

**CULTURAL HERITAGE IMPACT ASSESSMENT  
OF THE PROPOSED PARTIAL INTERCHANGE  
AND UPGRADE OF THE R102, ETHEKWENI  
MUNICIPALITY, KWAZULU-NATAL.**



**ACTIVE HERITAGE cc.**

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Frans received his MA (Archaeology) from the University of Stellenbosch and is presently a PhD candidate on social anthropology at Rhodes University. His PhD research topic deals with indigenous San perceptions and interactions with the rock art heritage of the Drakensberg.

Frans was employed as a junior research associate at the then University of Transkei, Botany Department in 1988-1990. Although attached to a Botany Department he conducted a palaeoecological study on the Iron Age of northern Transkei - this study formed the basis for his MA thesis in Archaeology. Frans left the University of Transkei to accept a junior lecturing position at the University of Stellenbosch in 1990. He taught mostly undergraduate courses on World Archaeology and research methodology during this period.

From 1991 – 2001 Frans was appointed as the head of the department of Historical Anthropology at the Natal Museum, Pietermaritzburg. His tasks included academic research and publication, display conceptualization, and curating the African ethnology collections of the Museum. He developed various displays at the Natal Museum on topics ranging from Zulu material culture, traditional healing, and indigenous classificatory systems. During this period Frans also developed a close association with the Departments of Fine Art, Psychology, and Cultural and Media Studies at the then University of Natal. He assisted many post-graduate students with projects

relating to the cultural heritage of South Africa. He also taught post-graduate courses on qualitative research methodology to honours students at the Psychology Department, University of Natal. During this period he served on the editorial boards of the *South African Journal of Field Archaeology* and *Natalia*.

Frans left the Natal Museum in 2001 when approached by a Swiss funding agency to assist an international NGO (Working Group for Indigenous Minorities) with the conceptualization of a San or Bushman museum near Cape Town. During this period he consulted extensively with various San groupings in South Africa, Namibia and Botswana. He also made major research and conceptual contributions to the Kamberg and Didima Rock Art Centres in the Ukhahlamba Drakensberg World Heritage Site.

Between 2003 and 2007 Frans was employed as the Cultural Resource Specialist for the Maloti Drakensberg Transfrontier Project – a bilateral conservation project funded through the World Bank. This project involved the facilitation with various stakeholders in order to produce a cultural heritage conservation and development strategy for the adjacent parts of Lesotho and South Africa. Frans was the facilitator for numerous heritage surveys and assessments during this project. This vast area included more than 2000 heritage sites. Many of these sites had to be assessed and heritage management plans designed for them. He had a major input in the drafting of the new Cultural Resource Management Plan for the Ukhahlamba Drakensberg World Heritage site in 2007/2008. A highpoint of his career was the inclusion of Drakensberg San indigenous knowledge systems, with San collaboration, into the management plans of various rock art sites in this world heritage site. He also liaised with the tourism specialist with the drafting of a tourism business plan for the area.

During April 2008 Frans accepted employment at the environmental agency called Strategic Environmental Focus (SEF). His main task was to set-up and run the cultural heritage unit of this national company. During this period he also became an accredited heritage impact assessor and he is rated by both Amafa and the South African Heritage Resources Agency (SAHRA). He completed almost 50 heritage impact assessment reports nation-wide during an 18<sup>th</sup> month period.

Frans left SEF and started his own heritage consultancy called “Active Heritage cc” in July 2009. Although mostly active along the eastern seaboard his clients also include international companies such as Royal Dutch Shell through Golder Associates, and UNESCO. He has now completed almost 600 heritage conservation and management reports for various clients since the inception of “Active Heritage cc”. Amongst these was a heritage study of the controversial fracking gas exploration of the Karoo Basin and various proposed mining developments in South Africa and proposed developments adjacent to various World Heritage sites. Apart from heritage impact assessments (HIA’s) Frans also assist the National Heritage Council (NHC) through Haley Sharpe Southern Africa’, with heritage site data capturing and analysis for the proposed National Liberation Route World Heritage Site and the national intangible

heritage audit. In addition, he has done background research and conceptualization of the proposed Dinosaur Interpretative Centre at Golden Gate National Park and the proposed Khoi and San Interpretive Centre at Camdeboo, Eastern Cape Province. During 2009 he also produced the first draft dossier for the nomination of the Sehlabathebe National Park, Lesotho as a UNESCO inscribed world heritage site.

