gauge. It is the last iron screw pile railway bridge in KwaZulu-Natal. There are seven piers each with two 15″ cast-iron screw piles.</td>
</tr>
<tr>
<td>Kneisel’s Castle, 24 Reynolds Street, Port Shepstone</td>
<td>30° 44′ 27.07″ S 30° 27′ 06.4″ E</td>
<td>Heritage Landmark</td>
<td>This late nineteenth century residence with its distinctive German colonial features was erected by C.F. Kneisel, a settler from Mainz, Germany, shortly after his arrival in Natal in 18824.</td>
</tr>
<tr>
<td>Royston Hall, 10 Royston Lane, Umtentweni</td>
<td>30° 42′ 45.68″ S 30° 26′ 49.79″ E</td>
<td>Heritage Landmark</td>
<td>This local landmark is the oldest residence in the area (Figure 4). It was occupied from 1906 to 1942 by “Galloping Jack” Brigadier-General John Robinson Royston, CMG, DSO5 and is currently a guest house.</td>
</tr>
</tbody>
</table>

4 Comrie (1985).
FIGURE 1  LOCATIONS OF FORMALLY PROTECTED HERITAGE RESOURCES IN UGU DISTRICT.

FIGURE 2  LOCATIONS OF FORMALLY PROTECTED HERITAGE RESOURCES IN PORT SHEPSTONE.
PLACES, BUILDINGS AND STRUCTURES

The KZNHA and NHRA define a place as:

— a site, area or region;
— a building or other structure which may include equipment, furniture, fittings and articles associated with or connected with such building or other structure;
— a group of buildings or other structures which may include equipment, furniture, fittings and articles associated with or connected with such group of buildings or other structures;
— an open space, including a public square, street or park; and
— in relation to the management of a place, includes the immediate surroundings of a place.

Structures means any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith.

It is self-evident that numerous places, buildings and structures with historical, aesthetic, architectural and/or social values occur within Ugu District. However, no systematic, area-wide survey of such heritage resources has been undertaken, hence their locations, condition and management requirements are unknown.

All buildings and structures older than sixty years are afforded general protection in terms of Section 33 of the KwaZulu-Natal Heritage Act 4 of 2008 (KZNHA; also see Appendix A). Accordingly, no such structure may be demolished, altered or added to without the prior written approval of the Amata aKwaZulu-Natali Council having been obtained on written application to the Council.
Table 2 provides examples of buildings and places within Ugu District that reflect the rich and diverse history of the area. Those with known locations are mapped in Figure 5.

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Port Shepstone Jail</td>
<td>Unknown</td>
<td>This building in Courthouse Road was built in 1891 of stones that had been quarried below water level near the UMzimkhulu River mouth. In 1892, the listed surgeon reported that there was an increase of illness amongst the prisoners due the dampness in the rocks that had been used to build the prison walls.</td>
</tr>
<tr>
<td>Norwegian Settlers Church, Port Shepstone</td>
<td>Unknown</td>
<td>After the New Norwegian church had been built in 1998, part of the older church which was originally built by the Norwegian settlers, who arrived in Port Shepstone in 1882 aboard the Lapland (see Appendix B), was converted into a museum.</td>
</tr>
<tr>
<td>Railway history</td>
<td>Station location unknown</td>
<td>Port Shepstone railway station opened in 1917, serving as both the southern terminus of the standard gauge 1,435 mm (4 ft 8 1⁄2 in) 111 kilometres (69 mi) line from and to Durban, as well as the southern coastal terminus of the narrow gauge Alfred County Railway to Harding, KwaZulu-Natal. After the standard gauge Transnet passenger services shut in 1986, the ACR continued operations until 2005, when the famous Banana Express ceased operation. The significance of rail history in this part of the province is reflected in the Provincial Landmark status of both Paddock Station and the Izozha River Railway Bridge (Table 1).</td>
</tr>
<tr>
<td>Botha House</td>
<td>30° 23' 38&quot; S 30° 41' 26.6&quot; E</td>
<td>In the late 1800s the Reynolds brothers arrived in Natal from Devonshire in the United Kingdom⁶. Soon they had firmly established themselves in the farming and milling of sugar and in 1873 Lewis Reynolds, uncle to Charles and Frank, purchased the sugar mill that is still located at Sezela on the South Coast. Here it thrived in the hands of his sons, and after becoming successful over its very short inception, they also acquired land in the nearby Pennington area where their manor house, Lynton Hall was built and completed in 1895 (see below). Frank Reynolds, who was knighted in 1916, became a prominent Natal sugar baron and one of the founding fathers of the sugar industry in South Africa. When walking with his friend in Umdoni park, General Louis Botha requested that Sir Frank keep him a small piece of land on which he could build his wife, Annie, a beach retreat. Having installed a pump at the golf course dam to supply water to the building contractor drafted to build Botha House, Sir Frank Reynolds notes in his diary on 15 June 1919, “And so the foundations have been started”. Sadly, less than three months after the start of Botha House, and when the walls were only a few feet high, there came news of General Botha’s passing. Sir Frank’s friend, after whom the house had been named, would never see the Cape Dutch house complete. Work on the house never faltered and by 15 May 1920 the house was ready to welcome its new resident, Mrs. Annie Botha. Today the homestead is a guesthouse (Figure 6).</td>
</tr>
<tr>
<td>Lynton Hall, Pennington</td>
<td>30° 22' 59&quot; S 30° 40' 20.4&quot; E</td>
<td>Lynton Hall was built in 1895 as a house for entertaining and is a guest and conference facility⁷ (see above; Figure 7).</td>
</tr>
<tr>
<td>Batstone’s Drift, Port Shepstone</td>
<td>Unknown</td>
<td>The site where Batstone operated his Pont near the UMzimkhulu River.</td>
</tr>
<tr>
<td>Bazleys Harbour Works, Port Shepstone</td>
<td>Unknown</td>
<td>A harbour wall was built in the 1880s to allow access to the UMzimkhulu River for small coasters.</td>
</tr>
<tr>
<td>Alfred County Annexation site, Ezingoleni</td>
<td>Unknown</td>
<td>The site marks the spot where Alfred County was incorporated into Natal on New Year’s Day in 1866. The site was a national monument but now only has general protection in terms of the KZNHA.</td>
</tr>
</tbody>
</table>

---

⁷ http://www.lyntonhall.co.za/Home.aspx
Frank Fynn's Grave, Port Shepstone

Unknown

Henry Francis Fynn (born 29 March 1803 in Grosvenor Square, London, England) was an English traveller and trader. His diary covers the period from 1824 to 1836 and is the story of the first white settler in Natal, the earliest account of life in Natal. It provides the best contemporary account of Shaka, and the nation and the kingdom of the Zulu in South Africa that he founded. On 14 March 1855 he became magistrate for Lower Umkomaas, but resigned on 29 February 1860 due to ill health. He died over a year later, on 20 September 1861 in his house on the Bluff, Durban (also known as Fynnland). Frank Fynn was the brother of Henry Francis Fynn. William Bazley erected the simple tombstone after Frank Fynn's death. Henry Francis Fynn's precious diary was buried with Frank Fynn. The grave is in a thicket 500 meters west of the water works at a sugarcane cutting.

Green Point Lighthouse, Clansthal

30° 14' 57" S 30° 46' 37.8" E

Erected in 1905 this lighthouse has a rather unusual cast-iron structure and is painted in red and white striped bands. It was the second last lighthouse to use petroleum vapour burners. Since 1961 the lighthouse has been fully automated and thus without any staff. It lies between Scottburgh and Umkomaas and warns shipping of the presence of the Aliwal Shoal 4km offshore. The building was a national monument but now only has general protection in terms of the KZNHA.

Ndongeni ka Xoki's Grave, Port Shepstone

Unknown

The grave is on the farm Ndongeni, near the convergence of the UMzimkhulu and UMzimkhulwana rivers. Ndongeni accompanied Dick King on his famous ride in 1842, as far as Mnqazi in Pondoland. Ndongeni was given a farm here after the event.

Port Shepstone Maritime Museum

Athlone Drive, Port Shepstone

Shaka's Bush, Port Shepstone

Near Bates’s service station.

Here in 1828, in the area of the Marburg Common, is the place where Shaka stayed with Henry Francis Fynn during his great raid on the amaPondo.

Sister Dominique Mkhize Assisi Hospital and Convent

Unknown

The convent was opened on 8 December 1922 and the hospital in 1959.

St Helen’s Rock

On the UMzimkhulu river; about ten kilometres from its mouth.

The rock is on the UMzimkhulu river and was a favourite picnic spot for the early settlers in the area. It was named for Miss Helen Sinclair during the 1880s. Sinclair’s father owned the first sugar mill erected at Port Shepstone.

---

FIGURE 5 LOCATIONS OF PROMINENT PLACES IN UGU DISTRICT.

FIGURE 6 A WEDDING AT BOTHA HOUSE.

FIGURE 7 LYTON HALL.
PLACES ASSOCIATED WITH ORAL TRADITIONS OR LIVING HERITAGE

Living heritage is defined in the National Heritage Council Act 11 of 1999 as cultural tradition; oral history; performance; ritual; popular memory; skills and techniques; indigenous knowledge systems; and the holistic approach to nature, society and social relationships.

Given the nature of the historical environment and modern land uses it is highly likely that numerous places associated with oral traditions or living heritage are present within Ugu District.

LANDSCAPES AND NATURAL FEATURES

This heritage resource category includes sites, areas or reserves protected in terms of environmental legislation, including conservancies and nature reserves. Numerous such places are present in Ugu District, including those in Table 3 and Figure 8.

