
Final Report on the Fairbreeze Grave Relocation – Social Component- First Phase

Report on the Social Consultation Report Regarding the
Relocation of Graves within the Proposed Mining Area for
the Fairbreeze Mine Extension Phase 1 – Identification of
Further Graves as per HIA Recommendations

PREPARED BY:



PREPARED FOR:

TRONOX

CREDIT SHEET

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***Disclaimer;** Although all possible care is taken to identify all gravesites during the investigation of study areas, it is always possible that hidden or sub-surface sites or unreported graves could be overlooked during the study. G&A Heritage and its personnel will not be held liable for such oversights or for costs incurred as a result of such oversights.*

Statement of Independence

As the duly appointed representative of G&A Heritage, I Stephan Gaigher, hereby confirm my independence as a specialist and declare that neither I nor G&A Heritage have any interests, be it business or otherwise, in any proposed activity, application or appeal in respect of which the Heritage Consultant was appointed as Heritage Assessment Practitioner, other than fair remuneration for work performed on this project.

SIGNED OFF BY: STEPHAN GAIGHER



EXECUTIVE SUMMARY

Site name and location: Social consultation component for the Fairbreeze Mine Grave Relocation Project

Municipal Area: Umlalazi Local Municipalities.

Developer: Tronox Mining

Consultant: G&A Heritage, PO Box 522, Louis Trichardt, 0920, South Africa. 38A Vorster Str. Louis Trichardt, 0920

Date of Report: 02 May 2014

EXECUTIVE SUMMARY

The purpose of the management summary is to distil the information contained in the report into a format that can be used to give specific results quickly and facilitate management decisions. It is not the purpose of the management summary to repeat in shortened format all the information contained in the report, but rather to give a statement of results for decision making purposes.

This study focuses on the social consultation process for the grave relocation project at the proposed Fairbreeze Mine. The terms of reference for this work is based on the requirements of the *National Heritage Resources Act no 25 of 1999* as well as the *Kwazulu-Natal Heritage Act no 10 of 1997 as amended*.

The proposed Fairbreeze Mining area was subjected to a Heritage Impact Assessment (HIA) in 2010. This study identified some graves within the area and indicated that there could possibly be more unidentified graves located within the study area. Since the scope of the HIA was limited in this regard it was recommended that the area be subjected to a second phase of investigation based on social consultation to determine if in fact any such graves were present in the study area. The statutory comments from the controlling body supported these recommendations and this phase of investigation aims at fulfilling this obligation.

Should the above process result in the identification of such graves and the development plan indicates the need to relocate these graves, they will be subjected to a second phase of social consultation in which the relevant family members will be identified and requested to give permission for the relocation to take place. This report is however only concerned with the first phase i.e. the identification of unknown graves within the mining area through social consultation.

SOCIAL CONSULTATION PROCESS

The main instrument used in the identification of unknown graves is social consultation. Since it is the prerogative of the HIA to identify marked and visible graves within the study area, the only way to identify any unmarked graves would be through the process of social consultation. For the purposes of this study there will be differentiated between the following types of meetings;

- Community meetings
- One on one meetings
- Client meetings

Each of these categories would address a different aspect of the social consultation on the whole.

Information gathered from these meetings were then ground-truthed by the sub-contracted social consultant often in conjunction with the client or their legal representative.

FINDINGS

Six specific gravesites were identified during these investigations. It is possible that further social involvement could lead to more graves. Only two of these were however within the proposed mining area.

RECOMMENDATIONS

It is recommended that the identified graves be relocated to a locally administered cemetery through the permit process of *Amafa aKwazulu Natali*. It is further recommended that some channels of communication are kept open between the community and the developer, should there be more families that come forward within the foreseeable future. Although it has been difficult to compile information in this project due to several factors outside of the researcher's control, *Amafa* does take this into consideration when the permit application is submitted. The gathering of the needed information for the permit application is however the subject of a second phase of investigation specifically aimed at gathering the required permissions.

Of the six graves only two were found to be within the mining areas and need to be relocated. These two graves will be promoted to the second phase of the project for relocation as per the original appointment. It has been suggested that a ground penetrating radar (GPR) be used to identify any unknown grave locations, however this is not required by the NHRA Act and is not at this stage seen as being necessary.

TIMEFRAME AND COMPLETIONS

Component	% Complete	Initiation	Completion Date	Dependant On
HIA	100	2004	2004	n/a
Social Consultation	100	2012/10	2014/02	Approval of social report by Tronox
Permit application	50	2014/06	2014/08	Approval by SAHRA. Normal processing time.
Exhumation	0	Dependent on mining schedule.	-	Issuing of SAHRA permit.
Re-internment	0	Dependant	-	Exhumation
Final Report	50	Dependant	-	Completion of relocation. Sign-off by Tronox.

FATAL FLAWS

No fatal flaws were identified.

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LIST OF ABBREVIATIONS

Bp	Before Present
EIA	Early Iron Age
ESA	Early Stone Age
Fm	Femtometre (10^{-15} m)
GPS	Geographic Positioning System
HIA	Heritage Impact Assessment
LIA	Late Iron Age
LSA	Late Stone Age
MYA	Million Years Ago
MSA	Middle Stone Age
NHRA	National Heritage Resources Act no 22 of 1999
SAHRA	South African Heritage Resource Agency
S&EIR	Scoping & Environmental Impact Reporting
Um	Micrometre (10^{-6} m)
WGS 84	World Geodetic System for 1984

Grave Relocation Project

Phase 1 Social Consultation for the Fairbreeze Mine Grave Relocation Project

Introduction

SCHEDULE OF WORK (SOW)

This phase of investigation resulted from the recommendations of the original HIA performed for the proposed Fairbreeze mining area. This report indicated that although some graves were identified during the study there is a strong likelihood that further graves could be located within the proposed mining area. It was recommended in the HIA that a dedicated social consultation process be undertaken to determine the possible location of unmarked graves within the study area. The original recommendation was that one social consultation phase should be undertaken to both identify new graves and identify the families of known graves. This approach was however found to be impractical due to factors such as phased development of the study area and changes in demands from the families. It was therefore decided to approach the project in two phases. The first phase (this study) will fulfil the requirements of the HIA recommendations by endeavouring to identify any unknown graves within the study area. The second phase would fulfil the requirements of the NHRA as it pertains to the relocation of these graves. It was anticipated that there would be some measure of overlapping between the phases as information on families could possibly be retrieved through the first phase. This overlap was not seen as a problem.

Legislation and methodology

G&A Heritage was appointed Tronox KZN Sands to mitigate the occurrence of grave and burial sites within the proposed Fairbreeze Mining area. Grave and Burial sites are protected under *Chapter 2, Part 2, Section 36 of the National Heritage Resources Act, 25 of 1999 (NHRA)* and specifically within the Kwazulu-Natal Province by *Section 26, Paragraphs 2,3,&4 of the Kwazulu-Natal Heritage Act no 10 of 1997 (as amended)*. The exhumation of graves within the Kwazulu-Natal Province is regulated under the *Kwazulu-Natal Cemeteries and Crematoria Act no.12 of 1996*. The relevant section of these acts is reproduced here in an effort to illustrate the relevance of the two-phase approach.

The NHRA states that;

36. (1) Where it is not the responsibility of any other authority, SAHRA must conserve and generally care for burial grounds and graves protected in terms of this section, and it may make such arrangements for their conservation as it sees fit.
- (2) SAHRA must identify and record the graves of victims of conflict and any other graves which it deems to be of cultural significance and may erect memorials associate with the grave referred to in subsection (1), and must maintain such memorials.
- (3) (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority—destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
- (b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- (c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation

equipment, or any equipment which assists in the detection or recovery of metals.

(4) SAHRA or a provincial heritage resources authority may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3)(a) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the contents of such graves, at the cost of the applicant in accordance with any regulations made by the responsible heritage resources authority.

(5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection (3)(b) 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.

(6) Subject to the provision of any other law, 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 Service 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.

(7) (a) SAHRA must, over a period of five years from the commencement of this Act, submit to the Minister for his or her approval lists of graves and burial grounds of persons connected with the liberation struggle and who died in exile or as a result of the action of State security forces or agents provocateur and which, after a process of public consultation, it believes should be included among those protected under this section.

(b) The Minister must publish such lists as he or she approves in the Gazette.

(8) Subject to section 56(2), SAHRA has the power, with respect to the graves of victims of conflict outside the Republic, to perform any function of a provincial heritage resources authority in terms of this section.

(9) SAHRA must assist other State Departments in identifying graves in a foreign country of victims of conflict connected with the liberation struggle and, following negotiations with the next of kin, or relevant authorities, it may re-inter the remains of that person in a prominent place in the capital of the Republic.

The Kwazulu-Natal Heritage Act states;

(2) Graves of the royal Family shall –

(a) without the need for the publication of a notice in the Provincial Gazette, enjoy protection equivalent to that of Heritage Landmark or Provincial Landmark provided for in terms of section 19 and 20;

(b) be subject to the proviso that no permit shall be issued by Amafa aKwazulu-Natali without prior knowledge of the reigning monarch and his advisors, and in terms of regulations prescribed in this Act.

(3) Graves of victims of conflict

No person shall damage, alter, exhume or remove from its original position the grave of a victim of conflict, cemetery made up of such graves, or that part of a cemetery which contains such graves except after consultation with Amafa aKwazulu-Natali, and in terms of regulations prescribed in this Act.

(4) Traditional burial places

(a) All other graves not otherwise protected by this Act and not located in formal cemeteries administered by local authorities, shall be damaged, altered, exhumed, removed from their original positions, or otherwise disturbed except under the authority of a permit issued after consultation with Amafa aKwaZulu-Natali, and in terms of regulations prescribed in this Act.