Frans was appointed as temporary lecturer in the department of Heritage and Tourism, UKZN in 2011. He is also a research affiliate at the School of Cultural and Media Studies in the same institution.

Frans's research interests include African Iron Age, paleoecology, rock art research, San ethnography, traditional healers in South Africa, and heritage conservation. Frans has produced more than forty publications on these topics in both popular and academic publications. He is frequently approached by local and international video and film productions in order to assist with research and conceptualization for programmes on African heritage and culture. He has also acted as presenter and specialist for local and international film productions on the rock art of southern Africa. Frans has a wide experience in the fields of museum and interpretive centre display and made a significant contribution to the conceptual planning of displays at the Natal Museum, Golden Horse Casino, Didima Rock Art Centre and !Khwatsha San Heritage Centre. Frans is also the co-founder and active member of "African Antiqua" a small tour company who conducts archaeological and cultural tours world-wide. He is a Thetha accredited cultural tour guide and he has conducted more than 50 tours to heritage sites since 1992.

#### **Declaration of Consultants independence**

Frans Prins is an independent consultant to Royal Haskoning DHV and has no business, financial, personal or other interest in the activity, application or appeal in respect of which he was appointed other than fair remuneration for work performed in connection with the activity, application or appeal. There are no circumstances whatsoever that compromise the objectivity of this specialist performing such work.



Frans Prins

**EXECUTIVE SUMMARY**

A heritage survey of the proposed partial interchange and upgrade of the R102 near Umhlanga, eThekweni Municipality, KwaZulu-Natal identified no heritage sites or features on the footprint. The area is also not part of any known cultural landscape. However, a large informal cemetery occurs approximately 800m to the north of the footprint. A buffer zone of 30m must be maintained around the cemetery. Attention is drawn to the South African Heritage Resources Act, 1999 (Act No. 25 of 1999) which, requires that operations that expose archaeological material, historical remains and graves should cease immediately, pending evaluation by the provincial heritage resources authority.

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### LIST OF ABBREVIATIONS AND ACRONYMS

ESA	Early Stone Age
HISTORIC PERIOD	Since the arrival of the white settlers - c. AD 1820 in this part of the country
IRON AGE	Early Iron Age AD 200 - AD 1000 Late Iron Age AD 1000 - AD 1830
EIA	Early Iron Age
LIA	Late Iron Age
LSA	Late Stone Age
MSA	Middle Stone Age
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998) and associated regulations (2010).
NHRA	National Heritage Resources Act, 1999 (Act No. 25 of 1999) and associated regulations (2000)
SAHRA	South African Heritage Resources Agency
STONE AGE	Early Stone Age 2 000 000 - 250 000 BP

	Middle Stone Age 250 000 - 25 000 BP Late Stone Age 30 000 - until c. AD 200
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## 1 INTRODUCTION

### 1.1 Background and Brief

The KwaZulu-Natal Department of Transport (KZN DoT), proposed to construct a partial interchange and upgrade the R102 near Umhlanga, eThekweni Municipality (Fig 1). An Environmental Authorisation (EA) was previously obtained, however, since this time, three additional components are proposed as follows which did not form part of the previous assessment:

- A. As indicated in red
- B. As indicated in red
- C. A pedestrian bridge as indicated in red

Royal Haskoning DHV has been appointed as the independent environmental assessment practitioner to undertake the necessary environmental assessment process for the proposed project. Active Heritage cc was subsequently appointed by Royal Haskoning DHV to complete the heritage impact assessment (HIA). A brief synopsis of the background to this Basic Assessment is provided in Table 1.