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vernon Crookes Nature Reserve</td>
<td>30° 16’ 29” S 30° 35’ 39” E</td>
<td>This reserve was proclaimed in January 1973 and with subsequent additions is now 2 189 ha in extent. The altitude varies from 150 m to 610 m above sea level and one of the area's most important features is the fine example of coastal scarp forest and coastal grasslands. The reserve is located near Umzinto and Park Rynie and includes the world's largest earthworm and a threatened beetle species.</td>
</tr>
<tr>
<td>Oribi Gorge Nature Reserve</td>
<td>30° 41’ 48” S 30° 17’ 32” E</td>
<td>This reserve was proclaimed in 1 April 1950 and is 1 917 ha in extent. The resort commands an impressive view of Oribi Gorge, located some 21km inland from Port Shepstone at the confluence of the UMzimkhulu and UMzimkhulwana Rivers. Aeons of erosion by these rivers have carved out nearly 30km of spectacular kloofs and crags, covered with dense subtropical vegetation.</td>
</tr>
<tr>
<td>UMtamvuna Nature Reserve</td>
<td>31° 00’ 23” S 30° 09’ 11” E</td>
<td>This reserve is 3 257 ha in extent and was established on 25 July 1971. The reserve includes a section of the UMtamvuna River, and surrounding cliffs and plateaus, from the outskirts of the town of Port Edward to 19 km inland. The total river frontage in the reserve is about 28 km. The reserve also includes the Bulolo River; a tributary of the UMtamvuna. The plateau areas consist of grasslands (Pondoland Sourveld), which drop off into Coastal Scarp Forest in the gorge along the river below.</td>
</tr>
<tr>
<td>Mpenjati Public Resort Nature Reserve</td>
<td>30° 58’ 19” S 30° 16’ 54” E</td>
<td>This 86 ha reserve is situated near Palm Beach around the Mpenjati River Lagoon, and extends seawards for 500m, serving to protect the unique fossils found there. Mpenjati means &quot;the place of the warring buffalos&quot; and Yengele, which is part of the reserve, means &quot;Spotted Genet&quot;, in Zulu. The area was officially named on 27 August 1985. The reserve consists of a system of interconnecting riverine and floodplain marsh habitats, extensive areas of coastal forest, coastal grasslands and open coastline, as well as river estuary. The system is further unique in that it flows into the Trafalgar Marine Protected Area and, together, these two reserves preserve some of the largest diversity of coastal habitats in the province; encompassing marine, estuarine and terrestrial environments, effectively serving as a critical link between the ecological processes of these environments and as a sanctuary for fauna and flora. Consequently, the Mpenjati Estuary is listed as one of South Africa’s</td>
</tr>
</tbody>
</table>

14 http://www.wheretostay.co.za/information/topic/606/
120 “priority estuaries”, which need to remain formally protected, and whose functioning must be protected to satisfy the targets of the national conservation plan in terms of protecting estuarine biodiversity.

The Trafalgar Marine Reserve is a tiny area extending for only 6 km along the coast and 500 metres offshore. Part of it is adjacent to the Mpenjati Nature Reserve, and the two together form a pocket-handkerchief sized unit preserving sandy seabed, seaweed covered rock reefs, intertidal rocks, sandy beach, coastal fore-dunes, dune forest, estuary, salt marsh, freshwater wetland containing the “palmiet” sedge and ilala palm grassland. No other protected area in KwaZulu-Natal has such a diversity of habitats in such a small area (see Palaeontological sites below).

<table>
<thead>
<tr>
<th>Protected Area</th>
<th>Coordinates</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uvongo River Nature Reserve</td>
<td>30° 50' 03&quot; S 30° 23' 20&quot; E</td>
<td>This reserve is about 28 ha in extent and located upstream from the mouth of the Ivungu River in Uvongo, midway between Shelly Beach and Margate. The R620 crosses the Ivungu River and the reserve stretches upstream from there.</td>
</tr>
<tr>
<td>Skyline Reserve</td>
<td>30° 49' 10&quot; S 30° 23' 10&quot; E</td>
<td>This protected area is located at St Michaels-on-Sea. It includes a collection of indigenous flora and some exotic species, with a trail. A small herbarium and library are available.</td>
</tr>
</tbody>
</table>

**Figure 8 Protected Areas in Ugu District (Source: Google Earth).**

TRADITIONAL BURIAL PLACES

The NHRA defines a grave as a place of interment and includes the contents, headstone or other marker of such a place, and any other structure on or associated with such a place. The KwaZulu-Natal Cemeteries and Crematoria Act 12 of 1996 defines a grave as an excavation in which human remains have been intentionally placed for the purposes of burial, but excludes any such excavation where all human remains have been removed.

No person may damage, alter, exhume, or remove from its original position any grave, as defined in Appendix A, without permission from the relevant authority, as detailed in the Table 4. All human remains have high heritage significance at all levels for their spiritual, social and cultural values and may not be altered in any way without the permission of Amafa and the next-of-kin (see Appendix A).

<table>
<thead>
<tr>
<th>Grave type</th>
<th>Relevant legislation</th>
<th>Administrative authority – disinterment</th>
<th>Administrative authority – reburial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graves located within a formal cemetery administered by a local authority</td>
<td>KwaZulu-Natal Cemeteries and Crematoria Act 12 of 1996</td>
<td>National and/or Provincial Departments of Health</td>
<td>If relocated to formal cemetery – relevant local authority.</td>
</tr>
<tr>
<td>Graves younger than 100 years located outside a formal cemetery administered by a local authority and the graves of victims of conflict</td>
<td>KwaZulu-Natal Heritage Act 4 of 2008 KwaZulu-Natal Cemeteries and Crematoria Amendment Act 2 of 2005</td>
<td>Amafa aKwaZulu-Natali, the provincial heritage resources authority</td>
<td>If relocated to private or communal property – Amafa. If relocated to formal cemetery – Amafa and relevant local authority.</td>
</tr>
<tr>
<td>Graves older than 100 years located outside a formal cemetery administered by a local authority and the graves of victims of conflict</td>
<td>National Heritage Resources Act 25 of 1999</td>
<td>Amafa aKwaZulu-Natali, the provincial heritage resources authority</td>
<td>If relocated to private or communal property – Amafa. If relocated to formal cemetery – Amafa and relevant local authority.</td>
</tr>
</tbody>
</table>

Given the presence of extensive areas of Ingonyama Trust land in the District, it is likely that numerous traditional burial places are located outside formal cemeteries. Such burial places are usually located within homestead precincts and are known to and managed by the next-of-kin.

However, people may abandon homesteads or become alienated from traditional burial places through social processes such as forced removals. **Accordingly, all Ingonyama Trust land in the District should be mapped as a zone of high sensitivity for traditional burial places, and all developments within this area should be subject to an HIA.**
ARCHAEOLOGICAL SITES

In terms of the KZNHA and NHRA archaeological means:

— material remains resulting from human activity which are in a state of disuse and are in or on land and are older than 100 years, including artefacts, human and hominid remains and artificial features and structures;
— rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and is older than 100 years including any area within 10m of such representation;
— wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the culture zone of the Republic, as defined respectively in sections 3, 4 and 6 of the Maritime Zones Act 15 of 1994, and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation;
— features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found.

Stone and Iron Ages

The archaeological context of the study area is described in Appendix B. In summary, no area-wide systematic Stone or Iron Age archaeological surveys have been undertaken for the District Municipality. Known sites are consequently the result of specific research designs and, more often, the findings of HIAs conducted prior to the inception of developments. However, recorded sites attest to a great historical depth of human interaction across the landscape from the Early Stone Age (1.5m years ago) to the Late Iron Age (150 years ago) and latterly, colonial interaction and into the modern era, as is evident from Table 5 and Figure 9.

<table>
<thead>
<tr>
<th>Type of archaeological site</th>
<th>Number of recorded sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early Stone Age</td>
<td>81</td>
</tr>
<tr>
<td>Middle Stone Age</td>
<td>82</td>
</tr>
<tr>
<td>Later Stone Age</td>
<td>101</td>
</tr>
<tr>
<td>Indeterminate Stone Age</td>
<td>37</td>
</tr>
<tr>
<td>Early Iron Age</td>
<td>36</td>
</tr>
<tr>
<td>Late Iron Age</td>
<td>55</td>
</tr>
<tr>
<td>Indeterminate Iron Age</td>
<td>82</td>
</tr>
<tr>
<td>Rock art</td>
<td>18</td>
</tr>
<tr>
<td>Historical</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>505</td>
</tr>
</tbody>
</table>

Figure 9 indicates that the vast majority of archaeological sites are located within 2-3 km of the coastline. This is mostly attributable to the concentration of developments in near-coastal areas that have revealed sites, but also to the attraction of the landscape to hunter-gatherers and farmers in the past. Both intra and inter-settlement spatial patterning for Late Iron Age / Historical sites along the KwaZulu-Natal coast are well established archaeologically. Along this part of the coastline, within a distance of about 2-3 km from the shore, virtually every dune top includes the remains of a Late Iron Age homestead. Typically, artefacts include undecorated ceramic sherds, marine shell and upper and
lower grindstones. Artefacts on metalworking sites include furnace remains, slag, bloom and ceramic sherd.

Decades of agricultural activity (consisting mainly of sugar cane cultivation along this coastline) churn the upper 30 centimetres of soil, at least, blurring the visible spatial layout of sites. Accordingly, where sugar cane, forestry and other farming activities have occurred, most Late Iron Age / Historical sites close to the coast will likely yield no further significant archaeological information. They almost always have low heritage significance and their locations should be mapped and recorded according to standard archaeological requirements and sampling limited to surface artefact collection and (possibly) auger samples.

However, Stone and Iron Age shell middens along the coast have high heritage significance at all levels for their scientific value. Such sites almost always occur in close proximity to rocky outcrops that were an important source of shellfish historically.

The entire Ugu District coastline within 3km of the shore should be mapped as a zone of high archaeological sensitivity, and all developments within this area should be subject to an HIA.

FIGURE 9 LOCATIONS OF KNOWN ARCHAEOLOGICAL SITES IN UGU DISTRICT.
Wrecks

Shipwrecks are known to occur along most of the KwaZulu-Natal coastline. Many occur along the southern KwaZulu-Natal coast and some comprise popular tourism destinations as scuba diving sites, such as those on Aliwal Shoal just north of Ugu District. The Port Shepstone Maritime Museum has records of other wrecks along the coastline.