(b) The Council shall only recommend that such a permit be issued once it has been satisfied that the applicant has made a concerted effort to contact and consult communities and individuals who by tradition have an interest in the graves and have reached agreements regarding the future thereof.

(c) Regulations shall provide a time period and minimum requirements for such consultation.

The above legislation is only relevant for the purposes of the second phase of investigation i.e. **Identification of buried individuals and next of kin**. This will effectively be the second phase of the project and this report is not concerned with this phase at this stage.

It is important to note that this phase of the social consultation is only focussed on fulfilling the requirements of the HIA recommendations for the identification of unmarked or unidentified graves within the proposed mining area. This is for the purpose of enabling the mine to proceed with their mining activities while still upholding the demands of the controlling body as *Amafa AkwaZulu-Natali* correspondence **Ref 11/04/05-01**.

Since there are no industry standards for this kind of investigation and since the HIA does not stipulate specific actions it was left to the contractor to determine the specific terms of reference for this phase of the investigation. Due to the lack of these performance references it was difficult to determine a definition for successful completion of the work. This measure will remain arbitrary as it is not rigidly defined in any basic conditions or legislation. The second phase involved with the identification of families and buried individuals are much more rigidly defined (as per the legislation above) and as a result it will be much easier to measure to comprehensiveness of results during this phase. The performance parameter for this phase of investigation can therefore merely be formulated as; **That the client has done everything that could reasonably be required of them to identify further graves within the study area.**

'Grave' means a place of interment and includes the contents, headstone or other marker of and any other structures on or associated with such place. The South African Heritage Resources Agency (SAHRA) will only issue a permit for the alteration of a grave if it is satisfied that every reasonable effort has been made to contact and obtain permission from the families concerned. The acquisition of said permits will however be part of the second phase of investigation and does not form part of this study.

The removal of graves is subject to the following procedures as outlined by the SAHRA:

- Notification of the impending removals (using English, Afrikaans and local language media and notices at the grave site);
- Consultation with individuals or communities related or known to the deceased;
- Satisfactory arrangements for the curation of human remains and / or headstones in a museum, where applicable;
- Procurement of a permit from the SAHRA;
- Appropriate arrangements for the exhumation (preferably by a suitably trained archaeologist) and re-interment (sometimes by a registered undertaker, in a formally proclaimed cemetery);
- Observation of rituals or ceremonies required by the families.

The limitations and assumptions associated with this social study are as follows;

- Severely altered environments such as plantations and agricultural fields were very difficult to survey and produced very little surface indication of any burials.
- Community members seemed interested in possible financial gain from this project, however they were not able to indicate specific burial areas to justify this.

- Access to certain areas of the study area was limited due to security and safety issues.

Background Information

Fairbreeze Mine

Project Description

Tronox plans to develop the Fairbreeze mine at its KZN Sands mineral sands operation near Empangeni. Tronox will develop the Fairbreeze mine, situated south of Mtunzini, as a replacement feedstock producer for the Hillendale mine which has ended its full production operations in late 2013. Tronox has proposed the development of the Fairbreeze Mine which will include mining areas, a Primary Wet Plant (PWP) and associated infrastructure. There are five ore bodies present at the Fairbreeze Mine, known as: Fairbreeze A, B, C, C Extension and D (respectively abbreviated as FBA, FBB, FBC, FBCX and FBD). Initial mining will commence in ore body C followed by the remaining areas. The mineralised sand dunes will be mined by hydraulic mining which involves the use of high-pressure water hoses to turn the in-situ sand into slurry. The slurry will flow to a pump station from where it will be pumped to the PWP. At the PWP the heavy mineral will be separated from the sand, silt and clay fraction. The heavy mineral concentrate will then be trucked by road to Tronox's Central Processing Complex (CPC) at Empangeni for refinement. The fine discard material from the PWP will be pumped to the Residue Storage Facilities ((the Valley (VRSF) and Mega Sebeke (MSRSF) respectively)) while the coarse discard or tailings will be pumped back to the mining area to backfill the mining void. The mined out areas will be rehabilitated to achieve a pre-mining land capability. Other associated infrastructure includes a Return Water Dam (RWD) as well as service corridors containing pipelines and secondary overhead power lines for mining purposes. Construction activities for the mine have commenced and it is anticipated that the mine could be operational in the first quarter of 2016. Mining in the Fairbreeze area will have a life expectancy of about 15 years. The new Fairbreeze mine will preserve more than 1 000 permanent and contractor positions currently available at the Tronox KZN Sands operations, and about 1 000 indirect jobs. It will generate some R300 million in salaries per year, income which could be lost if Tronox KZN Sands is forced to close should a new feedstock producing mine not be developed. The operation also procures around R530 million worth of services and products of which more than half is spent with BEE companies.



Figure 1. Proposed Mining phases (courtesy Tronox)

Site Location

The Fairbreeze Mine will be located to the south west of Mtunzini Town and will extend southwards for approximately 12 km. The mining area will be bounded to the east by the Umlalazi Nature Reserve and to the west by the N2 highway. The mine's Residue Storage Facility (RSF) will be located to the west of the N2 highway while the Primary Wet Plant (PWP) will be located between ore bodies B and C. One of the ore bodies (C Extension) is located on property owned by Tronox and is currently used for sugar cane farming. The balance of the properties within the mining right area is owned by Mondi and will be leased by Tronox for the duration of mining.

The study area consists mainly of transformed land used for the production of timber, interspersed with small patches of sugar cane. The small fragments of natural vegetation remaining within the study area are mainly restricted to riparian zones. Apart from extensive transformation of the natural dune vegetation, forestry operations have also resulted in considerable alteration of the hydrological regime of the catchments, which has in turn affected the functioning of wetland areas and the downstream Siyaya estuary (Draft Offsetplan – Macfarlane, 2013).

With the exception of some farmhouses and labour quarters, the whole proposed mining lease could be regarded as mostly unoccupied. Plantations cover the majority of the area since most of the area used to belong to the Mondi group. It is however most probable that these areas used to be occupied before the introduction of plantations. Neighbouring villages and towns were therefore identified for the focus of the social study. These include but are not limited to;

- Mtunzini
- Mbizimbelwe
- Dokodweni
- Nqutshibini
- Gingindlova
- Nyezane
- Emoyeni

These communities would hopefully be of assistance in identifying any unmarked or unidentified graves within the study area.

The property portions included in this study are;

REMAINDER OF PORTION 3, LOT 91 UMLALAZI NO. 10011
REMAINDER THE RANCHE NO. 11368
REMAINDER OF PORTION 1 THE RANCH NO. 11368
REMAINDER LOT 100 UMLALAZI NO. 12848
REMAINDER OF PORTION 2 LOT 100 UMLALAZI NO. 12848
REMAINDER PORTION 3 LOT 100 UMLALAZI NO. 12848
REMAINDER OF PORTION 1 LOT 89 UMLALAZI NO. 9705
REMAINDER LOT 89 UMLALAZI NO. 9705
REMAINDER LOT 88 EMOYENI NO. 9105
REMAINDER LOT 87 EMOYENI NO. 10344
REMAINDER CARLYLE NO. 13747
REMAINDER OF PORTION 4 LOT 98 UMLALAZI NO. 9667
REMAINDER OF PORTION 1 LOT 99 UMLALAZI NO. 9707
REMAINDER OF PORTION 5 LOT 99 UMLALAZI NO. 9707
REMAINDER OF PORTION 6 LOT 99 UMLALAZI NO. 9707
REMAINDER BATON ROUGE NO. 17433

METHODOLOGY

The proposed study area was subjected to several different components of investigation in regards to this first phase of the social consultation. The main objective of this phase was the identification of previously unknown graves within the Fairbreeze Mining Lease area. Since field investigations to identify marked graves are part of the HIA scope, this component would focus on social consultation with landowners, local inhabitants and surrounding communities. Although these sources are not exhaustive it is the most relevant source of information for unmarked graves that have no surface indications and are therefore very difficult or even impossible to identify visually.

As stated earlier, there are no previously defined parameters for this kind of investigation and the project methodology was largely guided by the results of the preceding investigations. In this regard the methodology was largely organic and changed throughout the execution of the project to adapt to the changing parameters as they were identified. HIA methodologies are rigidly defined by both the controlling body as well as the requirements of the NHRA and self-enforced basic conditions as provided by SAHRA and the Association of South African Professional Archaeologists (ASAPA). In this regard the current study parameters were much more vaguely defined and much was borrowed from previous studies and the feedback from the field.

For the purposes of describing the methodological approach of the study, four components could be distinguished. These were *Archival Research*, *Field Investigations*, *Social Consultation* and *Reporting*. Together these investigations formed the first phase of the social consultation process.

GRAVE IDENTIFICATION COMPONENTS

This evaluation was performed in three phases;

1. Archival and database research

This component involved the identification of previous studies in the area, accumulation of scientific and popular publications on the area and the evaluation of historic map sets. Here specifically the HIA work of Anderson in 2004 and 2010 were relevant. Older mapsets also provided further information.

2. Field investigations

This component involves the ground-truthing of information retrieved through the social consultation process. Where graves were identified it was documented photographically and plotted using GPS with the WGS 84 datum point as reference. Examples are the possible graves under the tennis court at a local farmstead.

3. Social consultation

This involved the direct interaction with communities in the affected area to try and identify anyone who might be able to indicate the location of unidentified graves sites within the study area. This involves community meetings, advertisements and site signage. Since this is the most comprehensive component of this project it will be discussed under its own chapter.

4. Reporting

This phase of the investigation in which the results of the previous two phases of investigation is reported on and evaluations are given regarding the heritage sensitivity of the area as well as recommendations on further actions needed.