**Table 1. Background information**

Type of development:	The KwaZulu-Natal Department of Transport (KZN DoT), proposed to construct a partial interchange and upgrade the R102 (Fig 1).  An Environmental Authorisation (EA) was previously obtained, however, since this time, three additional components are proposed as follows which did not form part of the previous assessment:  A. As indicated in red  B. As indicated in red  C. A pedestrian bridge as indicated in red  A Heritage Assessment is required.
Rezoning or subdivision:	Rezoning
Terms of reference	To carry out a Heritage Impact Assessment (HIA) of the Partial Interchange and upgrade of the R102, eThekweni Municipality, KwaZulu-Natal.
Legislative requirements:	The Heritage Impact Assessment was carried out in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and following the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) and the KwaZulu-Natal Heritage Act, 1997 (Act No. 4 of 2008)

## 1.2. The Study Area

The footprint is located on a section of the R102 adjacent to the M41 near Umhlanga (Figs 1, 2, & 3). The GPS coordinates for the footprint are: S 29° 41' 36.95" E 31° 02' 05.66". The area surrounding the footprint consists of light industrial zoning, residential housing, informal housing, and some open areas earmarked for future development. The Marshall Dam is located to the immediate east of the footprint.

## 1.3. Cultural Heritage legislation

According to Section 3 (2) of the NHRA, the heritage resources of South Africa include:

- a. places, buildings, structures and equipment of cultural significance;
- b. places to which oral traditions are attached or which are associated with living heritage;

- c. historical settlements and townscapes;
- d. landscapes and natural features of cultural significance;
- e. geological sites of scientific or cultural importance;
- f. archaeological and palaeontological sites;
- g. graves and burial grounds, including.
  - ancestral graves;
  - ii. royal graves and graves of traditional leaders;
  - iii. graves of victims of conflict;
  - iv. graves of individuals designated by the Minister by notice in the Gazette;
  - v. historical graves and cemeteries; and
  - vi. other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- h. sites of significance relating to the history of slavery in South Africa;
- i. movable objects, including objects recovered from the soil or waters of South Africa, including
  - archaeological and palaeontological objects and material, meteorites and rare geological specimens;
  - ii. objects to which oral traditions are attached or which are associated with living heritage;
  - iii. ethnographic art and objects;
  - iv. military objects;
  - v. objects of decorative or fine art;
  - vi. objects of scientific or technological interest; and
  - vii. books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).”

In terms of section 3 (3) of the NHRA, a place or object is to be considered part of the national estate if it has cultural significance or other special value because of:

- “a. its importance in the community, or pattern of South Africa's history;
- b. its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- c. its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;

- d. its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- e. its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- f. its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- g. its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- h. its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and
- i. sites of significance relating the history of slavery in South Africa.”

The NHRA regulations of 2000 refer for the most part to the processes allowing for permits to be issued for the alteration, destruction or modification of heritage sites and features. These include the following:

- Protected areas
- Burial grounds and graves
- Wrecks
- Exportation of heritage objects
- Reproduction of national heritage sites
- Archaeological and palaeontological sites
- National heritage sites, provincial heritage sites, provisionally protected place, structures older than 60 years

## **2 BACKGROUND TO ARCHAEOLOGICAL HISTORY OF THE AREA**

The greater Durban area has been relatively well surveyed for archaeological heritage sites by the KwaZulu-Natal Museum and subsequently by private heritage consultants in the last few years. Prior to 1950, the archaeological site distribution of the area was poorly known.