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defiance</td>
<td></td>
<td>This is the closest wreck to Port Shepstone, which ran aground during the night of 6 October 1871 near the mouth of the UMzimkhulu River, bound from Bombay to Liverpool with a cargo of cotton and buffalo horns on board.</td>
</tr>
<tr>
<td>São João</td>
<td></td>
<td>In 1552, the São João was the first cargo ship to be wrecked along the KwaZulu-Natal coast, carrying pepper, Chinese porcelain, cowry shells, carnelian beads and other merchandise. The ship, with around 600 people on board, ran aground off what is now known as Port Edward, near the Kuboboyi River. One hundred people died attempting to get ashore, while most of the 480 survivors died while attempting to make their way to Delagoa Bay.</td>
</tr>
</tbody>
</table>

Military history

Features, structures and artefacts associated with military history that are older than 75 years include the following places:

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bilamhlolo River mouth, Ramsgate</td>
<td>Unknown</td>
<td>Place where Dingane's warriors are alleged to have killed members of the family of the early trader Fynn in 1839.</td>
</tr>
<tr>
<td>Isandlunlu / Tragedy Hill, Port Edward</td>
<td>31°02'39&quot;S 30°13'36&quot;E</td>
<td>Tragedy Hill or Isandlunlu (Inhlanhlinhlu in Zulu; in English, shaped like a hut) with its bush covered slopes is rumoured to have been the site of a massacre in 1831, when Dingane allegedly caught and killed a party of settlers thought to be fleeing with royal cattle (Burger 2004). However, only fossil, not human remains have been found there (Figure 10).</td>
</tr>
<tr>
<td>Marburg, Port Shepstone (present Marburg commonage)</td>
<td>Unknown</td>
<td>Site allegedly used by Shaka and his Impis during their Pondoland raid of 1828.</td>
</tr>
<tr>
<td>Execution rock, Dududu</td>
<td>Unknown</td>
<td>Site where enemies were allegedly executed by the Zulus.</td>
</tr>
</tbody>
</table>


In terms of the KZNHA and NHRA palaeontological means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trace.

— Mzamba and Trafalgar Cretaceous fossils

These famous marine fossil beds are exposed in a 10-m-high cliff that forms a prominent headland about 2.5km south of the uMtamvuna River, a Xhosa name meaning “the reaper of mouthfuls”. The deposits consist of greyish-brown sandstone, and limestone rich in fossil material dating back some 80 million years to the Upper Cretaceous period. The lower layers contain numerous tree trunks that have been silicified (converted into silica). Many of these were penetrated by marine worms before silification was completed. There is also an abundance of marine shells, among them spirally coiled cephalopod ammonites, echinoids (sea urchins) and bivalve shells. When the formation was brought to the attention of the scientific world in 1855, it provided the first evidence of fossils from the Upper Cretaceous.

The Cretaceous is a geological period between about 145.5 to 65.5 million years ago. Following on the Jurassic period, it was a period with a relatively warm climate and high sea level. The oceans and seas were populated with now extinct marine reptiles, ammonites (similar to octopus and cuttlefish) and rudists (primitive shellfish); and the land by dinosaurs. At the same time, new groups of mammals

---

18 In the Eastern Cape Province.
and birds as well as flowering plants appeared. The Cretaceous ended with one of the largest mass extinctions in Earth history, when many species, including the dinosaurs, pterosaurs, and large marine reptiles, disappeared.

This palaeontological site has high heritage significance at all levels for its scientific value.

— Trafalgar Marine Protected Area

A feature of the reserve is the fossilised Cretaceous trees which are embedded in the rocks. These can best be seen at low tide in the intertidal rocks near the Trafalgar access.

PUBLIC MONUMENTS AND MEMORIALS

In terms of the KZNHA and NHRA public monuments and memorials means all monuments and memorials:

— erected on land belonging to any branch of central, provincial or local government, or on land belonging to any organisation funded by or established in terms of the legislation of such a branch of government; or
— which were paid for by public subscription, government funds, or a public-spirited or military organisation, and are on land belonging to any private individual.

The following is a single example of the numerous such heritage resources that occur in the District.

— Dick King Ndongeni Statue, Port Shepstone

![Dick King Ndongeni Statue](image)

This monument is a reminder that Dick King\textsuperscript{20} and his servant Ndongeni passed through Port Shepstone on their famous ride from Durban to Grahamstown in 1842 to obtain help from the British soldiers who were in danger of surrendering because of starvation (Figure 11). Ndongeni was given a farm in the Umzimkulu valley near St Faith’s in 1898 as a reward for his participation in the ride that saved Durban from the British. The farm stills bears the name Ndongeni.

The location of the memorial is unknown.

\textbf{Figure 11}  \textbf{Dick King Ndongeni Statue, Port Shepstone.}

\textsuperscript{20} For more information about Dick King see Kalley (1986) and Dominy (1992).
5 **PREFERRED AND NON-PREFERRED LAND USES**

Requirements F and G of the EMF Regulations state that an EMF must indicate the kind of developments or land uses that would have a significant impact on specific environmental attributes and those that would not; and indicate the kind of developments or land uses that would be undesirable in the area or in specific parts of the area. The terms preferred and non-preferred land use, as well as the various land use categories, are defined below.

---

**Preferred Land Use**

Preferred land use means uses that are considered to be more compatible with the desired state of the environment for the area. Development that conforms to the preferred land use may be supported by authorities subject to acceptable site specific impact mitigation. Development that conforms to the preferred land use is not exempt from meeting any legal requirements such as environmental or development authorizations from relevant government departments or municipal planning processes. However, these applications may be facilitated by authorities based on information obtained from the EMF in terms of the sensitivities of the proposed development site.

---

**Non-Preferred Land Use**

Non-preferred land use refers to land uses that are considered contrary to the desired state of the environment and/or likely to result in significant impact to the environment. Should a proposed development constitute a non-preferred land use, this will not preclude the developer from making an environmental or development authorisation application. However, it will be critical that, prior to the authorisation of any development that constitutes a non-preferred land use, the Precautionary Principle be applied requiring the developer to demonstrate that all potential impacts can be adequately assessed and mitigated to ensure that the development does not have a negative effect on the environment.

---

**Land use categories**

In addition to defining what is meant by preferred and non-preferred land use it is important to define what is meant by different land use categories i.e. agriculture, industry etc. Common land use categories are therefore defined below. It is strongly recommended that these definitions be reviewed and brought in line with definitions proposed for all municipal spatial and planning frameworks.

---

**Agriculture**

Development of arable, meadow, or pasture land, market gardens, poultry farms, nursery gardens and land used for the purpose of breeding or keeping domestic animals, poultry or bees, or agriculture. Agriculture may also include development of agricultural buildings that are designed for use in connection with, and which would ordinarily be incidental to, or reasonably necessary in connection with, the use of the area for agricultural production, and includes an ancillary dwelling.

---

**General Industry**

Development of buildings or activities for manufacturing or product processing that are not linked to agricultural products, and do not fall within the definition of light or heavy industry.

---

**Light Industry**

Development of buildings or activities for manufacturing or product processing where no solid fuel is used in connection with any industrial process, and in which the only power driven machinery used is driven by electricity with no single motor being rated at more than 7.5kW.
— **Heavy Industry**

Development for the purpose of carrying on an offensive trade, such as, blood boiling, tallow melting, fat melting or extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, fellmongering, skin curing, blood drying, gut scraping, leather dressing, tanning, glue making, size making, charcoal burning, manure making, manure and fertilizer storing, parchment making, malt making, yeast making, cement works, coke ovens, salt glazing, sintering of sulphur bearing materials, viscose works, smoking ores and minerals, calcining, puddling and rolling of iron and other metals, conversion of pig-iron into wrought iron, reheating, annealing, hardening, forging, converting and carburising iron and other metals, works for the production of, or which employ, carbon bisulphide, cyanogen or its compounds, hot pitch or bitumen, pulverised fuel pyridine, liquid or gaseous sulphur dioxide, sulphur chlorides, works for the production of amyl acetate, aromatic esters, butyric acid, caramel, enamelled wire, glass, hexamine, iodoform, lampblack, B-naphthol, resin products, salicylic acid, sulphonated organic compounds, sulphur dyes, ultramarine, zinc chloride, and zinc oxide, and any trade not included herein but which is mentioned in the Natal Offensive Trades Regulations.

— **Low Density Residential**

Development of a dwelling designed for use for human habitation, together with such outbuildings as are ordinarily used therewith. It excludes blocks of tenements, apartment houses, hotels, residential clubs and hostels.

— **Medium Density Residential**

Development of a group of two or more dwellings contained in a building not exceeding two storeys in height, which has been designed as a harmonious entity together with such outbuildings as are ordinarily used therewith. The individual units may be attached or detached.

— **High Density Residential**

Development of dwellings or flats of three or more storeys, designed for use for human habitation, together with such outbuildings as are ordinarily used therewith, and includes blocks of tenements, apartment houses, hotels, residential clubs and hostels.

— **Office**

Development of a room or suite of rooms used for transacting business other than that of a retail or wholesale nature and shall include consulting rooms for a professional or similar person or organisation, or any room where administrative work is carried out.

— **Commercial**

Development of an area designed for the purpose of carrying on retail trade, to include the storage of retail stock but excludes a Petroleum Filling Station.

— **Mixed Use**

Development of a mix of residential, commercial, office and light industrial land use but excluding heavy industrial use as defined above.

— **Open Space**

Areas set aside to be set aside by the Municipality, Private Enterprise or Parastatal (Eskom, Telkom etc.) for preservation of ecosystem goods and services including social use values. These areas may include buffer areas between developments and animal preserve areas.
— Eco-Tourism

Relatively undisturbed areas to be set aside for use by tourists in order to enjoy and appreciate nature and any accompanying cultural features. Eco-tourism promotes conservation, has low negative visitor impact and provides benefits to local populations.

Land uses and visually sensitive heritage resources

In determining preferred and non-preferred land uses relative to heritage resources it is useful to distinguish between resources that are sensitive to visual change, and those that are not. It is also critical to assess land uses in terms of their visual effect; for example, transmission power lines have little impact on the ground, but their vertical visual impact can affect places, landscapes and viewscapes for many kilometres in their vicinity.

Guidelines for the development of wind energy facilities in the Western Cape21 have suggested that a buffer zone of 1km be established around significant visually sensitive heritage resources to minimise the change to the ‘sense of place’. The point at which various developments may be perceived as intrusive or offensive is subjective, and the recommendations of a visual impact specialist should be sought.

For planning purposes it is important to recognise that the presence of an existing transmission line, major road or railway in an area serves as a mitigatory factor rather than a cumulative negative impact on visually sensitive heritage resources, in terms of establishing new similar infrastructure in the same area (within a distance of 1km). Such developments are therefore best confined to an existing area or corridor of visual disturbance, rather than introducing new infrastructure to an undisturbed landscape.