ARCHIVAL RESEARCH

Two main sources of information regarding the location of possible graves within this area could be identified. These were;

- Previous heritage studies in the area as per the SAHRIS database
- Historic maps and figures as available in the National Archive

SAHRIS Database Studies

The study area had been subjected to two heritage related surveys in 2004 and 2010 as part of the mine expansion program.

- Anderson, G&L, 2004. *The Archaeological Survey of the Proposed Fairbreeze Extension C Mine*. Umlando Archaeological Tourism & Resource management. 22 April 2004.
- Anderson, G. 2010. *Heritage Survey of the Proposed Fairbreeze Mine*. Umlando Archaeological Tourism and Resource Management. 5 March 2010.

Relevance of Listed Heritage Studies for the Study Area

The commissioned heritage report for 2010 identified some possible burial sites within the proposed mining lease area. The report does however go further to recommend that a social consultation process be undertaken to try and determine the location of any unmarked graves within the study area. This report and the first phase social consultation were initiated in response to these recommendations.

Although the 2004 study did not identify any gravesites the 2010 investigations did. These were used in this study and included in the register of graves for the area investigated.

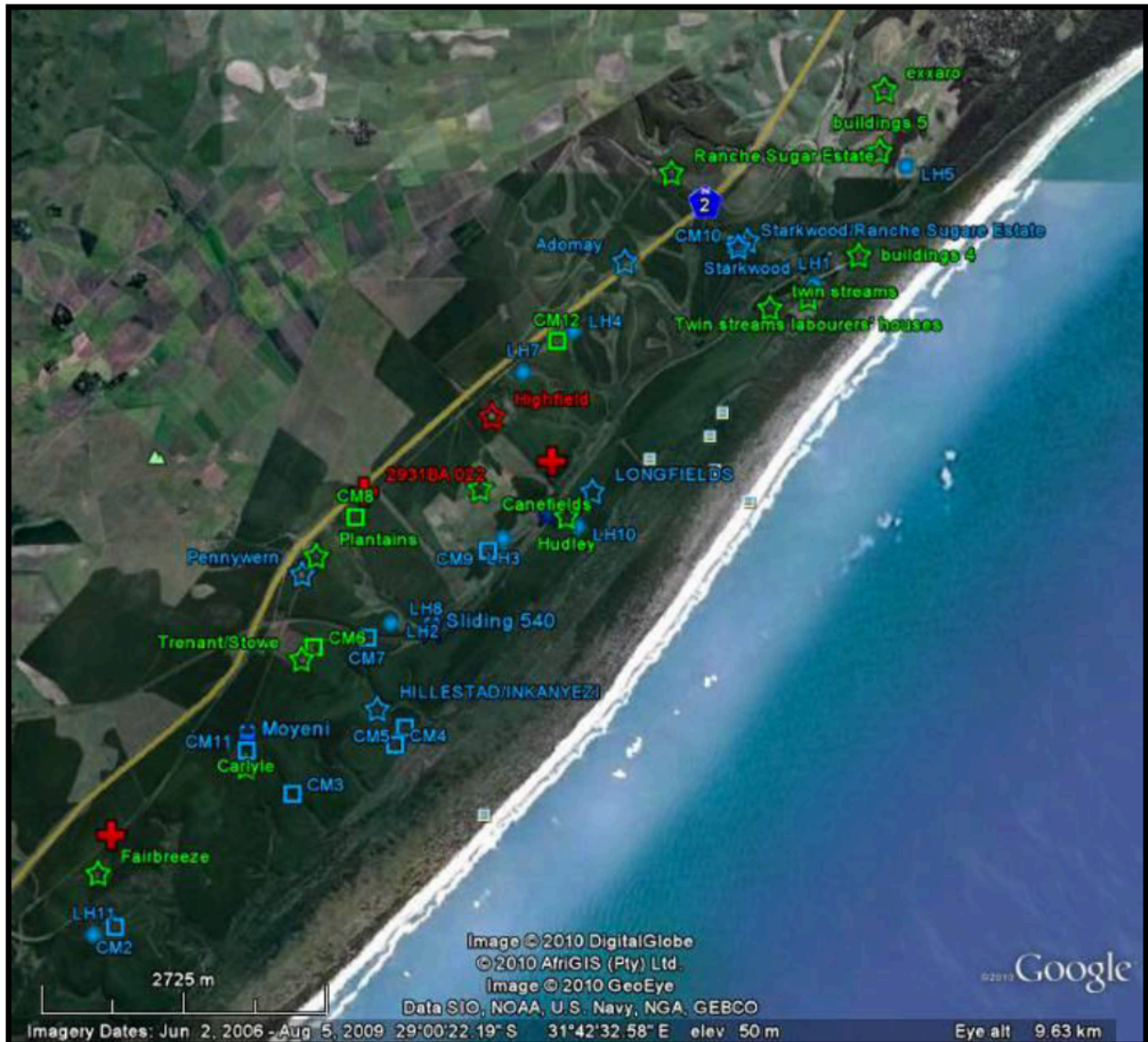


Figure 2. 2010 HIA Map indicating heritage sites. 2931BA 022, Fairbreeze and Canefields indicate grave sites identified. (Anderson, 2010).

FIELD INVESTIGATIONS

This involved mainly ground-truthing of information retrieved from the social consultation. It involved site visits with informants and on occasion the client, to indicate possible areas of burial. Although the area is relatively large, most of it consists of severely altered landscapes such as commercial plantations and sugar cane and maize fields. Even if graves originally occurred in these areas, they would have been damaged beyond rescue or their locations would have become so obscured that it would be impossible to identify them anymore. Fieldwork did not include any structured surveying of any areas, as this would have formed part of the HIA methodology.

HISTORIC MAPS

The earliest topographic maps for the study area was the 1967 1:50 000 Cadastral Survey Map. These maps are usually very accurate and also indicate the occurrence of graves within a specific study area. The map set indicated no graves in the area. Most of the farmsteads were however indicated and if there were any cemeteries connected to these they would have been indicated on these map sets.

Surveyor general property diagrams could be found dating as far back as 1905. These usually indicated any structures or burial sites on them. None were found.

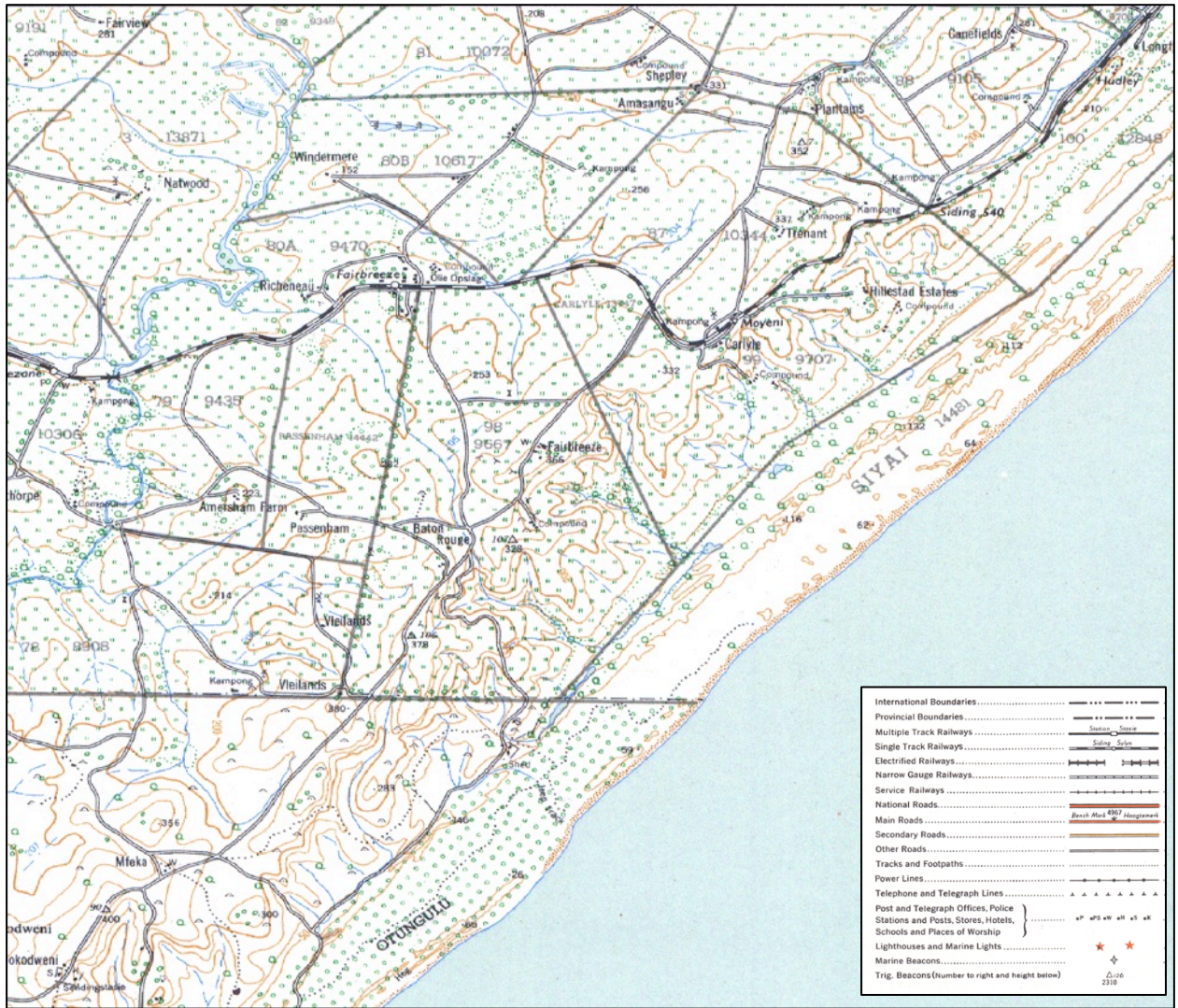


Figure 3. 1967 1:50 00 Map

All the above information would for the basis for the first phase of social consultation for the identification of unmarked graves within the Fairbreeze Mining Lease area.