The available evidence, as captured in the Amafa and KwaZulu-Natal Museum heritage site inventories, indicates that the area contains a wide spectrum of archaeological sites covering different time-periods and cultural traditions. These

range from Early Stone Age, Middle Stone Age, and Later Stone Age to Early Iron Age, Middle Iron Age, and Later Iron Age sites. Two notable Middle Stone Age sites, i.e. Umlatuzana near Marianhill and Segubudu near Stanger have been excavated in the last two decades and yielded impressive archaeological stratigraphies relating to the period associated with the origins of anatomically modern people. The Umhlatuzana shelter is situated approximately 15 km to the south of the project area. Apart from an impressive stone tool assemblage covering both Later and Middle Stone Age periods it has also yielded faunal remains of large mammals that became extinct during the early Holocene such as the giant buffalo (*Pelarovis* sp). Also notable is the Shongweni Later Stone Age shelter which was excavated in the 1970's by Dr Oliver Davies. Shongweni is situated approximately 25 km to the south of the study area in the Umlazi River Valley. This shelter yielded some of the earliest remains of domesticated cereals in South Africa. The same site also yielded some of the only San rock art in the greater Durban area (Mazel 1989; Mitchell 2002).

Around 1 700 years ago an initial wave of Early Iron Age People settled along the inland foot of the sand dunes on sandy but humus rich soils which would have ensured good crops for the first year or two after they had been cleared. These early agropastoralists produced a characteristic pottery style known as Matola. The Matola people also exploited the wild plant and animal resources of the forest and adjacent sea-shore. The communities seems to been small groups of perhaps a few dozen slash-and burn cultivators, moving into a landscape sparsely inhabited by Later Stone Age San hunter-gatherers.

By 1500 years ago another wave of Iron Age migrants entered the area. Their distinct ceramic pottery is classified to styles known as "Msuluzi" (AD 500-700), Ndongondwane (AD 700-800) and Ntshokane (AD 800-900). The majority of these sites occur inland along the major river valleys of KwaZulu-Natal below the 1000m contour (Maggs 1989:31; Huffman 2007:325-462). Various sites of this period have been recorded along the Umgeni River to the south of the study area, especially in the area close to Inanda Dam. A large shell midden at the mouth of the Umhlanga River, approximately 6km from the footprint, contains both Later Stone Age and Iron Age material (Mitchell 2003).

Some of the shell middens recorded along the coastline of KwaZulu-Natal belongs to the very first Nguni-speaking agropastoralists who settled in the province. These sites have been dated to approximately 1200 years ago. In addition, sites belonging to the immediate ancestors of the present Zulu-speaking communities in the area have been located in various locations in the greater Durban area. A large percentage of more recently recorded sites occur along the dune cordon and slightly inland in the form of shell middens which were mostly created by Iron Age shellfish gatherers although some of the stratigraphic layers may extend back to Later Stone Age periods (Anderson pers.com). Shell middens with both later Stone Age and Iron Age cultural material occur near the mouth of the Umlazi River approximately 20km from the study area.

### **.Colonial Period**

The Portuguese seafarer Vasco da Gama arrived at the bay of the Durban of today on Christmas Eve in the year 1497, and called it "Terra do Natal", Christmas Country. Because the Portuguese had already established a good port at Maputo, they were not interested in settling in a bay surrounded by mangrove swamps and dense coastal forests. Only sporadically some pirates and ivory or slave dealers laid anchor, and it was much later, in the year 1824, that a proper settlement started, initially named "Port Natal". It was founded by merchants from the Cape Colony under the leadership of Henry Francis Fynn, who had reached a contractual agreement with the mighty Zulu King Shaka authorising them to establish a trading station. In 1835 the town was named Durban after the Cape Governor of the time, Sir Benjamin D'Urban.