Development planners should also recognise the requirements for new supportive infrastructure associated with certain categories of development, which may have a greater permanent direct and indirect impact on the landscape than the development itself22. Examples are access and maintenance roads, construction camps, materials storage facilities and vegetation clearance associated with the construction and maintenance of a transmission power line. A guideline by the Western Cape Department of Environment and Cultural Affairs and Sport (2001) on the application of the EIA Regulations to structures associated with communication networks23 explicitly recognises that:

— The power supply services as well as access routes can have greater impacts on biophysical elements than the communication structure itself (noted above); and
— Masts and access routes can have significant visual impacts which can be out of character with the surrounding area.

This guideline document supports the following decision-making principles that are relevant to this report:

— Structures associated with communication networks that are proposed where they will be out of character or disruptive of the sense of place will be discouraged or completely avoided.
— Structures associated with communication networks, which are proposed where they will break the skyline on a scenic landscape, will be discouraged or completely avoided.

21 Developed by Department of Environmental Affairs and Development Planning, 2006.
22 Guideline on the application of the EIA Regulations to structures associated with communication networks. Developed by the Western Cape Department of Environment and Cultural Affairs and Sport, September 2001.
23 Developed by the Western Cape Department of Environment and Cultural Affairs and Sport, September 2001.
— Structures associated with communication networks, which are proposed along scenic tourist routes will be discouraged or completely avoided.

— Structures associated with communication networks, which are proposed in a sensitive environment as listed in Annexure A (see below) of the guideline document will be strongly discouraged or completely avoided.

— Structures associated with communication networks which are proposed in any area, property, adjacent to sites of cultural or social importance such as historical sites proclaimed in terms of the NHRA, graveyards, public open spaces and visual corridors or gateways will be strongly discouraged or completely avoided.

Annexure A of the guideline provides a list of potentially sensitive environmental features or areas that includes the following:

— Properties subject to any statutory conservation status or similar, including, but not restricted to, World Heritage Sites, National Parks, Provincial, Local Authority or Private nature reserves, Wilderness Areas, State Forests, Protected Natural Environments, or adjoining properties in so far as the activity or structure may affect the ecosystem function or aesthetic value of those conservation areas. This therefore includes locations for communication structures where such structures may be visible from sites of conservation significance (i.e. statutory conservation status).

— Natural Heritage Sites or adjoining properties in so far as the activity or structure may affect the ecosystem function or aesthetic value of those sites. This therefore includes locations for communication structures where such structures may be visible from Natural Heritage Sites.

— Any area, property or adjacent property that is of cultural or social importance e.g. historical sites, as proclaimed by the NHRA, graveyards, public open spaces and visual corridors or gateways.

— Any areas identified as areas of natural or conservation significance in statutory or non-statutory land use or development planning documents (structure plans, integrated development frameworks etc.) and/or maps, including the core areas of biosphere reserves or in close proximity thereto.

— Routes of tourism or scenic significance or locations visible from such routes.

With due consideration of these observations, the following categories of heritage resources may be considered visually sensitive:

— Places to which oral traditions are attached or which are associated with living heritage;
— Certain places, buildings and structures;
— Historical settlements and townscapes;
— Landscapes and natural features of cultural significance (including game reserves, conservancies, protected areas, etc.);
— Certain public monuments and memorials; and
— Battlefields.
The following table indicates preferred and non-preferred land uses relative to heritage resource categories in the Ugu District.

<table>
<thead>
<tr>
<th>HERITAGE RESOURCE CATEGORY</th>
<th>PREFERRED LAND USES</th>
<th>NON-PREFERRED LAND USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living heritage (cultural tradition; oral history; performance; ritual; popular memory; skills and techniques; indigenous knowledge systems; holistic approach to nature, society and social relationships)</td>
<td>Agriculture, Low Density Residential, Medium Density Residential, Open Space, Eco-Tourism, Office, Commercial</td>
<td>General Industry, Light Industry, Heavy Industry, High Density Residential, Mixed Use</td>
</tr>
<tr>
<td>Ecofacts (non-artefactual organic or environmental remains that may reveal aspects of past human activity)</td>
<td>Agriculture, Low Density Residential, Medium Density Residential, Open Space, Eco-Tourism</td>
<td>General Industry, Light Industry, Heavy Industry, High Density Residential, Office, Commercial, Mixed Use</td>
</tr>
<tr>
<td>Places, buildings, structures and equipment (including Provincial and Heritage Landmarks; all buildings and structures older than 60 years and/or which have heritage significance)</td>
<td>Agriculture, Low Density Residential, Medium Density Residential, Office, Commercial, Mixed Use, Open Space, Eco-Tourism</td>
<td>General Industry, Light Industry, Heavy Industry, High Density Residential</td>
</tr>
<tr>
<td>Places to which oral traditions are attached or which are associated with living heritage (including places of worship and cemeteries)</td>
<td>Agriculture, Low Density Residential, Medium Density Residential, Open Space, Eco-Tourism, Office, Commercial</td>
<td>General Industry, Light Industry, Heavy Industry, High Density Residential, Mixed Use</td>
</tr>
<tr>
<td>Historical settlements and townsapes</td>
<td>Agriculture, Low Density Residential, Medium Density Residential, Office, Commercial, Open Space, Eco-Tourism</td>
<td>General Industry, Light Industry, Heavy Industry, High Density Residential, Mixed Use</td>
</tr>
<tr>
<td>Landscapes and natural features</td>
<td>Agriculture, Low Density Residential, Medium Density Residential, Office, Commercial, Open Space, Eco-Tourism</td>
<td>General Industry, Light Industry, Heavy Industry, High Density Residential, Mixed Use</td>
</tr>
<tr>
<td>Geological sites of scientific or cultural importance</td>
<td>Agriculture, Open Space, Eco-Tourism</td>
<td>General Industry, Light Industry, Heavy Industry, Low Density Residential, Medium Density Residential, High Density Residential, Office, Commercial, Mixed Use</td>
</tr>
<tr>
<td>Archaeological and palaeontological sites</td>
<td>Agriculture</td>
<td>General Industry</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------------</td>
<td>------------------</td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td>Light Industry</td>
</tr>
<tr>
<td></td>
<td>Eco-Tourism</td>
<td>Heavy Industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Low Density Residential</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medium Density Residential</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High Density Residential</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mixed Use</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Graves and burial grounds</th>
<th>Agriculture</th>
<th>Any development requiring exhumation and reinterment, including:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low Density Residential</td>
<td>General Industry</td>
</tr>
<tr>
<td></td>
<td>Medium Density Residential</td>
<td>Light Industry</td>
</tr>
<tr>
<td></td>
<td>Office</td>
<td>Heavy Industry</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>High Density Residential</td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td>Mixed Use</td>
</tr>
<tr>
<td></td>
<td>Eco-Tourism</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Movable objects, but excluding any object made by a living person</th>
<th>Agriculture</th>
<th>General Industry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low Density Residential</td>
<td>Light Industry</td>
</tr>
<tr>
<td></td>
<td>Medium Density Residential</td>
<td>Heavy Industry</td>
</tr>
<tr>
<td></td>
<td>High Density Residential</td>
<td>Office</td>
</tr>
<tr>
<td></td>
<td>Mixed Use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Eco-Tourism</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Battlefields</th>
<th>Agriculture</th>
<th>General Industry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low Density Residential</td>
<td>Light Industry</td>
</tr>
<tr>
<td></td>
<td>Medium Density Residential</td>
<td>Heavy Industry</td>
</tr>
<tr>
<td></td>
<td>High Density Residential</td>
<td>Office</td>
</tr>
<tr>
<td></td>
<td>Mixed Use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Eco-Tourism</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Traditional building techniques</th>
<th>Agriculture</th>
<th>General Industry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low Density Residential</td>
<td>Light Industry</td>
</tr>
<tr>
<td></td>
<td>Medium Density Residential</td>
<td>Heavy Industry</td>
</tr>
<tr>
<td></td>
<td>High Density Residential</td>
<td>Office</td>
</tr>
<tr>
<td></td>
<td>Mixed Use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Eco-Tourism</td>
<td></td>
</tr>
</tbody>
</table>
6 THE WAY FORWARD – ACHIEVING THE DESIRED STATE

The heritage resource study undertaken for the Ugu EMF has served to identify and provide an overview of the Municipality’s rich cultural, architectural, historical and archaeological resource base. The following recommendations for future work have been identified.

ESTABLISHMENT OF METRO AND/OR DISTRICT HERITAGE FORUMS

The effective management and conservation of heritage resources within Ugu District is dependent on the creation of a functioning District Heritage Forum between Amafa and the municipality, as required in terms of Section 29 of the KZNHA (see Appendix A).

Such a Forum would:

— Identify and grade heritage resources;
— Co-ordinate heritage development issues;
— Co-ordinate and facilitate the promotion of both physical and living or intangible heritage;
— Promote value and ownership of local heritage resources;
— Ensure collaboration with local stakeholders in all local heritage initiatives; and
— Promote heritage-related local economic and social development.

Since Metro and District Heritage Forums are funded by local authorities, their establishment would allow Amafa to direct its limited resources to those activities stipulated in Section 24 of the NHRA, which include the protection and management of Grade II heritage resources; nomination of Grade I heritage resources; database development and maintenance; establishment of provincial policy, objectives and strategy plans; and co-ordination and performance monitoring of local authorities in the implementation of their responsibilities. Local authority Metro and District Heritage Forums would then be responsible for the identification and management of Grade III heritage resources in terms of Section 8 of the NHRA.

Amafa would be responsible for assessing the capacity and performance of the Forum and retain legal responsibility for heritage resources management. However, one of the most important tasks of the Forum would be to monitor local and regional development initiatives and inform Amafa timeously of any threats to heritage resources.

HERITAGE RESOURCE IDENTIFICATION AND GRADING

An extensive public participation program should be undertaken to identify sites of cultural and historical significance, particularly places of significance of historically disadvantaged groups; living heritage; and cultural landscapes. This program should be widely advertised, including radio broadcasting, and promoted in all local schools. Funding for the programme could be sought from local businesses and industry, and matched by municipal funding. All heritage resources should be graded according to the criteria in Appendix C, or similar criteria approved by Amafa.