GRAVE INDICATORS WITHIN THE RECEIVING ENVIRONMENT IDENTIFIED THROUGH THE SOCIAL CONSULTATION PROCESS.

SOCIAL CONTEXT

The proposed Fairbreeze Mine is located within an area that has over the recent years been extensively cultivated, predominantly by forestry plantations of Mondi. As a result the area has been sparsely populated in the recent past. Before this development however the area was subject to widely distributed rural settlements. There is therefore the possibility of finding graves associated with this, largely agricultural, demographic.

The social history of the area is further obscured by the fact that, according to local farmers, many of the people who did occupy the area previously, was of foreign descent (it was suggested that they were migratory workers from Mozambique, however this could not be definitively proven) or they only occupied the area fleetingly.

The only people in the direct study area that could possibly be associated previously with the study area are the *Nuzuz*, *Macabini* and *Ogongweni* communities. These communities are currently settled around the towns/villages of;

- Mtunzini
- Mbizimbelwe
- Dokodweni
- Nqutshibini/Gingindlova
- Nyezane / Emoyeni

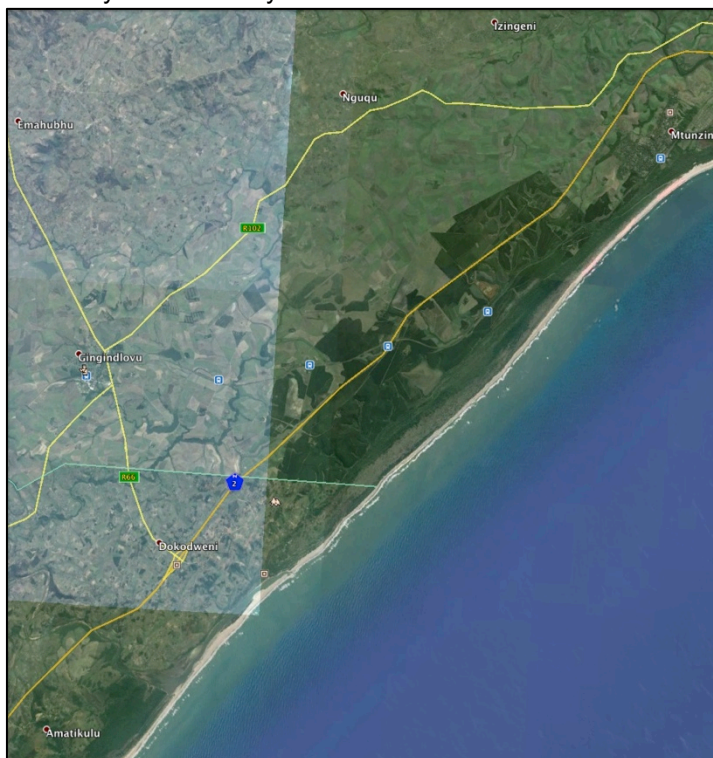


Figure 4. Villages surrounding the study area

For the purposes of the social consultation process the Municipal Demarcation Board (MDB) delineation of wards and municipalities were used to determine which communities would most likely have information regarding graves within the study area.



Figure 5. District Municipalities as per the MD

As can be seen from the above map, the affected mining area falls mostly within the *Uthungulu District Municipality* although the *Ithembe District Municipality* could also have communities with graves within the study area. For this reason certain wards of the *Ithembe District Municipality* was also included in the study.

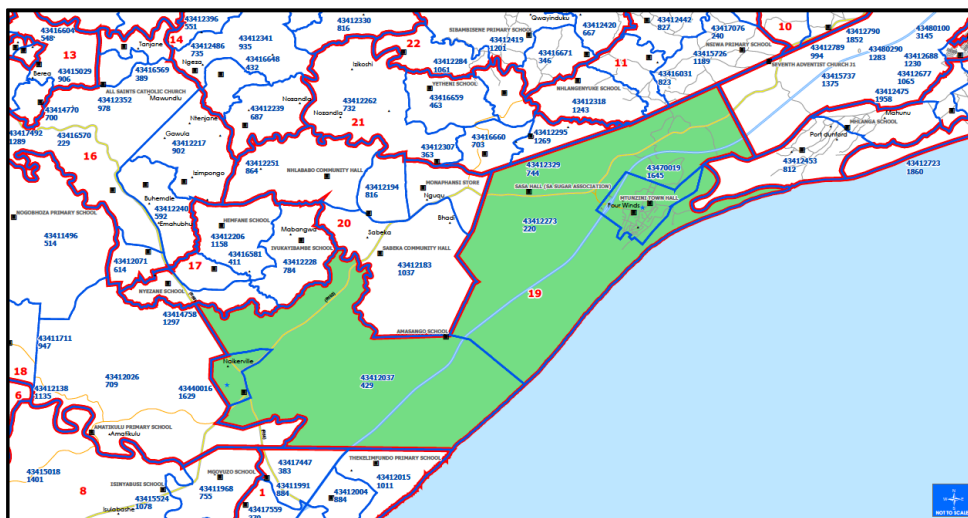


Figure 6. Ward 19 as per the MDB map

The whole of the mining lease area falls within Ward 19 of the *Uthungulu District Municipality*. As can be seen from the MDB map in Figure 6, this area has very little human occupation or development, largely as a result of the extensive forestry activities here.

SOCIAL CONSULTATION APPROACH

From the above maps and delineations it is obvious that the direct mining lease area has in most areas little to no occupation currently. As a result the following approach was followed in accessing information from the surrounding communities;

- Notices in the form of fliers were distributed in the following locations;
 - o Amasango School (05/04/2013)
 - o Ivukayibambe School (05/04/2013)
 - o Sabeka Community Hall (05/04/2013)
 - o Monaphansi store (05/04/2013)
 - o Thekelimfundo Primary School (06/04/2013)
 - o Mgovuzo School (06/04/2013)
 - o Mtunzini CBD (06/04/2013)

(Photographic evidence of these activities were inadvertently deleted)
- Community forums and community leaders were contacted directly through a "road show" from 05/04/2013 to 07/04/2013. This was performed on an *Ad Hoc* basis from village to village (*GPS Track Paths are available in GPX format for the route followed on request*).
- Feedback from these fliers was followed up when available.
- On 25/01/2013 an advertisement was also placed in the *Zululand Observer* newspaper indicating that a process of grave identification was in progress and that people with information should come forward and report this to the study leader.

The above information was used to schedule various meetings in order that the information derived could be further investigated. The following is an outline of the various meetings that took place. Due to the fact that these were not formally structured meetings but rather community discussions, formal minutes were not kept, however notes were kept of these meetings and these are reproduced at the end of this report. These notes reflect what transpired at these meetings and since no formal decisions were taken at these meetings no legally binding meeting minutes were thought to be necessary.

SOCIAL CONSULTATION MEETINGS

In an effort to optimise the project G&A Heritage employed to social consultation firm *African Grave Relocation Specialists (AGRS)* to facilitate the social consultation component of this project. Information as relayed to G&A Heritage by AGRS is reported on here. Three types of meetings could be distinguished from this process. In an effort to clarify the objectives of said meetings they will be allocated to one of three sub-sections. These are;

- **Community meetings.** Where the consultants and the client met directly with representatives of the surrounding communities to discuss possible grave locations and to clarify the involvement of the communities in the study area.
- **One on One meetings.** These are meeting between the investigators and individuals, or small groups that had contacted the social consultants regarding possible grave locations as a direct result of the information distribution.
- **Client meetings.** These were meetings between the contractor and the client to discuss issues arising from the social consultation.

COMMUNITY MEETINGS

12 OCTOBER 2012

Community members indicate two gravesites that fall outside of the mining area. No other burial sites could be identified within the study area.

15 MARCH 2013

A community meeting is held to which all the local tribal leaders are invited. The grave identification process is explained to them in both English and Zulu. The need and urgency of any information regarding graves within the mining area is highlighted. A meeting is scheduled for 5 April 2013 to receive feedback from the community.

02/05/2014

05 APRIL 2013

Only the Nzuzu Tribal Council responds to this meeting. They have no gravesites to report within the proposed mining area.

05 APRIL – 25 JUNE 2013

Every Tribal Council affected (*Nuzuz, Macabini, Ogonweni*) was contacted on a Wednesday, Thursday or Friday to enquire as to possible reports of grave locations within the proposed mining areas. One member of the local community indicated that they have a grave close to the mining area. On further investigation it transpires that the grave is not in fact within the proposed mining area.

ONE ON ONE MEETINGS

04 FEBRUARY 2013

Mr Thembinkosi M. Ndimande and Mr Siboniso Mngomezulu as community representatives are taken out to the first section of the proposed mining area. They indicate that there is no burial sites know to them within this area.

15 FEBRUARY 2013

Mr Thembinkosi M. Ndimande and Mr Siboniso Mngomezulu as community representatives are taken out to the second section of the proposed mining area. They indicate that there is no burial sites know to them within this area.

25 JUNE 2013

Mr Thembinkosi M. Ndimande and Mr Siboniso Mngomezulu indicate six areas to the social consultants that according to them have individuals buried there. Only two of the six sites are however within the proposed mining area.

26 AUGUST 2013

A meeting with a local landowner – Mr Willem le Roux is arranged at his farmhouse. Mr le Roux indicates that to his knowledge there have been no burials on his property to date. The social consultant explained the process that was being followed to identify possible graves within the mining lease area and the reason for this work.

CLIENT MEETINGS

16 AUGUST 2013

A follow-up visit is made to the site indicated as having contained graves, which falls within the proposed mining area. No surface indications could be seen and the informants are extremely vague on where exactly the graves are located.

18 JANUARY 2013

A client meeting is held with Tronox representatives.