In the beginning the settlement developed very slowly. There was no support or protection by the British government. The life in the little harbour town was characterised by uncertainty. Time and again there were assaults and skirmishes by the Zulus, who - obviously - saw Natal as their territory and only tolerated the white settlers, because the town was of use to them as a trading station. In 1837 the Voortrekkers arrived in Natal. A delegation led by Piet Retief negotiated a contract with Zulu King Dingane granting them the land between Durban and the Tugela River to found a Boer Republic in Natal. Then, shortly afterwards, Dingane had the entire delegation killed. After several more bloody assaults and attacks, the Voortrekkers defeated the Zulus in the dramatic Battle at the Bloodriver. Subsequently the settlers founded their Republic "Natalia" and laid claim on Durban, which, however, met with

strong resistance from the British. They sent troops to Durban, who were defeated in the Battle of Congella in 1842. Noteworthy, during this engagement was the epic ride of Dick King on horseback to Grahamstown in order to request British reinforcements. As a result the British managed to secure their dominance in Natal. Dick King passed through the Amanzimtoti area on his way to Grahamstown in 1842. The route that Dick King took through Amanzimtoti later became a road named Kingsway.

Various other colonial era and historical period sites occur in the greater Durban area. These are older than 60 years and are therefore also protected by heritage legislation (Derwent 2006).

### **3 STUDY APPROACH**

#### **3.1 Methodology**

A desktop study was conducted of the heritage databases housed in the KwaZulu-Natal Museum. The SAHRIS website was consulted to obtain information from previous heritage and archaeological surveys in the region. In addition, the available archaeological and historical literature covering the project area was also consulted.

Prior to the ground survey aerial photographs of the study area was studied to indicate any potential heritage hot spots. A ground survey, following standard and accepted archaeological procedures, was conducted during the site visit on 20 October 2015. The footprint was surveyed by foot.

#### **3.2 Restrictions encountered during the survey**

##### **3.2.1 Visibility**

Visibility was good.

##### **3.2.2 Disturbance**

No disturbance of any heritage features was noted.

### **3.3 Details of equipment used in the survey**

GPS: Garmin Etrek

Digital cameras: Canon Powershot A460

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

## **4 DESCRIPTION OF SITES AND MATERIAL OBSERVED**

### **4.1 Locational data**

*Province:* KwaZulu-Natal

*Towns:* Durban/Umhlanga

*Municipality:* eThekweni Municipality

## **5 HERITAGE SITES AND THEIR SIGNIFICANCE (HERITAGE VALUE)**

The ground survey located no heritage sites or features on the actual footprint. The existing structures on or adjacent to the footprint are all younger than 60 years. As such they have no heritage value. The area is also not part of any known cultural landscape (Table 2).

However, a large informal cemetery is located approximately 800m to the north of the footprint directly adjacent to the M14 (Figs 2, 4, 5, 6). It covers an area of approximately 850m to 450m. The GPS coordinates for the Cemetery are: S 29° 41' 31.31" E 31° 03' 54.35". Although this heritage site is not threatened by the proposed development it is nevertheless recommended that the developers maintain a buffer zone of at least 30m around the site. Should future developments expand towards this Cemetery then a Phase Two Heritage Impact Assessment must be implemented. This Second Phase Heritage Impact Assessment should also investigate the feasibility of potential grave exhumation and relocation (see Appendix 1).



**Table 2. Evaluation of heritage sites**

<b>Significance criteria in terms of Section 3(3) of the NHRA</b>		
	<b>Significance</b>	<b>Rating</b>
1.	<b>Historic and political significance</b> - The importance of the cultural heritage in the community or pattern of South Africa's history.	None.
2.	<b>Scientific significance</b> – Possession of uncommon, rare or endangered aspects of South Africa's cultural heritage.	None.
3.	<b>Research/scientific significance</b> – Potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage.	None.
4.	<b>Scientific significance</b> – Importance in demonstrating the principal characteristics of a particular class of South Africa's cultural places/objects.	None.
5.	<b>Aesthetic significance</b> – Importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.	None.
6.	<b>Scientific significance</b> – Importance in demonstrating a high degree of creative or technical achievement at a particular period.	None.
7.	<b>Social significance</b> – Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.	Yes, many graves in the adjacent Cemetery belong to the relatives of community members
8.	<b>Historic significance</b> – Strong or special association with the life and work of a person, group or organization of importance in the history of South Africa.	None.
9.	The significance of the site relating to the history of slavery in South Africa.	None.