Amafa has initiated this process in KwaZulu-Natal; although available funding is extremely limited, partnerships with museums and tertiary institutions such as universities and colleges, where students and staff volunteer their time in exchange for experience and professional kudos, can be an effective approach to maximising resources.
The NHRA intends that groups and communities be encouraged to play important roles in the heritage management system and it specifically provides for the registration of conservation bodies which must clearly indicate the geographical area of interest and the categories of heritage resources in which they are interested. Ideally, the conservation bodies should identify and indicate the extent of the significance (grade) of the buildings, sites, places and environments that they are interested in that should become the local authority’s heritage inventory.

Once again, this approach collates existing information using the services of volunteers and is a very effective means for under-resourced local and heritage authorities to maximise returns on input.

**TOURISM AND HERITAGE RESOURCES**

Numerous heritage resources have the potential for development as tourism attractions. This factor should be taken into account when undertaking the aforementioned site identification and grading process. However, all heritage resources that are subject to public visitation require a management plan, as described below.

Tourism KwaZulu-Natal should play a key funding role in this process. As with general site identification and grading, partnerships with heritage and tourism departments in tertiary institutions could maximise limited resources by providing students and staff with experience and research opportunities in return for voluntary services.

**MANAGEMENT PLANS**

Amafa and the Metro and/or District Heritage Forum should compile integrated site management plans for all Provincial and Heritage Landmarks and other significant heritage resources identified during the aforementioned site identification and grading process. These plans should make provision, *inter alia*, for site documentation and research; visitor management; maintenance; and disaster management. If necessary independent heritage practitioners could undertake this task; funding should be made available by the Municipality, Amafa and the South African Heritage Resources Agency (SAHRA) and sought from the Lotto, relevant national and provincial government departments, and private funders. Once again, partnerships with museums and tertiary institutions could be beneficial in this regard.

**DATABASE DEVELOPMENT**

A national database for all heritage resources, known as SAHRIS, has been developed by SAHRA and is continually updated based on new reports received and resources identified. All heritage resource information identified during the aforementioned site identification and grading process, as well as HIAs, should be uploaded to the SAHRIS database.

**HERITAGE IMPACT ASSESSMENTS**

HIAs, including Archaeological Impact Assessments (AIAs), should be carried out in all areas identified for development (refer to Appendix A for statutory requirements of HIAs). Heritage resources should be assessed according to the criteria included in Appendix C, and development impacts should be assessed according to the criteria included in Appendix D (or similar).
URBAN CONSERVATION

Buildings and structures should be assessed in terms of their various values (not just historical or architectural), including their contribution to streetscapes and townscapes (see Appendix C for guidelines for the establishment of heritage resource significance). It is critical to recognise that ALL buildings with heritage significance are protected by heritage legislation, not only those older than sixty years. However, such significance must be demonstrated to be in the public interest. Amafa and the District Heritage Forum should compile management plans for the various heritage resources identified during the aforementioned site identification and grading process.

Plans should:

— Identify all buildings, structures and places, including monuments and memorials, located in the various zones;
— Grade each heritage resource in terms of the grading criteria included in Appendix C, or similar criteria approved by Amafa;
— Provide general management requirements for heritage resource categories and specific management requirements for individual sites, compiled in liaison with site owners;
— Provide for the notification of site owners concerning the legal protection of sites;
— Establish limits of acceptable change to heritage zones, including the establishment of buffers with preferred and non-preferred land uses.

7 IMPLEMENTATION AND REVISION SCHEDULE

Heritage resources management priorities identified in this component of the EMF should be funded and implemented from the 2015 financial year. These priorities should be subject to annual review with progress reports submitted to the Minister by Amafa and the District Forum.

8 CONCLUSION

The key outcomes of this investigation into heritage resources management in Ugu District are threefold:

— Although the District has a rich and diverse history reflected in the presence of numerous heritage resources, few sites are recorded in either publically accessible or provincial databases. Lack of accurate site data therefore hinders all spatial planning processes.
— Heritage authorities will not release site information to municipalities at a district-wide scale unless such local authorities have demonstrated that they are competent to manage heritage resources effectively.
— Accordingly, heritage resources management in Ugu District is dependent on the creation of a functioning District Heritage Forum between Amafa and the municipality.

The final Heritage Resources Management Report for the Ugu District EMF will be submitted to Amafa for review and comment.
## Bibliography


APPENDIX A  STATUTORY REQUIREMENTS

General

The Constitution of the Republic of South Africa Act 108 of 1996 is the source of all legislation. Within the Constitution the Bill of Rights is fundamental, with the principle that the environment should be protected for present and future generations by preventing pollution, promoting conservation and practising ecologically sustainable development. With regard to spatial planning and related legislation at national and provincial levels the following legislation may be relevant:

- Physical Planning Act 125 of 1991
- Municipal Structures Act 117 of 1998
- Municipal Systems Act 32 of 2000
- Development Facilitation Act 67 of 1995 (DFA)

The identification, evaluation and management of heritage resources in South Africa is required and governed by the following legislation:

- National Environmental Management Act 107 of 1998 (NEMA)
- KwaZulu-Natal Heritage Act 4 of 2008 (KZNHA)
- National Heritage Resources Act 25 of 1999 (NHRA)
- Minerals and Petroleum Resources Development Act 28 of 2002 (MPRDA)

KwaZulu-Natal Heritage Act 4 of 2008 (KZNHA)

This Act is implemented by Amafa aKwaZulu-Natali/Heritage KwaZulu-Natal, the provincial heritage resources authority charged to provide for the conservation, protection and administration of both the physical and the living or intangible heritage resources of the province; along with a statutory Council to administer heritage conservation in the Province.

Chapter 7 of the Act allows for the establishment of Metro and District Heritage Forums to assist the Council in facilitating and ensuring the involvement of local communities in the administration and conservation of heritage in the Province, as follows:

29. Establishment of Metro or District Heritage Forums
(1) The responsible Member of the Executive Council may, for the area of a district or metropolitan municipality, by notice in the Gazette, establish a District or Metro Heritage Forum.
(2) A Metro or District Heritage Forum contemplated in subsection (1) is—
   (a) a voluntary structure; and
   (b) not a juristic person.

30. Powers, duties and functions of Metro or District Heritage Forums
(1) A Metro or District Heritage Forum must within the area for which it has been established—
   (a) co-ordinate heritage development issues;
   (b) co-ordinate and facilitate the promotion of both physical and living or intangible heritage;
   (c) promote value and ownership of local heritage resources;
   (d) ensure collaboration with local stakeholders in all local heritage initiatives; and
   (e) promote heritage-related local economic and social development.
(2) A Metro or District Heritage Forum—
   (a) may, within its area of jurisdiction, establish one or more local heritage forums; and
(b) must co-ordinate and support the activities of a local heritage forum.

(3) A Metro or District Heritage Forum may, generally, do everything which is regarded as necessary or expedient to perform the duties and functions referred to in subsections (1) and (2).

31. Administrative support to Metro or District Heritage Forums

The Department [the Office of the Premier in KwaZulu-Natal] must—

(a) provide administrative and secretarial support to a Metro or District Heritage Forum; and

(b) build and strengthen the capacity of a Metro or District Heritage Forum in order to enable it to perform the duties and functions contemplated in this Act.

32. Determination of operational and administrative framework by responsible Member of Executive Council

The responsible Member of the Executive Council must prescribe the operational and administrative framework for Metro or District Heritage Forums, which must include—

(a) the procedure for appointment of persons to Metro or District Heritage Forums;

(b) the term of office for members of Metro or District Heritage Forums; and

(c) the frequency of meetings of Metro or District Heritage Forums.

National Heritage Resources Act 25 of 1999 (NHRA)

The NHRA established the South African Heritage Resources Agency (SAHRA) together with its Council to fulfill the following functions:

— co-ordinate and promote the management of heritage resources at national level;
— set norms and maintain essential national standards for the management of heritage resources in the Republic and to protect heritage resources of national significance;
— control the export of nationally significant heritage objects and the import into the Republic of cultural property illegally exported from foreign countries;
— enable the provinces to establish heritage authorities which must adopt powers to protect and manage certain categories of heritage resources; and
— provide for the protection and management of conservation-worthy places and areas by local authorities.

Responsibilities and competence of heritage resources authorities and local authorities for the identification and management of the national estate

8. (1) There is a three-tier system for heritage resources management, in which national level functions are the responsibility of SAHRA, provincial level functions are the responsibility of provincial heritage resources authorities and local level functions are the responsibility of local authorities. Heritage resources authorities and local authorities are accountable for their actions and decisions and the performance of functions under this system.

(2) SAHRA is responsible for the identification and management of Grade I heritage resources and heritage resources in accordance with the applicable provisions of this Act, and shall co-ordinate and monitor the management of the national estate in the Republic.

(3) A provincial heritage resources authority is responsible for the identification and management of Grade II heritage resources and heritage resources which are deemed to be a provincial competence in terms of this Act.

(4) A local authority is responsible for the identification and management of Grade III heritage resources and heritage resources which are deemed to fall within their competence in terms of this Act.
(5) For the purpose of any application for a permit or other authorisation to perform any action which is controlled in terms of this Act or provincial heritage legislation, a formal protection by a heritage resources authority at a higher level takes precedence over any formal or general protection at a local level, without prejudice to any incentives offered at any level.

(6) (a) A provincial heritage resources authority or a local authority shall not perform any function in terms of this Act or any other law for the management of heritage resources unless it is competent to do so. The capacity of a provincial heritage resources authority or local authority shall be assessed in terms of criteria prescribed by the Minister, including the availability of adequate staff, expertise, experience and administrative systems, to be applied —

(i) by SAHRA, in the assessment of the capacity of provincial authorities to perform specific functions in relation to prescribed categories of heritage resources; and

(ii) by provincial heritage resources authorities, to establish the capacity of local authorities to perform any function under this Act:

Provided that, in the event of a dispute, the matter shall be submitted to arbitration.

(b) If an authority at provincial or local level does not have the capacity or is not competent to perform a specific function for which it is responsible under this section, that function shall be performed on an agency basis by an authority at a higher level or a competent authority on the same level.

(c) A provincial heritage resources authority or a local authority shall apply to the relevant authority for the assessment of its competence under paragraph (a) in the manner prescribed by the assessing authority, and may apply for reassessment within the period and on the conditions prescribed by the assessing authority.