15 AUGUST 2013

A client meeting is held with Tronox representatives.

THE ZULULAND OBSERVER, JANUARY 25, 2013

Please donate blood at your nearest clinic

WE WOULD LIKE TO THANK OUR EXISTING CLIENTS FOR THEIR SUPPORT AND MAY WE ALL HAVE A BLESSED 2013

SALON JOLIE WOULD LIKE TO WELCOME THEIR NEW STAFF AND CLIENTS

**BACK: Priscilla Khanyile, Desiree Owabe, Zinhe Xulu, Nana Mlaba
FRONT: Kerry Kayser, Prisha Gounden, Suzette Barnard, Paulina Benati, Kerry Silk**

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ISO 14001 Internal Auditor	3	05-07		
Combined ISO 9001 & ISO 14001 Implementation	3		11-14	
Combined ISO 9001 & ISO 14001 Auditor	4			29/04/02/03
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SHE Incident Investigation - Level 3	3	29-31		03-05
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Woman bites off attacker's tongue

Angela Kelly

AN alleged would-be rapist got more than he bargained for when he attacked his former girlfriend at his home near Newcastle. According to police, when the 25-year-old man attempted to rape the woman at knife point, she bit off his tongue.

The victim claimed she was walking on the road towards her home when she was approached by her ex-boyfriend. He ordered her to go with him to his house in the Mahakana Odondolo area, pulled out a knife and attacked her, said police spokesman Capt Mbozani Mlalose.

In an attempt to fight off her assailant, the woman bit off part of the man's tongue when he tried to kiss her.

And in a further twist in the tale when police arrested the suspected rapist, he opened an assault case against his former girlfriend. The pair will appear in the Newcastle Magistrate's Court this week.

In a separate case, a 25-year-old man was sentenced to 25 years' imprisonment for the repeated rape of his stepdaughters.

According to Capt Mlalose, the man raped the 14-year-old girl at her home in Ngqonqo area near eSikhaleni in April last year.

He was found guilty of three counts of rape and sentenced in the eSikhaleni Magistrate's Court last week.

The investigating officer, Mbuso Khunala has been responsible for several rape convictions in the past year. The policeman was also responsible for the arrest and conviction of a Maholobola Forest teacher who was last year sentenced to life imprisonment for the rape of a schoolgirl.

Bail for eNseleni abduction suspect

Mia Moorcroft

ONE of three men accused of kidnapping, ribbing, defaming and abusing a young couple over the course of two weeks in eNseleni, was granted bail in the Newcastle Magistrate's Court on Tuesday.

All three detained suspects requested bail, with two of the men having their applications postponed to 24 February.

However, one of the accused was granted bail of R1 000.

According to SAP Spokesperson Mbozani Mlalose the suspect was not considered as a flight risk.

Police were satisfied with the court's decision as they believe that Bongani Cwezana Nohangase will escape and we trust that he will comply with his bail conditions.

Scheme

The Zululand Observer reported last week that a young man from Newcastle and his girlfriend were abducted from Empangeni last month in an elaborate scheme involving his inheritance of R315 000.

While being kept in captivity for two weeks in an eNseleni home, the pair was handcuffed and the woman was sexually assaulted by one of the captives.

The kidnappers also took out the inheritance's limited daily withdrawal amount of R2 000 every day as well as a large, but unaccessed, amount from a local branch of his bank by replacing the victim's ID book photo with one of the predator's.

When an unknown member of the community became aware of the criminal activities, it was reported to the eNseleni SAP who tracked down and rescued the victims.

Tough justice

Sonella Harry

THE man found guilty of the murder of Mangazi community member Sakhi Gamode, who was found dead behind a tavern in Mangazi on 7 January 2011, was sentenced to an effective 25 years' imprisonment in the Mthunzi High Court last week.

Richards Bay SAP investigating officer Constable RM Ngidi and Sergeant TS Nkomo were satisfied with the sentence handed down by Sifiso Thembu.

NOTICE IN TERMS OF SECTION 35 & 35 (5) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1989)

Notice is hereby given that African Grave Relocation Specialists and TRONOX KZN intends demolishing in terms of Section 35 and 35 (5) of the National Heritage Resources Act (Act 25 of 1989) and Section 2 (1) of the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925). The Exhumations Ordinance (Ordinance no. 12 of 1930, and the Human Tissues Act (Act 65 of 1983) as amended) as well as the relevant local regulations, to the Provincial Administrator of the province in which the graves are located, the South African Heritage Resources Agency (SAHRA) or the designated provincial agency and the relevant local Municipality.

DESCRIPTION OF ACTIVITY:

As part of the new development on the following properties all graves situated on any of these farms must be relocated before any development can take place.

THESE FARMS ARE LOCATED ON BOTH SIDES OF THE R2 HIGHWAY FROM THE FAIRBREEZE INTERSECTION TO MTHUNZI

LOCALITY OF ACTIVITY

FARM: REMANDER BATONROUSE NO. 17433
REMANDER OF PORTION 4 LOT 89 UMALAZI No. 9867
REMANDER LOT 90 UMALAZI No. 9867
REMANDER OF PORTION 5 CARLEY E. NO. 13747
REMANDER OF PORTION 6 LOT 91 UMALAZI No. 9797
REMANDER OF PORTION 7 LOT 89 UMALAZI No. 9797
REMANDER OF PORTION 8 LOT 87 UMALAZI No. 9244
REMANDER OF PORTION 1 LOT 89 UMALAZI No. 9797
REMANDER OF PORTION 2 LOT 88 UMALAZI No. 9797
REMANDER OF PORTION 3 LOT 89 UMALAZI No. 9795
REMANDER OF PORTION 4 LOT 10 UMALAZI No. 12848
REMANDER OF PORTION 1 THE BANCH NO. 13389
REMANDER THE RPNCH NO. 13389
REMANDER LOT 10 UMALAZI NO. 10815
REMANDER OF PORTION 3 LOT 81 UMALAZI NO. 10815
REMANDER LOT 91 UMALAZI NO. 10815

Name of Proponent: TRONOX KZN SANDS

Any persons (family descendants or friends) with any knowledge of these graves and who wish to provide information in this regard are urged to contact any of the following individuals:

AFRICAN GRAVE RELOCATION SPECIALISTS
 Anna Maria Luerke, 073 132 6390
 Laurens Maritzburg, 079 353 1624

Figure 7. Zululand Observer Advertisement

FLYERS

A total of 2000 flyers were distributed within the local communities in and around the proposed Fairbreeze mining area. The flyers contained the same information as the newspaper add and was available both in English and in Zulu. Information on specific areas of circulation and dates were given earlier in the report. No response was received.

FINDINGS

The results of the document study as well as feedback from the social consultation phase will be given in this section. Since several names have been assigned to some sites by separate sources it was thought prudent to use a new set of numbered names specifically for this report to avoid any confusion with previously assigned names.

The relevant site will therefore be allocated a number from 001 and from this point forward this will be the name used in all further reporting or applications. Where applicable the previous designations will be

FAIRBREEZE GRAVES – PHASE 1

21

Heritage Management Consultants

indicated for cross-referencing purposes.

After extensive social consultation, community meetings, advertising and the distribution of flyer in the area, the net result was that only two areas that could possibly be affected by mining activities could be identified as containing graves.

These two sites were already identified during the HIA study of 2010, however there were indications that more than one grave could be located at these points. In the one case of Site 002, Mr Thembinkosi indicated that his brother is buried here. No information could however be recovered as to the next of kin of any of the other possible burials here.

None of the burials indicated showed any surface covering and the exact location of any of the burials were not clear.

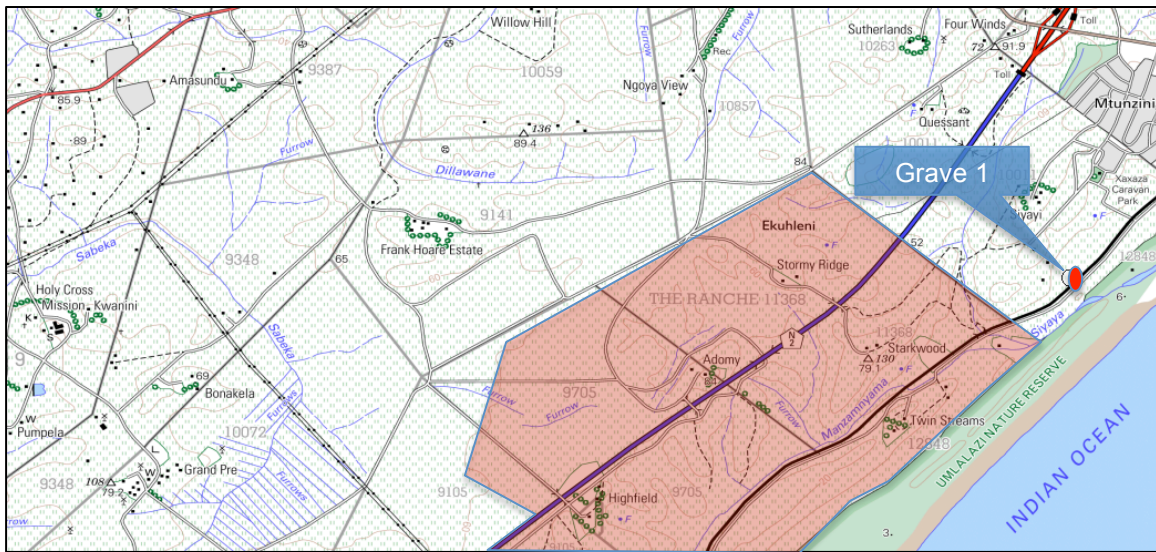


Figure 8. Gravesite 001 (Mining lease area in red)