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**5.1 Field Rating**

A rating method developed by SAHRA was applied to evaluate the significance of each heritage site (Table 3). However, no archaeological sites or features occur on the footprint or in close association with it. The Cemetery that occurs approximately 800m to the north of the footprint has been rated as locally significant (Local Grade 111B) (Table 3).

**Table 3. Field rating and recommended grading of sites (SAHRA 2005)**

Level	Details	Action
National (Grade I)	The site is considered to be of National Significance	Nominated to be declared by SAHRA
Provincial (Grade II)	This site is considered to be of Provincial significance	Nominated to be declared by Provincial Heritage Authority
Local Grade IIIA	This site is considered to be of HIGH significance locally	The site should be retained as a heritage site
Local Grade IIIB	This site is considered to be of HIGH significance locally	The site should be mitigated, and part retained as a heritage site
Generally Protected A	High to medium significance	Mitigation necessary before destruction
Generally Protected B	Medium significance	The site needs to be recorded before destruction
Generally Protected C	Low significance	No further recording is required before destruction

**6 CONCLUSIONS AND RECOMMENDATIONS**

A heritage survey of the proposed upgrade of the partial Interchange and upgrade of the R 102 near Umhlanga, eThekweni Municipality KwaZulu-Natal identified no heritage sites or features on the footprint. The area is also not part of any known

cultural landscape. There is no archaeological reason why the proposed development may not proceed as planned. However, developers should maintain a buffer zone of at least 30m around the large Cemetery that is located almost 800m to the north of the footprint. Attention is drawn to the South African Heritage Resources Act, 1999 (Act No. 25 of 1999) which, requires that operations that expose all graves, as well as archaeological and historical remains should cease immediately, pending evaluation by the provincial heritage resources authority