(d) The assessing authority may at any time, and shall at least every two years, reassess the competence of a subordinate authority and review the assumption of functions and powers under this Act.

Heritage Impact Assessments

Section 38(1) of the NHRA may require a Heritage Impact Assessment in case of:

— the construction of a road, wall, power line, canal or other similar form of linear development or barrier exceeding 300m in length;
— the construction of a bridge or similar structure exceeding 50m in length;
— any development or other activity which will change the character of a site—
  (i) exceeding 5 000m² in extent; or
  (ii) involving three or more existing erven or subdivisions thereof; or
  (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
— the re-zoning of a site exceeding 10 000m² in extent; or
— any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.

Reports in fulfilment of NHRA Section 38(3) must include the following information:

— the identification and mapping of all heritage resources in the area affected;
— an assessment of the significance of such resources in terms of the heritage assessment criteria set out in regulations;
— an assessment of the impact of the development on such heritage resources;
— an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;
— the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;
— if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and
— plans for mitigation of any adverse effects during and after completion of the proposed development.

It is incumbent upon the developer or Environmental Practitioner to approach the South African Heritage Resources Agency (SAHRA) or Amafa to ascertain whether an HIA is required for a project; what categories of heritage resource must be assessed; and request a detailed motivation for such a study in terms of both the nature of the development and the nature of the environment. In this regard we draw your attention to Section 38(2) of the NHRA which states specifically that ‘The responsible heritage resources authority must … if there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact assessment report’. In other words, the heritage authority must be able to justify a request for an Archaeological, Palaeontological or Heritage Impact Assessment. The Environmental Practitioner may also submit information to the heritage authority in substantiation of exemption from a specific assessment due to existing environmental disturbance, for example.

Definitions of heritage resources

The Act defines a heritage resource as any place or object of cultural significance i.e. of aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. This includes, but is not limited to, the following wide range of places and objects:

— living heritage as defined in the National Heritage Council Act 11 of 1999 (cultural tradition; oral history; performance; ritual; popular memory; skills and techniques; indigenous knowledge systems; and the holistic approach to nature, society and social relationships);
— ecofacts (non-artefactual organic or environmental remains that may reveal aspects of past human activity; definition used in KwaZulu-Natal Heritage Act 2008);
— places, buildings, structures and equipment;
— places to which oral traditions are attached or which are associated with living heritage;
— historical settlements and townscapes;
— landscapes and natural features;
— geological sites of scientific or cultural importance;
— archaeological and palaeontological sites;
— graves and burial grounds;
— public monuments and memorials;
— sites of significance relating to the history of slavery in South Africa;
— movable objects, but excluding any object made by a living person; and
— battlefields.
Furthermore, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of—

— its importance in 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; and
— its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa.

Management of Graves and Burial Grounds

— Definitions

Grave
The NHRA defines a grave as a place of interment and includes the contents, headstone or other marker of such a place, and any other structure on or associated with such a place.
The KwaZulu-Natal Cemeteries and Crematoria Act 12 of 1996 defines a grave as an excavation in which human remains have been intentionally placed for the purposes of burial, but excludes any such excavation where all human remains have been removed.

Burial ground
The term ‘burial ground’ does not appear to have a legal definition. In common usage the term is used for management purposes to describe two or more graves that are grouped closely enough to be managed as a single entity.

Cemetery
The KwaZulu-Natal Cemeteries and Crematoria Act 1996 defines a cemetery as any place
(a) where human remains are buried in an orderly, systematic and pre-planned manner in identifiable burial plots;
(b) which is intended to be permanently set aside for and used only for the purposes of the burial of human remains.
Protection of graves and cemeteries

No person may damage, alter, exhume, or remove from its original position any grave, as defined above, without permission from the relevant authority, as detailed in the following table.

<table>
<thead>
<tr>
<th>Grave type</th>
<th>Relevant legislation</th>
<th>Administrative authority – disinterment</th>
<th>Administrative authority – reburial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graves located within a formal cemetery administered by a local authority</td>
<td>KwaZulu-Natal Cemeteries and Crematoria Act 12 of 1996</td>
<td>National and / or Provincial Departments of Health</td>
<td>If relocated to formal cemetery – relevant local authority.</td>
</tr>
<tr>
<td>Graves younger than 100 years located outside a formal cemetery administered by a local authority and the graves of victims of conflict</td>
<td>KwaZulu-Natal Heritage Act 4 of 2008, KwaZulu-Natal Cemeteries and Crematoria Amendment Act 2 of 2005</td>
<td>Amafa aKwaZulu-Natali, the provincial heritage resources authority</td>
<td>If relocated to private or communal property – Amafa.</td>
</tr>
<tr>
<td>Graves older than 100 years located outside a formal cemetery administered by a local authority and the graves of victims of conflict</td>
<td>National Heritage Resources Act 25 of 1999</td>
<td>Amafa aKwaZulu-Natali, the provincial heritage resources authority</td>
<td>If relocated to private or communal property – Amafa.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>If relocated to formal cemetery – Amafa and relevant local authority.</td>
</tr>
</tbody>
</table>

Procedures required for permission to disinter and rebury graves

The procedure for consultation regarding burial grounds and graves (Section 36 of the NHRA) is applicable to all graves located outside a formal cemetery administered by a local authority. The following extract from this legislation is applicable to this policy document:

SAHRA or Amafa may not issue a permit for any alteration to or disinterment or reburial of a grave unless it is satisfied that the applicant has, in accordance with regulations made by the responsible heritage resources authority—

(a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground; and

(b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.

Any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Services and in accordance with regulations of the responsible heritage resources authority—

(a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and

(b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the contents of such grave or, in the absence of such person or community, make any such arrangements as it deems fit.
APPENDIX B  ARCHAEOLOGICAL AND HISTORICAL CONTEXT OF THE STUDY AREA

The Stone Age

No systematic Early and Middle Stone Age research has been undertaken in the proposed development area, hence the general nature of this section. Open air assemblages of stone artefacts and waste flakes, probably not in primary contexts, could be expected in areas with minimal environmental disturbance.

South Africa’s prehistory has been divided into a series of phases based on broad patterns of technology. The primary distinction is between a reliance on chipped and flaked stone implements (the Stone Age) and the ability to work iron (the Iron Age). Spanning a large proportion of human history, the Stone Age in Southern Africa is further divided into the Early Stone Age, or Paleolithic Period (about 2500000–150000 years ago), the Middle Stone Age, or Mesolithic Period (about 150000–30000 years ago), and the Late Stone Age, or Neolithic Period (about 30000–2000 years ago). The simple stone tools found with australopithecine fossil bones fall into the earliest part of the Early Stone Age.

— The Early Stone Age

Most Early Stone Age sites in South Africa can probably be connected with the hominin species known as Homo erectus. Simply modified stones, hand axes, scraping tools, and other bifacial artifacts had a wide variety of purposes, including butchering animal carcasses, scraping hides, and digging for plant foods. Most South African archaeological sites from this period are the remains of open camps, often by the sides of rivers and lakes, although some are in rock shelters.

— The Middle Stone Age

The long episode of cultural and physical evolution gave way to a period of more rapid change about 200000 years ago. Hand axes and large bifacial stone tools were replaced by stone flakes and blades that were fashioned into scrapers, spear points, and parts for hafted, composite implements. This technological stage, now known as the Middle Stone Age, is represented by numerous sites in South Africa.

Open camps and rock overhangs were used for shelter. Day-to-day discard has survived to provide some evidence of early ways of life, although plant foods have rarely been preserved. Middle Stone Age bands hunted medium-sized and large prey, including antelope and zebra, although they tended to avoid the largest and most dangerous animals, such as the elephant and the rhinoceros. They also ate seabirds and marine mammals that could be found along the shore and sometimes collected tortoises and ostrich eggs in large quantities.

— The Late Stone Age

Basic toolmaking techniques began to undergo additional change about 40000 years ago. Small finely worked stone implements known as microliths became more common, while the heavier scrapers and points of the Middle Stone Age appeared less frequently. Archaeologists refer to this technological stage as the Late Stone Age. The numerous collections of stone tools from South African archaeological sites show a great degree of variation through time and across the subcontinent.

The remains of plant foods have been well preserved at many shelter sites in the region. Animals were trapped and hunted with spears and arrows on which were mounted well-crafted stone blades. Bands moved with the seasons as they followed game into higher lands in the spring and early summer months, when plant foods could also be found. When available, rock overhangs became shelters; otherwise, windbreaks were built. Shellfish, crayfish, marine mammals, and seabirds were also important sources of food, as were fish caught on lines, with spears, in traps, and possibly with nets.

Dating from this period are numerous engravings on rock surfaces, mostly on the interior plateau, and paintings on the walls of rock shelters in the more mountainous regions. The images were made over a period of at least 25 000 years. Although scholars originally saw the South African rock art as the work of exotic foreigners such as Minoans or Phoenicians or as the product of primitive minds, they now believe that the paintings were closely associated with the work of medicine men, shamans who were involved in the well-being of the band and often worked in a state of trance. Specific representations include depictions of trance dances, metaphors for trance such as death and flight, rainmaking, and control of the movement of antelope herds.

Iron Age

Archaeological evidence shows that Bantu-speaking agriculturists first settled in southern Africa around AD 300. Bantu-speakers originated in the vicinity of modern Cameroon from where they began to move eastwards and southwards, some time after 400 BC, skirting around the equatorial forest. An extremely rapid spread throughout much of sub-equatorial Africa followed: dating shows that the earliest communities in Tanzania and South Africa are separated in time by only 200 years, despite the 3 000 km distance between the two regions. It seems likely that the speed of the spread was a consequence of agriculturists deliberately seeking iron ore sources and particular combinations of soil and climate suitable for the cultivation of their crops.

The earliest agricultural sites in KwaZulu-Natal date to between AD 400 and 550. All are situated close to sources of iron ore, and within 15 km of the coast. Current evidence suggests it may have been too dry further inland at this time for successful cultivation. From 650 onwards, however, climatic conditions improved and agriculturists expanded into the valleys of KwaZulu-Natal, where they settled close to rivers in savanna or bushveld environments. There is a considerable body of information available about these early agriculturists.