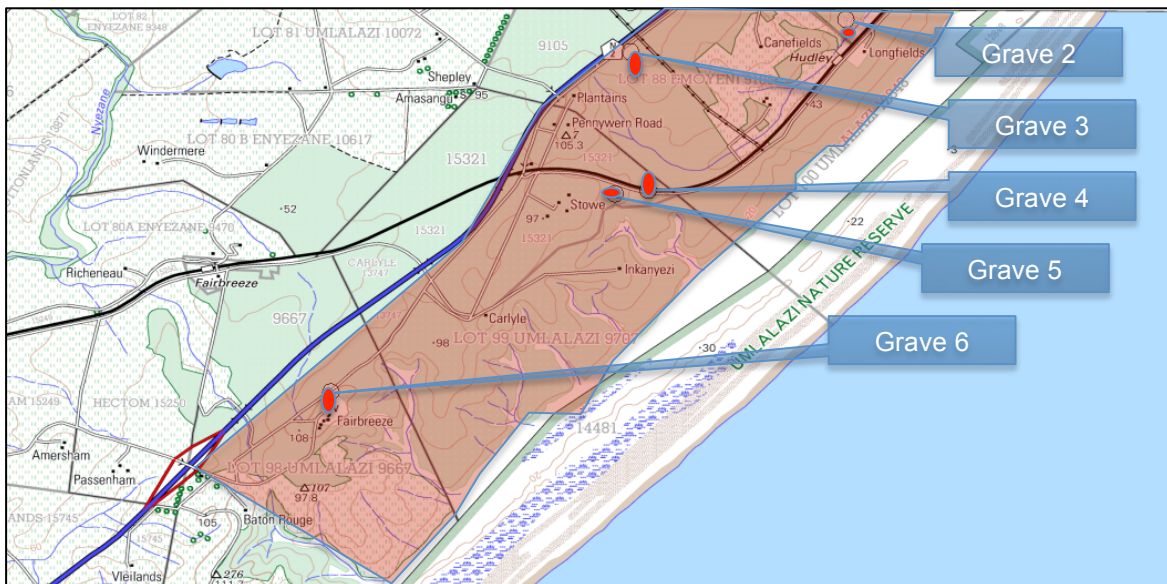


Figure 9. Gravesites 002 - 006 (Mining lease area in red)

BURIAL SITE 001 (PREVIOUSLY GRAVE 3)

GPS S 29°00'17.6"

E 31°41'15.1"

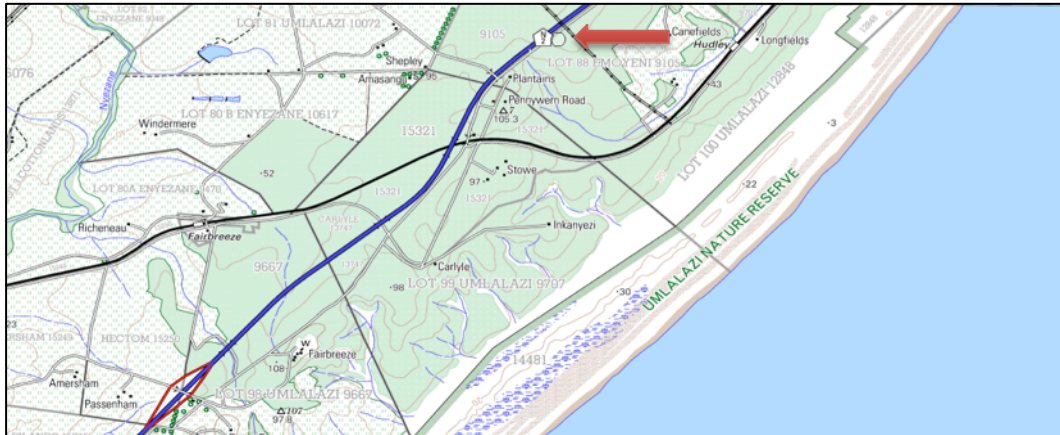


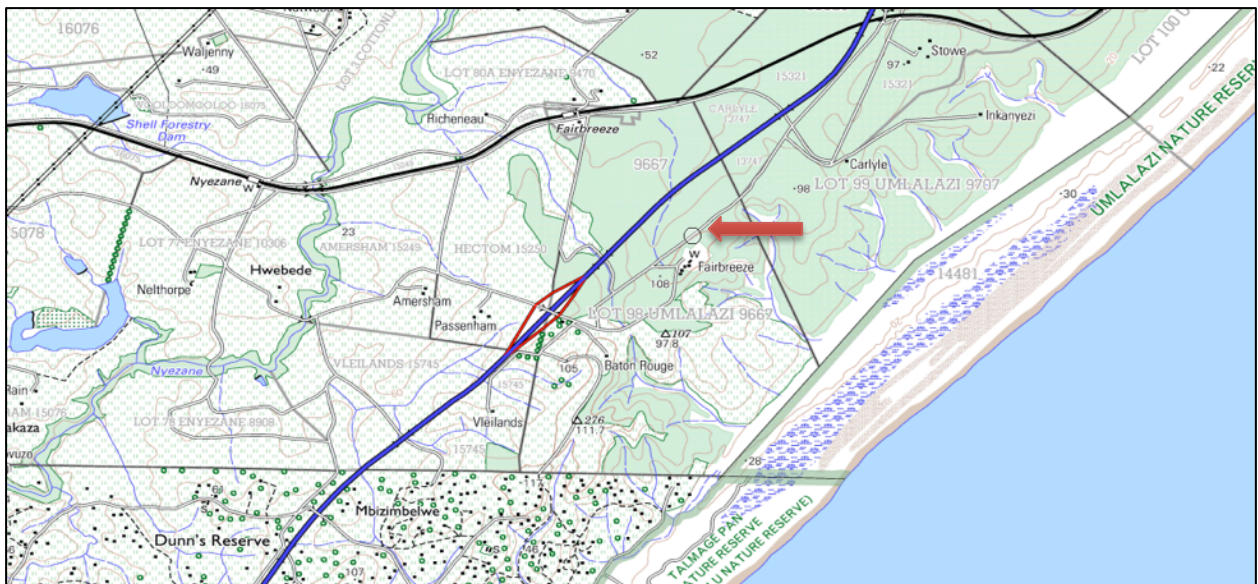
Figure 10. Location of Burial Site 001

This area was indicated to fieldworkers as possibly containing a single burial site. The area has however been extensively disturbed by consecutive plantations and as a result no surface indicators of this site was available. Further investigations into the exact location of the burial site will be needed. The site was identified during the 2010 survey and indicated as a possibly containing more burial sites. Mr Thembinkosi also indicated that his brother was buried here and possibly several other people. According to Mr Thembinkosi these were migratory workers from Mozambique (this could not be verified).

BURIAL SITE 002 (PREVIOUSLY GRAVE 6)

GPS S 29°02'04.6"

E 31°39'40.1"



This site lies within the existing farmhouse structures. It was indicated by the owner that two graves of the previous owners are located underneath the tennis court.

FULFILMENT OF LEGAL REQUIREMENTS AND ANTICIPATED RESPONSES

LEGAL REQUIREMENTS

The South African Heritage Resources Agency (SAHRA), the agency tasked *inter-alia* with regulating the protection of heritage resources in South Africa as per the NHRA no 25 of 1999, stipulates that a major component of heritage resource management is the protection and management of grave sites, especially sites outside of formal cemeteries and the graves of victims of conflict. The identification and management recommendations for graves within a proposed development area is seen as an important component of the required Heritage Impact Assessment (HIA) or Archaeological Impact Assessment (AIA), that will form part of the specialists studies required by either the Basic Assessment Report (BAR) or the Scoping and Environmental Impact Report (S&EIA). With the submission of the above reports to SAHRA (or its Provincial Representative – in this case *Amafa aKwazulu-Natali*). It will be required of the controlling body to supply comments on the submitted report, which will then form part of the Register of Decisions (ROD) for the project as a whole. Once these comments are received, it is only required of the developer to adhere to the recommendations outlined in the report as well as any additional requirements that might be added by the SAHRA comments.

The original study performed in 2010 provided recommendations for further investigations into the possible occurrence of graves within the mining lease area. This report fulfils this latter objective. This report will only be an annexure for any application submitted to the SAHRA Burials and Graves Unit as part of the application process for a permit to relocate any of the identified graves. To this end the NHRA states that, as per *Section 36 (5) a & b*;

(5) SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection (3)(b) 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.

Furthermore the Kwazulu-Natal Provincial Legislations requires similarly that, before a grave can be relocated that the developer apply for a permit from SAHRA and that they show that (as per *Section 26 (4) b*);

(b) The Council shall only recommend that such a permit be issued once it has been satisfied that the applicant has made a concerted effort to contact and consult communities and individuals who by tradition have an interest in the graves and have reached agreements regarding the future thereof.

It is an unfortunate result of the legal wording of these Acts that SAHRA is ambiguous about the definition of “*concerted effort*” as social consultation in such areas can continue indefinitely. The only way in which this can be evaluated is to have the work peer-reviewed. To this end we contracted an independent heritage practitioner – Mr Anton Pelser who is also an accredited Principal Investigator for grave relocation (the highest accreditation provided by SAHRA within this field). After evaluation of the information retrieved and the work performed, Mr Pelser gave the following verdict regarding the comprehensiveness of the social work performed to date on the project;

“.... in terms of the social consultation and SAHRA permits. To my knowledge I believe that AGRS & G&A did everything in their power and over the time period in question to conduct proper consultation in order to get information on graves and the people related to the graves & individual sites to be impacted by TRONOX's mining operations...” (Pelser, 2014, email correspondence)

In clarification of the above it should be noted that the two graves within the study area that have been identified for relocation was identified by local persons, however only one grave was claimed as a relative. The best information we could get was that the other graves were possibly connected to Mozambican migratory workers. As such these graves will fall under the jurisdiction of SAHRA and *Amafa* and the only requirement for their relocation is a permit from SAHRA.