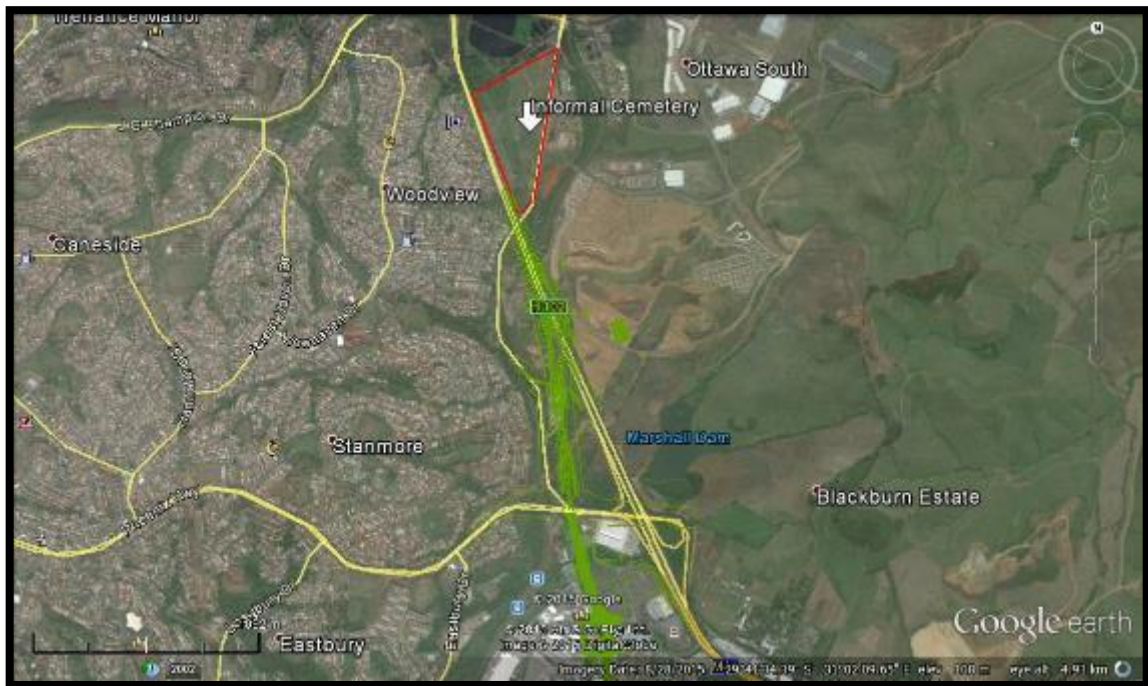
## **7 RISK PREVENTATIVE MEASURES ASSOCIATED WITH CONSTRUCTION**

Not applicable.

## **8 MAPS AND FIGURES**



**Figure 1. Google aerial photograph showing the locality of the footprint adjacent to the M14, eThekweni Municipality. The red markers A, B, C indicate the areas surveyed for this study (Source: Royal Haskoning DHV)**



**Figure 3. Google aerial photograph showing the location of the large informal cemetery (red polygon) relative to the footprint (indicated in green) to the south.**



**Figure 4. The M14 section of the footprint situated in the north of the study area.**





**Figure 5. Photograph of Cemetery situated directly adjacent to the M14 in the northern section of the study area.**



**Figure 6. Some of the formal graves situated within the large Cemetery.**

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## APPENDIX 1 RELOCATION OF GRAVES

Burial grounds and graves older than 60 years are dealt with in Article 36 of the NHR Act, no 25 of 1999. The Human Tissues Act (65 of 1983) protects graves younger than 60 years. These fall under the jurisdiction of the National Department of Health and the Provincial Health Departments. Approval for the exhumation and reburial must be obtained from the relevant Provincial MEC as well as the relevant Local Authorities.

Below follows a broad summary of how to deal with grave in the event of proposed development.

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

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

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

- Once the 60 days has passed and all the information from the family members have been received, a permit can be requested from SAHRA. This is a requirement by law.
- Once the permit has been received, the graves may be exhumed and relocated.
- All headstones must be relocated with the graves as well as any items found in the grave

## ANNEXURE A

### Frans Prins

#### CV (short version)

Frans is a trained anthropologist and archaeologist. He received his MA (Archaeology) from the University of Stellenbosch and is presently a PhD candidate at the University of the North-West. His PhD research topic deals with indigenous San perceptions and interactions with the rock art heritage of the Drakensberg. Frans was employed as a junior research associate at the then University of Transkei, Botany Department in 1988-1990. Although attached to a Botany Department he conducted a palaeoecological study on the Iron Age of northern Transkei - this study formed the basis for his MA thesis in Archaeology. Frans left the University of Transkei to accept a junior lecturing position at the University of Stellenbosch in 1990. He taught mostly undergraduate courses on World Archaeology and research methodology during this period. From 1991 – 2001 Frans was appointed as the head of the department of Historical Anthropology at the Natal Museum, Pietermaritzburg. His tasks included academic research and publication, display conceptualization, and curating the African ethnology collections of the Museum. During this period he served on the editorial boards of the *South African Journal of Field Archaeology* and *Natalia*. Frans left the Natal Museum in 2001 when approached by a Swiss funding agency to assist an international NGO (Working Group for Indigenous Minorities) with the conceptualization of a San or Bushman museum near Cape Town.

Between 2003 and 2007 Frans was employed as the Cultural Resource Specialist for the Maloti Drakensberg Transfrontier Project – a bilateral conservation project funded through the World Bank. This project involved the facilitation with various stakeholders in order to produce a cultural heritage conservation and development strategy for the adjacent parts of Lesotho and South Africa. During April 2008 Frans accepted employment at the environmental agency called Strategic Environmental Focus (SEF). His main task was to set-up and run the cultural heritage unit of this national company. During this period he also became an accredited heritage impact assessor and he is rated by both Amafa and the South African Heritage Resources Agency (SAHRA).