Seed remains show that they cultivated finger millet, bulrush millet, sorghum and probably the African melon. It seems likely that they also planted African groundnuts and cowpeas, though direct evidence for these plants is lacking from the earlier periods. Faunal remains indicate that they kept sheep, cattle, goats, chickens and dogs, with cattle and sheep providing most of the meat. Men hunted, perhaps with dogs, but hunted animals made only a limited contribution to the diet in the region.

Metal production was a key Iron Age activity since it provided the tools of cultivation and hunting. However, both archaeological evidence and the written testimonies of 15th C Portuguese shipwrecked sailors, indicate that the Iron Age communities of southern KwaZulu-Natal were iron-poor. The evidence indicates that ore sources are virtually absent in the local geology and that worked tools were traded in from considerable distances away.

---

Large-scale excavations in recent years have provided data indicating that first-millennium agriculturist society was patrilineal and that men used cattle as bridewealth in exchange for wives. On a political level, society was organised into chiefdoms that, in our region, may have had up to three hierarchical levels. The villages of chiefs tended to be larger than others, with several livestock enclosures, and some were occupied continuously for lengthy periods. Social forces of the time resulted in the concentration of unusual items on these sites. These include artefacts that originated from great distances, ivory items (which as early as AD 700 appear to have been a symbol of chieftainship), and initiation paraphernalia.

This particular way of life came to an end around AD 1000, for reasons that we do not yet fully understand. There was a radical change in the decorative style of agriculturist ceramics at this time, while the preferred village locations of the last four centuries were abandoned in favour of sites along the coastal littoral. In general, sites dating to between 1050 and 1250 are smaller than most other earlier agriculturist settlements. It is tempting to see in this change the origin of the Nguni settlement pattern. Indeed, some archaeologists have suggested that the changes were a result of the movement into the region of people who were directly ancestral to the Nguni-speakers of today. Others prefer to see the change as the product of social and cultural restructuring within resident agriculturist communities.

Whatever the case, it seems likely that this new pattern of settlement was in some way influenced by a changing climate, for there is evidence of increasing aridity from about AD 900. A new pattern of economic inter-dependence evolved that is substantially different from that of earlier centuries, and is one that continued into the colonial period nearly 500 years later.

**Port Shepstone**

Port Shepstone was founded in 1867 when marble was discovered nearby and is named after Sir Theophilus Shepstone of the Natal government of the 1880s. William Bazley built a harbour and the first coaster entered the harbour on May 8 1880, initiating regular trade between Durban and Port Shepstone. The main exports for many years after that were marble slabs, sugar and lime.

In 1880, Alfred County in Southern Natal was the newest County in the Colony of Natal. It was still very sparsely populated and there was a need to have the land productively used by farmers. The government had promised the few settlers there that a harbour would be developed to facilitate their communication with markets in the rest of Natal.

A Colonisation Scheme was inaugurated to bring in settlers from Europe and contact was made with prospective immigrants in and around Sunmore and Aalesund in Norway. Fifty farms were surveyed for the Norwegians, but on the day of departure only 34 families of the 50 selected were ready to leave their homeland. On August 29 1882, 229 Norwegians landed at the mouth of the UMzimkulu River by lighter drawn in by the S.S. Somtseu, and were taken by ox-wagon to their allotments. Each farm was 100 acres and the Church was assigned "Lot 17" of a similar size. Rev. Emil Berg, their pastor, came with them and a service was held on the hillside on Lot 17 on the first Sunday after their arrival. Pastor Berg preached from Luke 12:32: "Fear not, little flock, for the Father has been pleased to give you the Kingdom."

The original Church, built of mud bricks (and later encased in fired bricks), was dedicated on the first anniversary of the landing and is currently the oldest serving Church in Southern Natal. The Church was used as a schoolroom for the children until the adjoining School Hall was built in 1896.

---

26 http://www.gosouthcoast.co.za/history/70-history-of-port-shepstone
The children needed to know English, and so they were educated in English under the supervision of the Natal Department of Education. The Norwegian School was supported by all the children in the district and functioned from 1884 to 1912, and went from Grade 1 to Grade 9. The benches on the Church verandah were made from the tops of the old school desks as evidenced by the inkwell holes in the seats. The settlers were poor and were given a government grant to pay the teacher's salary. It thus became the first non-fee-paying school in Natal.

In the early years, many men worked in the gold mines to raise money to develop their farms and to build proper houses. Others were employed on the harbour works. Still others moved away and plied their trades in many parts of South Africa. A few returned to Norway, but many remained in the district and contributed to the growth of Port Shepstone and the surrounding areas.

The names of the Settlers are recorded on a marble plaque in the original Church, now referred to as "The Chapel" that is open every day and is still in constant use, in spite of being replaced by the much larger and more modern "Sanctuary" in 1999. The Settlers Cemetery adjoining the Church bears testimony to many of the men, women and children who considered the Norwegian Settlers Church their spiritual home. Through the years, the Church has observed the 29th August as a special Day of Thanksgiving, and has on many occasions drawn together descendants of settlers from many parts of South Africa and from other countries.

By 1893 Port Shepstone was functioning as a full fiscal harbour. However, when the railway from Durban reached Port Shepstone, the harbour was doomed. It fell into disuse and eventually the river silted up again, making the harbour impossible to use.

Port Shepstone Lighthouse developed out of the signal station, which was a natural requirement during the period that Port Shepstone was actually a harbour. An ordinary ship masthead lantern was exhibited from the top of a ladder-like structure and came into operation during 1895. The present cast iron lighthouse was erected during 1906. It was first located at Scottburgh where it marked the southern extremity of the infamous Aliwal Shoal and thereafter it was transferred to its present position. The 27,000 candela lighthouse still stands at the mouth of the UMzimkhulu River.

Today Port Shepstone is the administrative, commercial, distribution and transport centre of the South Coast. On the outskirts of the town is a charming church, which is the cultural and social focus of the Norwegian settlers’ descendants. It is 130 years after the first landing of Norwegian Pioneers in 1882 and the establishment of their Norwegian Settlers Church in Marburg, Port Shepstone.
Port Edward

Port Edward is a small resort town situated on the south coast of KwaZulu-Natal near the Eastern Cape Province border. Tragedy Hill or Isandlundlu (Inhlanhlinhlu in Zulu; in English, shaped like a hut) with its bush covered slopes is rumoured to have been the site of a massacre in 1831, when Dingane allegedly caught and killed a party of settlers thought to be fleeing with royal cattle (Burger 2004). However, only fossil, not human remains have been found there. Rumour also had it that treasure was buried on ‘North Sand Bluff’, a spur of the hill overlooking the Sanludlu (Inhlanhlinhlu) River.

In 1878, the ship Ivy ran aground on Port Edward’s beach.

Edward Stafford, a transport rider from Stafford’s Post, Harding was the first European to choose Port Edward as the perfect place to enjoy a holiday. The exact year Stafford arrived and set about erecting a holiday shack overlooking the mouth of the Umtamvuna is unknown, but it was some years prior to the arrival of T.K. Pringle and the Muller brothers in 1916. T. Ken Pringle, the first settler, owned and subsequently named the Banner Rest area as well as the present township of Port Edward. Banner Rest was so named by Pringle because it was here, he intended “to strike the banner” and retire and although the township was first known as Kennington, after Pringle’s second name, Ken, he changed the name to Port Edward in 1925 in honour of Edward, the Prince of Wales who had visited South Africa in that same year.

A long-established coffee growing region, the first plantings in and around Port Edward took place in 1866 and continue today.

Scottburgh

Scottburgh is a resort town situated on the mouth of the Mpambanyoni River (confuser of birds). Neighbouring towns include Pennington, Renishaw, Freeland Park, Umkomaas, Sezela, Bazley, Amahlongwa, Clansthal, Park Rynie and Dududu.

Named after Natal Colony Governor John Scott, in 1860 it became the first township to be laid out south of Durban, but was initially known as Devonport. Scottburgh then became a very promising port as well as a new attractive location for sugar farms and sugar mills. In about 1850 the town started to attract immigrants especially from the United Kingdom, known as the Byrne Settlers. They came to take advantage of the good harbours, both locally and at Durban, and to export their sugar both internally and externally. Often mispronounced or misspelled “Scottsburgh”, Scottburgh became a municipality in 1964.

Scottburgh is situated on the south bank of the Mpambanyoni River, a short river that culminates in a lagoon. The Mpambanyoni mouth has fluctuated in surface area and volume dramatically over the years, largely due to the frequent droughts, occasional cyclones, and other extreme weather conditions. Most notorious was Cyclone Demoina of 1984 and the floods of 1987 which resulted in widespread flooding and infrastructural damage, including the destruction of the Old Main Road bridge from Durban and Umkomaas.

27 http://www.southcoasthappenings.co.za/portedwardhomepage.htm
28 http://www.kznsouthcoast.co.za/port_edward.htm
Dick King and Ndongeni

By the mid-19th century the eastern coastal region was in a state of flux. King Shaka's co-assassin and heir, his half-brother Dingane, had himself been assassinated after a catastrophic chain of events. Dingane had ordered the massacre of Boer settlers arriving in the area on their Great Trek from British dominion in the Cape Colony, then allowed the trekkers to regroup and exact revenge at the equally-pivotal Battle of Blood River. Dingane's successor, King Mpande, sought British mediation in the resulting territorial crisis and a 250-strong force under Waterloo veteran Captain Thomas Charlton Smith marched north from the Cape Colony to Port Natal - Durban. Negotiations with Boer leaders failed, as did Smith's attempts to use force and the British stockade found itself outnumbered and encircled.

Unfamiliar with both his surroundings and the Boer fighters' guerrilla tactics, Captain Smith enlisted the aid of Dick King, an English trader and transport rider with 14 years' experience in the Zulu kingdom. Reinforcements were desperately needed and word of the dire situation had to reach the Cape Colony as fast as possible. Hence in 1842 Dick King and his 16-year-old tracker, Ndongeni, headed south along the shoreline on horseback:

I came to Durban to reside permanently in 1852\(^{29}\). Dick King who was then my brother-in-law, brought me into more intimate acquaintance with that gentleman. I often sat trying to draw him out on many of his hair-breadth escapes. He was very unassuming. I asked him about the great ride. His reply was that taking the standpoint of 1842 when all was savage life there arose a difficulty. I asked him what road he took to Grahamstown. He said, 'once my two horses were landed on the Bluff I well knew the Boers would be on my track so I coasted it & swam all the rivers at their mouths. The Boers followed me for a length of time, but Chief Umnini put them on the wrong track. The Boers followed me for 24 hours'. I asked him how many rivers he had to swim. He said, 'over 200 between Natal & Grahamstown'. I asked him how his horses stood it. He said, 'I rode them as long as I could. A good missionary of the name of Eversides, carrying on his work at Umtata gave me a relay of horses'.