RECOMMENDATIONS

The social consultation process indicated the possible occurrence of graves within the proposed development area. The location of these could not be determined due to the severe state of alteration that the landscape had undergone. Six areas could be identified, two of which falls within the study area. It is recommended that;

- These two gravesites (Sites 3 & 6 – now referred to as Site 001 and Site 002) should be relocated to a local cemetery.
- Due to the absence of any next-of-kin for any further graves at Site 001, a permit from SAHRA Graves and Burials Unit will be required for this.
- A local undertaker should be employed for the physical exhumation.

It has been determined that the developer has exhausted all practical avenues for the identification of graves within this study area. Should any unidentified graves be uncovered during the mining activities it can be proven that the mine went to extraordinary lengths – over and above the legal requirements - to facilitate the identification of graves by the community beforehand. These graves can then be handled on an *ad hoc* basis if and when they are encountered. The necessary permit application will be expedited in such a case and as a direct result of the work performed in this phase.

It is recommended that a line of communication is kept open during the development stage of the mine as well as during the operational phase of the mine to ensure that persons who might not have been identified during the initial phase has an opportunity to come forward with the locations of graves before the area is mined. This is especially needed in the case of the possible Mozambican migratory worker graves. To this effect it is recommended that the mine place local newspaper advertisements on a quarterly basis indicating the next proposed areas to be mined, giving people ample time to respond with locations if this occurs. This will ensure that the mining process is not hampered in any way. A contact number for G&A Heritage will be provided for response from the public.

WAY FORWARD

As indicated two of the identified sites will be subject to exhumation and relocation as required by the mine development schedule. This will involve the following;

AUTHORISATION

Different legislation applies to the different categories of graves set out above:

Graves younger than 60 years fall under Section 2(1) of the Removal of Graves and Dead Bodies Ordinance (Ordinance no. 7 of 1925) as well as the Human Tissues Act 65 of 1983. These graves fall under the jurisdiction of the National Department of Health and the relevant Provincial Department of Health and must be submitted for final approval to the Office of the relevant Provincial Premier. This function is usually delegated to the Provincial MEC for Local Government and Planning, or in some cases the MEC for Housing and Welfare. Authorization for exhumation and re-interment must also be obtained from the relevant local or regional council where the grave is situated, as well as the relevant local or regional council to where the grave is being relocated. All local and regional provisions, laws and by-laws must also be adhered to. The institution undertaking the relocation must be authorized under Section 24 of the Human Tissues Act 65 of 1983 to handle and transport human remains.

Graves older than 60 years, but younger than 100 years, fall under the jurisdiction of two acts, namely the National Heritage Resources Act 25 of 1999 (Section 36) as well as the Human Tissues Act 65 of 1983. Should graves older than 60 years, or if the age of the grave cannot be ascertained either by a grave marking or through a social consultation process, be located outside a formal cemetery, the Procedure for Consulting Regarding Burial Grounds and Graves (Section 36(5) of the Heritage Resources Act 25 of 1999) is applicable. However, graves older than 60 years but younger than 100 years, which are located within a formal cemetery administered by a local authority will also require the same authorization as set out for graves younger than 60 years over and above SAHRA authorization. If the grave is not located within a formal cemetery, but is to be relocated to one, permission must also be acquired from the local authority and all regulations, laws and by-laws set by the cemetery authority must be adhered to. The institution undertaking the relocation must be authorized under Section 24 of the Human Tissues Act 65 of 1983 to handle and transport human remains. A qualified archaeologist accredited by SAHRA must personally supervise any alteration to, or relocation of, graves in this category. 26

Graves older than 100 years are classified as archaeological, and are protected in terms of Section 35 of the National Heritage Resources Act 25 of 1999. Authorization from SAHRA is required for these graves. A qualified archaeologist accredited by SAHRA must also supervise any alteration or relocation of graves in this category. On the discretion of SAHRA, the Procedure for Consultation Regarding Burial Grounds and Graves (Section 36(5) of Act 25 of 1999) might also be required. If the grave is situated in cemetery administered by a local authority the authorizations as set out for graves younger than 60 years are also applicable over and above SAHRA authorization. The institution undertaking the relocation must be authorized under Section 24 of the Human Tissues Act 65 of 1983 to handle and transport human remains.

All graves of victims of conflict regardless of how old they are or where they are situated are protected by Act 25 of 1999 (National Heritage Resources Act). SAHRA authorization is required for all graves in this category. A qualified archaeologist accredited by SAHRA thereof must personally supervise any alteration to a grave in this category or the relocation. If the grave is situated in a cemetery administered by a local authority the authorizations as set out for graves younger than 60 years are also applicable over and above SAHRA authorization. On the discretion of SAHRA the Procedure for Consultation Regarding Burial Grounds and Graves (Section 36(5) of Act 25 of 1999 (National Heritage Resources Act)) might also be required. In order to handle and transport human remains the institution conducting the relocation should be authorized under Section 24 of Act 65 of 1983 (Human Tissues Act).

The gravesites at Site 001 & 002 will fall under the second category above by default due to there being no indication of their age and no direct next-of-kin.

EXHUMATION

The methods employed during exhumation will aim to recover all the remains, to minimize damage to the remains, to record the three-dimensional context of the remains and should preserve and respect the dignity of the buried individual. All evidence that might allude to the events leading to the death of the individual and circumstances regarding the event will be recorded and interpreted. The information gathered will be presented in a technical report as required by the relevant compliance agency (Van Vollenhoven 1998).

The aim of the excavation should be the in situ exposure of the burial and associated artifacts (Nienaber and Steyn 1999). The focus should be on accurate and complete documentation (Nienaber 1997; Van Vollenhoven 1998). Various methods for the excavation of graves have been proposed by different authors (Hester 1975; Joukowsky 1980; Krogman and Iscan 1986; Morse 1978) but all stress the need for adequate workspace around the exposed remains and a systematic approach to the removal of individual bones.

The archaeological method, including extensive test trenching to prevent damage to the remains, should be employed. This approach should be largely similar to that of forensic archaeology where buried body cases are concerned. This approach should be adapted for the situation since graves vary in shape, size, depth and content (Nienaber 1999). The methods of forensic archaeology are discussed by Steyn, et al. (2000).

This part of the process can only be followed after SAHRA and the health authorities have issued a

permit. Both an undertaker and an archaeologist are needed for heritage graves, as they are responsible for different aspects of the exhumation.

RE-INTERMENT OF REMAINS

The exhumed remains will be re-interred by a registered funeral undertaker within a local cemetery administered by a local authority.

CONCLUSION

The proposed mine expansion area for the Fairbreeze mine had been subjected to an archaeological survey in 2004 and 2010. The 2010 report identified three areas with possible gravesites, although no specific sites could be identified on the surface. The area was further subjected to field investigations as well as an intensive social consultation process from late 2012 to early 2014. The results of this study showed that the area had been subject to severe alterations on the past 40 years and that any surface indicators of burial sites had been lost during this time. Although the community indicated that there were graves within the study area, they agreed that it was impossible to still identify the location of these and that they were associated with migratory workers from Mozambique. Only one local informant indicated that he was related to one of the buried individuals. No formal cemeteries or burial grounds were found within the study area.

It is concluded that the work performed on the Fairbreeze project was of such encompassing nature that it fulfils all the legal requirements of both the National and Provincial Acts as well as the recommendations outlined in the 2010 HIA and that it illustrates a commitment by Tronox to go beyond these requirements to ensure that no graves are unnecessarily damaged. This report and the results of the social consultation should mitigate any possible challenge to Tronox's social commitments.

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ANNEXURE A

COMMUNICATION PROCESSES

The following is a transcription of all communications regarding the social consultation component of the project.

Activity	Tasks	Date	AGRS	Parties involved
email	HIA Report	23/08/2012	Anna-Marie	Stephan Gaigher
email	Quotation forwarded	26/08/2012	Anna-Marie	Stephan Gaigher
email	Quote amended with 25% as Tronox Sands did not approve 1 st quote, a lesser amount was approved for Social Consultation only	21/09/2012	Received by Anna-Marie	Stephan Gaigher
email	Discussions	21/09/2012	Anna-Marie	Stephan Gaigher
Approval	Alteration on quote	21/09/2012	Anna-Marie	Stephan Gaigher
Request	Letter of Appointment	29/09/2012	Anna-Marie	Stephan Gaigher
email	Project Manager information	02/10/2012	Anna-Marie	Stephan Gaigher
Request	Arrange Meeting with Jan Beukes	04/10/2012	Anna-Marie	Jan Beukes
Meeting	Site visit	12/10/2012	Anna-Marie Ludik & Divie de Villiers	Jan Beukes & Annelien Fouche
email	Site maps received	07/11/2012	Anna-Marie Ludik	Jan Beukes
Pending approval	Newspaper drafts	07/11/2012	Anna-Marie Ludik	Jan Beukes & Annelien Fouche
Quotation Caxton	Newspaper adds	07/11/2012	Anna-Marie Ludik	Caxton Zulu Observer
Invoice	Newspaper adds	12/11/2012	Anna-Marie Ludik	Caxton Zulu Observer
Approval request	Newspaper adds	12/11/2012	Anna-Marie Ludik	Jan Beukes
Approval request	Newspaper adds	03/12/2012	Anna-Marie Ludik	Jan Beukes
email	Notice forwarded Festive season closing dates	05/12/2012	Anna-Marie Ludik	Stephan Gaigher & Jan Beukes
Approval	Newspaper ads placed	10/01/2013	Anna-Marie Ludik	Zulu Observer