Frans left SEF and started his own heritage consultancy called “Active Heritage” in July 2009. Although mostly active along the eastern seaboard his clients also include international companies such as Royal Dutch Shell through Golder Associates, and UNESCO. He has now completed almost 600 heritage conservation and management reports for various clients since the inception of “Active Heritage”. Frans also assist the National Heritage Council (NHC) through Haley Sharpe Southern Africa’, with heritage site data capturing and analysis for the proposed National Liberation Route

World Heritage Site and the national intangible heritage audit. In addition, he has done background research and conceptualization of the proposed Dinosaur Interpretative Centre at Golden Gate National Park and the proposed Khoi and San Interpretive Centre at Camdeboo, Eastern Cape Province and the Didima Rock Art Centre, situated within the Maloti Drakensberg World Heritage Site. During 2009 he produced the first draft dossier for the nomination of the Sehlabathebe National Park, Lesotho as a UNESCO inscribed world heritage site. In 2012 Frans was awarded honorary lectureship at the School of Anthropology, Gender and Historical Studies, UKZN.

Frans has produced 30 academic and 40 popular publications on topics relating to San identity, heritage and rock art as well as Iron Age and palaeo-environmental studies. He has produced almost 600 technical reports dealing with heritage issues and cultural resources management. He is also a Theta accredited cultural tour guide. Frans has conducted more than 50 cultural tours for specialist interest groups to rock art and other heritage sites in southern Africa.

**Annexure B**

**SUB-CONSULTANCY AGREEMENT**

This Agreement is made on the 16<sup>th</sup> Day of September, 2015 at  
Pietermaritzburg

Between

**Royal HaskoningDHV**

PO Box 1066, Pietermaritzburg, 3200, KwaZulu-Natal, South Africa  
30 Montrose Park Boulevard, Victoria Country Club Estate Montrose, Pietermaritzburg, 3201  
(hereinafter called "the Consultant")

And

**Active Heritage cc**

P.O. Box 047, Howick, 3290  
(hereinafter called "the Sub-Consultant")

Whereas the Consultant has entered into a Consultancy Agreement (hereinafter called "the Main Agreement") with

**KwaZulu-Natal Department of Transport**

to provide consultancy services in connection with the

**Heritage Specialist Services Required for the R102 Partial Interchange**

Whereas certain parts of the Main Agreement are appended to and incorporated in this Agreement, And  
Whereas the Consultant has requested the Sub-Consultant to provide certain of the said consultancy  
services,

*J.E.*

**NOW IT IS HEREBY AGREED AS FOLLOWS:**

1. In this Sub-Consultancy Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions, hereinafter referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Sub-Consultancy Agreement:
  1. The Conditions
  2. The appended Clauses of the Main Agreement
  3. Schedules 1 to 5.
3. In consideration of the payments to be made by the Consultant to the Sub-Consultant, as hereinafter mentioned, the Sub-Consultant agrees to perform the Sub-Consultant's Services in conformity with the provisions of the Sub-Consultancy Agreement.
4. The Consultant hereby agrees to pay the Sub-Consultant, in consideration of the performance of the Sub-Consultant's Services, such amounts as become payable under the provisions of the Sub-Consultancy Agreement at the times and in the manner prescribed by the Sub-Consultancy Agreement.

**In Witness** whereof the parties hereto have caused this Agreement to be executed the day and year first before written.



Binding signature(s) of Consultant

*Duncan Butterworth*

Name: Mr. Duncan Butterworth

In the presence of witness:

Signature of witness: *HUNAYAN GASA*

Name of witness: HUNAYAN GASA

Address of witness: 6 DAWNE ST.  
PINEBLUFF  
3610

Binding signature(s) of Sub-Consultant

Name: Mr. Frana Prina

In the presence of witness:

Signature of witness: *Frana Prina*

Name of witness: *Frana Prina*

Address of witness: 33 Redman Street  
Havelock  
3290

*He.*



Annexure C

Heritage Sensitivity Map