He told me he was lying in the veldt for 24 hours with fever. I asked him how long it took him to do the ride. He told me he did the distance in 8 days, but taking the time lost with fever, he rode the distance in six days. You must have been very fatigued I said. 'No', King said, 'I jumped off my horse when I went into Grahamstown'. I asked him how he got along with the Kafirs. 'Being a good Kafir linguist helped me very much, as I could obtain food, as every Kafir hated the Boer'.

My wife told me a different tale, she said she was one of the first to meet her brother Dick in Grahamstown when he arrived, and two men had to take him off his horse - and likely enough. I asked the distance and he replied, 'I believe it is 600 miles to Grahamstown'. When the rivers are taken into consideration together with the nature of the anxiety and its savage [surrounding] I believe that such a ride has never been accomplished by any other man. I said to him 'You are a hero and worthy to be called an Englishman - A man that England should never forget for time immemorial'.

\(^{29}\) Dominy (1992).
APPENDIX C  ASSESSMENT OF HERITAGE RESOURCE VALUE AND SIGNIFICANCE

Heritage resources are significant only to the extent that they have public value, as demonstrated by the following guidelines for determining site significance developed by Heritage Western Cape (HWC 2007) and utilised during this assessment.

Grade I Sites (National Heritage Sites)
Regulation 43 Government Gazette no 6820. 8 No. 24893 30 May 2003, Notice No. 694 states that:
Grade I heritage resources are heritage resources with qualities so exceptional that they are of special national significance and should be applied to any heritage resource which is
a) Of outstanding significance in terms of one or more of the criteria set out in section 3(3) of the NHRA;
b) Authentic in terms of design, materials, workmanship or setting; and is of such universal value and symbolic importance that it can promote human understanding and contribute to nation building, and its loss would significantly diminish the national heritage.

1. Is the site of outstanding national significance?
2. Is the site the best possible representative of a national issue, event or group or person of national historical importance?
3. Does it fall within the proposed themes that are to be represented by National Heritage Sites?
4. Does the site contribute to nation building and reconciliation?
5. Does the site illustrate an issue or theme, or the side of an issue already represented by an existing National Heritage Site - or would the issue be better represented by another site?
6. Is the site authentic and intact?
7. Should the declaration be part of a serial declaration?
8. Is it appropriate that this site be managed at a national level?
9. What are the implications of not managing the site at national level?

Grade II Sites (Provincial Heritage Sites)
Regulation 43 Government Gazette no 6820. 8 No. 24893 30 May 2003, Notice No. 694 states that:
Grade II heritage resources are those with special qualities which make them significant in the context of a province or region and should be applied to any heritage resource which -
a) is of great significance in terms of one or more of the criteria set out in section 3(3) of the NHRA; and
(b) enriches the understanding of cultural, historical, social and scientific development in the province or region in which it is situated, but that does not fulfil the criteria for Grade 1 status.

Grade II sites may include, but are not limited to –
(a) places, buildings, structures and immovable equipment of cultural significance;
(b) places to which oral traditions are attached or which are associated with living heritage;
(c) historical settlements and townscape;
(d) landscapes and natural features of cultural significance;
(e) geological sites of scientific or cultural importance;
(f) archaeological and palaeontological sites; and
(g) graves and burial grounds.
The cultural significance or other special value that Grade II sites may have, could include, but are not limited to –

(a) its importance in the community or pattern of the history of the province;
(b) the uncommon, rare or endangered aspects that it possess reflecting the province's natural or cultural heritage
(c) the potential that the site may yield information that will contribute to an understanding of the province’s natural or cultural heritage;
(d) its importance in demonstrating the principal characteristics of a particular class of the province’s natural or cultural places or objects;
(e) its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group in the province;
(f) its importance in demonstrating a high degree of creative or technical achievement at a particular period in the development or history of the province;
(g) its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons; and
(h) its strong or special association with the life or work of a person, group or organization of importance in the history of the province.

Grade III (Local Heritage Resources)

Regulation 43 Government Gazette no 6820. 8 No. 24893 30 May 2003, Notice No. 694 states that:

Grade III heritage status should be applied to any heritage resource which
(a) fulfils one or more of the criteria set out in section 3(3) of the NHRA; or
(b) in the case of a site contributes to the environmental quality or cultural significance of a larger area which fulfils one of the above criteria, but that does not fulfill the criteria for Grade 2 status.

Grade IIIA

This grading is applied to buildings and sites that have sufficient intrinsic significance to be regarded as local heritage resources; and are significant enough to warrant any alteration being regulated. The significances of these buildings and/or sites should include at least some of the following characteristics:

- Highly significant association with a
  - historic person
  - social grouping
  - historic events
  - historical activities or roles
  - public memory
- Historical and/or visual-spatial landmark within a place
- High architectural quality, well-constructed and of fine materials
- Historical fabric is mostly intact (this fabric may be layered historically and/or past damage should be easily reversible)
- Fabric dates to the early origins of a place
- Fabric clearly illustrates an historical period in the evolution of a place
- Fabric clearly illustrates the key uses and roles of a place over time
- Contributes significantly to the environmental quality of a Grade I or Grade II heritage resource or a conservation/heritage area

Such buildings and sites may be representative, being excellent examples of their kind, or may be rare: as such they should receive maximum protection at local level.
Grade IIIB

This grading is applied to buildings and/or sites of a marginally lesser significance than grade IIIA; and such marginally lesser significance argues against the regulation of internal alterations. Such buildings and sites may have similar significances to those of a grade IIIA building or site, but to a lesser degree. Like grade IIIA buildings and sites, such buildings and sites may be representative, being excellent examples of their kind, or may be rare, but less so than grade IIIA examples: as such they should receive less stringent protection than grade IIIA buildings and sites at local level and internal alterations should not be regulated (in this context).

Grade IIIC

This grading is applied to buildings and/or sites whose significance is, in large part, a significance that contributes to the character or significance of the environs. These buildings and sites should, as a consequence, only be protected and regulated if the significance of the environs is sufficient to warrant protective measures. In other words, these buildings and/or sites will only be protected if they are within declared conservation or heritage areas.
### APPENDIX D ASSESSMENT OF DEVELOPMENT IMPACTS

A heritage resource impact may be defined broadly as the net change, either beneficial or adverse, between the integrity of a heritage site with and without the proposed development. Beneficial impacts occur wherever a proposed development actively protects, preserves or enhances a heritage resource, by minimising natural site erosion or facilitating non-destructive public use, for example. More commonly, development impacts are of an adverse nature and can include:

- destruction or alteration of all or part of a heritage site;
- isolation of a site from its natural setting; and / or
- introduction of physical, chemical or visual elements that are out of character with the heritage resource and its setting.

Beneficial and adverse impacts can be direct or indirect, as well as cumulative, as implied by the aforementioned examples. Although indirect impacts may be more difficult to foresee, assess and quantify, they must form part of the assessment process. The following assessment criteria are applied to assess the impacts of proposed development on identified heritage resources:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Rating Scales</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature</td>
<td>Positive</td>
<td>An evaluation of the type of effect the construction, operation and management of the proposed development would have on the heritage resource.</td>
</tr>
<tr>
<td></td>
<td>Negative</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Neutral</td>
<td></td>
</tr>
<tr>
<td>Extent</td>
<td>Low</td>
<td>Site-specific, affects only the development footprint.</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>Local (limited to the site and its immediate surroundings, including the surrounding towns and settlements within a 10 km radius);</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>Regional (beyond a 10 km radius) to national.</td>
</tr>
<tr>
<td>Duration</td>
<td>Low</td>
<td>0-4 years (i.e. duration of construction phase).</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>5-10 years.</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>More than 10 years to permanent.</td>
</tr>
<tr>
<td>Intensity</td>
<td>Low</td>
<td>Where the impact affects the heritage resource in such a way that its significance and value are minimally affected.</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>Where the heritage resource is altered and its significance and value are measurably reduced.</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>Where the heritage resource is altered or destroyed to the extent that its significance and value cease to exist.</td>
</tr>
<tr>
<td>Potential for impact on irreplaceable resources</td>
<td>Low</td>
<td>No irreplaceable resources will be impacted.</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>Resources that will be impacted can be replaced, with effort.</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>There is no potential for replacing a particular vulnerable resource that will be impacted.</td>
</tr>
<tr>
<td>Consequence a combination of extent, duration, intensity and the potential for impact on irreplaceable resources)</td>
<td>Low</td>
<td>A combination of any of the following: - Intensity, duration, extent and impact on irreplaceable resources are all rated low. - Intensity is low and up to two of the other criteria are rated medium. - Intensity is medium and all three other criteria are rated low.</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
<td>Intensity is medium and at least two of the other criteria are rated medium.</td>
</tr>
<tr>
<td></td>
<td>High</td>
<td>Intensity and impact on irreplaceable resources are rated high, with any combination of extent and duration. Intensity is rated high, with all of the other criteria being rated medium or higher.</td>
</tr>
<tr>
<td>Probability (the likelihood of the impact occurring)</td>
<td>Low</td>
<td>Medium</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>-----</td>
<td>--------</td>
</tr>
<tr>
<td>It is highly unlikely or less than 50% likely that an impact will occur.</td>
<td>It is between 50 and 70% certain that the impact will occur.</td>
<td>It is more than 75% certain that the impact will occur or it is definite that the impact will occur.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Significance (all impacts including potential cumulative impacts)</th>
<th>Low</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low consequence and low probability.</td>
<td>Low consequence and medium probability.</td>
<td>Low consequence and high probability.</td>
<td></td>
</tr>
<tr>
<td>Medium consequence and low probability.</td>
<td>Medium consequence and medium probability.</td>
<td>Medium consequence and high probability.</td>
<td></td>
</tr>
<tr>
<td>High consequence and low probability.</td>
<td>High consequence and medium probability.</td>
<td>High consequence and high probability.</td>
<td></td>
</tr>
</tbody>
</table>