Request	Meeting	10/01/2013	Anna-Marie Ludik	Jan Beukes
Drafts received	Newspaper adds	10/01/2013	Anna-Marie Ludik	Caxton Zulu Observer
Meeting	Meeting with Next of kin	18/01/2013	Annelize Heyns & Lazarus Mangaan	Mr. P. Nkosi, Mariam Nkosi, Joseph, Sophy Cele and family, Nkosi Ndibande and Mr. Siboniso
Request	Meeting postponed	21/01/2013	Received by Anna-Marie	Annelien Fouche
Draft alterations on site map	Newspaper adds	21/01/2013	Anna-Marie Ludik	Jan Beukes
Payment	Newspaper adds	21/01/2013	Anna-Marie Ludik	Caxton
Letter of Appointment	Received letter of appointment for Social consultation only	23/01/2013	Anna-Marie Ludik	Jan Beukes
Request	Social meeting appointment & venue arrangements	28/01/2013	Anna-Marie Ludik	Annelien Fouche
Appoint project assistant	Annelien to assist AGRS with Social Consultation	30/01/2013	Anna-Marie Ludik	Annelien Fouche
Request	Meeting with next of kin and site visit	30/01/2013	Anna-Marie Ludik	Annelien Fouche
Meeting Confirmation	Meeting scheduled for 04/02/2013 confirmed	30/01/2013	Anna-Marie Ludik	Annelien & Jan Beukes
Meeting	Tronox staff did not attend meeting as Annelien and Jan Beukes wasn't available.	04/02/2013	Annelize Heyns & Jacques Hanekom	Not one of Tronox Project Managers available to assist with site visit and alternative arrangement had to be made with other staff members not involved with the relocation project for the following day.

Overnight arrangements	All meeting and traveling arrangements changed due to Annelien not scheduling meeting	04/02/2013	Anna-Marie Ludik, Annelize Heyns & Jacques Hanekom	Annelien not available Booked o/night BB Changed flights etc ADD charges
Feedback	Minutes of meeting and family involvement feedback	06/02/2013	Anna-Marie Ludik	Jan Beukes
Feedback	Next of kin requirements & demands	06/02/2013	Anna-Marie Ludik	Stephan Gaigher
Company discretion	Tronox Sands Fairbreeze Mining have a policy not to contribute compensation towards the families involved	06/02/2013	Anna-Marie Ludik	Jan Beukes
Feedback to next of kin	Contacted next of kin to inform that no compensation will be paid regarding the relocation project	06/02/2013	Anna-Marie Ludik	Mr Siboniso & Mr Nkosi
Next of kin enquiry	Next of kin demands payback on expenses regarding traveling to attend the meeting.	07/02/2013	Anna-Marie Ludik & Annelize Heyns	Mr Siboniso
Next of kin disapproval	Next of kin expressed his disapproval regarding the Company discretion policy	09/02/2013	Anna-Marie Ludik	Mr Siboniso
Request	Next of kin request a meeting with all parties involved	10/02/2013	Anna-Marie Ludik	Mr Siboniso
Telephonic contact	Not responsible person regarding the project available at Fairbreeze Mining	10/02/2013	Anna-Marie Ludik	Jan Beukes or Annelien Fouche unavailable
Complete Report	Complete project information report forwarded to Stephan	12/02/2013	Anna-Marie Ludik	Stephan Gaigher
Proof forwarded	Copies of documentation, flyers and marketing material mailed to Stephan	13/02/2013	Anna-Marie Ludik	Stephan Gaigher
Notice of meeting	Next of kin notified of proposed meeting	27/02/2013	Anna-Marie Ludik	Mr Siboniso
Meeting request	Notification forwarded regarding meeting with all Tribal Councils Meeting confirmed	27/02/2013	Anna-Marie Ludik	Annelien Fouche to arrange with tribal Councillors Annelien Fouche
Information request	Next of kin requested information what TRONOX Sands involvement will be regarding the project	02/03/2013	Anna-Marie Ludik	Mr Siboniso

Meeting	Social Consultation with next of kin, Annelien failed to arrange with Tribal Councillors 's as requested	05/03/2013	Annelize Heyns, Jacques Hanekom & Lazarus Mankgane	Annelien Fouche failed to show up for meeting
Confirming meeting request	Tronox still in the process of arranging a meeting with all Tribal Chiefs on 13/03/2013	07/03/2013	Anna-Marie Ludik	Annelien Fouche
Telephonic discussion	Legal representative calling on behalf of next of kin regarding participation on next scheduled meeting and Tribal Chiefs meeting	09/03/2013	Anna-Marie Ludik	Mr Mngomezulu 076773643 Family representative Youth League (Lawyer)
Telephonically informed	Tronox was notified of the discussions between the legal representative and ourselves	09/03/2013	Anna-Marie Ludik	Jan Beukes
Site sign off	According to the Heritage Report on the internet the Fairbreeze site was signed off by Stephan in January 2014	11/03/2013	Information received by Anna-Marie Ludik	Stephan Gaigher
Inquiry	Tronox inquired information regarding the legal involvement	11/03/2013	Anna-Marie Ludik	Jan Beukes
Meeting confirmation	Tronox confirmed meeting with Ogagwini, Nzuza and Macabini Tribal Chiefs to be held on 15/03/2013	11/03/2013	Anna-Marie Ludik	Annelien Fouche
Meeting confirmation	AGRS confirm meeting with Tronox	12/03/2013	Anna-Marie Ludik	Annelien Fouche
Meeting confirmation	Notification and confirmation of meeting forwarded to Mr Siboniso, Mr Nkosi and next of kin legal representative	12/03/2013	Anna-Marie Ludik	Mr Siboniso. Mr Nkosi & Mr Mngomezulu
Traveling arrangements	Tronox requested that an interpreter/translator should attend the Tribal council due to a language difficulty as most Chiefs only understand Zulu	12/03/2013	Annelize Heyns & Sophy Rakgalakane fluent in 5 languages	Annelien Fouche
Information request	Stephan requesting more information regarding project and express concerns regarding payment	14/03/2013	Anna-Marie Ludik	Stephan Gaigher

Tribal Council Meeting	Tribal Council meeting with Ogagwini, Nzuz and Macabini Tribal Chiefs requesting assistance regarding the Social Consultation Process and involvement regarding the next of kin in the areas noted on the fliers	15/03/2013	Annelize Heyns & Sophy Rakgalakane	Annelien Fouche, Mr M P Ntuli, Mr V B Khoza, Mr M Mthinyane, Mr S Msweli, Mr M Nkwanyana, Mr D M Mhkongo, Mr N V Nzuz & Mr Cup Ogagwini
Information Request	Next of kin requesting information regarding Director and Minister of SARHA and the unresolved issue regarding the compensation	15/03/2013	Anna-Marie Ludik	Stephan Gaigher forwarded all required info to Anna Marie Ludik. Anna Marie forwarded info to Mr Nkosi
Information Request	Next of kin express dissatisfaction due to no discussion regarding the compensation issue he refuses any Tribal Council involvement	15/03/2013	Anna-Marie Ludik	Mr Siboniso Mr. Sibiniso
email	Information forwarded to Stephan	15/03/2013	Anna-Marie Ludik	Stephan Gaigher
email	Receive information form Stephan	23/03/2013	Anna-Marie Ludik	Stephan Gaigher
Final Progress Report	Final project report on phase 1	27/03/2013	Anna-Marie Ludik	Stephan Gaigher
Tribal Meeting	Meeting	05/04/2013	Annelize Heyns & Jacques Hanekom	Nzuz Tribal Council – Wilfred Nzuz, M Motabela, F Nzuz, B Nkwanyona, J Nzuz, B Nzuz, J Nzuz, M Nkwanyana, F Ngema, W Nzuz, N Nzuz, S Nzuz, N Nkwanyona, M Nkinyana, V Nzuz
email	Annelien informed AGRS of no further involvement due to her current commitments	05/04/2013	Anna-Marie Ludik	Annelien Fouche
Company discretion	Jan Beukes emphasised again that it is Company policy and that Fairbreeze will not enter into discussions regarding any compensation	08/04/2013	Anna-Marie Ludik	Annelien Fouche

email	Meeting information forwarded to Stephan	08/04/2013	Anna-Marie Ludik	Stephan Gaigher
Meeting Information	Next of kin enquired information of next scheduled meeting	19/04/2013	Anna-Marie Ludik & Annelize Heyns	Mr Siboniso
Progress Report Request	Stephan requested progress report	21/05/2013	Anna-Marie Ludik	Stephan Gaigher
Information Request	Legal Representative of Mr. Siboniso request information of next scheduled meeting to inform his clients to attend next meeting	21/05/2013	Anna-Marie Ludik	Mr Ntuli Macabini
Telephonic correspondence	Next of kin informs Tronox requesting a meeting regarding the relocation project due to the lack of communication regarding compensation payment and involvement of TRONOX Sands or Project Manager	23/05/2013	Information received by Anna-Marie Ludik	Mr Siboniso
Project guidance and information correspondence	Tronox Legal Department requesting information regarding the dispute involving the Nkosi and Siboniso families and compensation issues	30/05/2013	Anna-Marie Ludik	Bronwyn Williams
Dispute	Next of kin demanding payment	30/05/2013	Anna-Marie Ludik	Mr Siboniso & Mr Nkosi
Dispute emails and information	Compensation dispute mails forwarded to Tronox Sands Legal Department requesting the way forward	30/05/2013	Anna-Marie Ludik	Bronwyn Williams
Information enquiry	Jan Beukes enquired information regarding involvement of neighbouring farms employee of Mr Mc Murray farm. Owner of heavy vehicle transport company Mr Mc Murray expressed his willingness to assist however the driver will only be available to assist us on his day of rest.	11/06/2013	Anna-Marie Ludik	Jan Beukes
Next of kin Project Dispute	Tronox was informed by Mr Keith Powell that the next of kin was in the process of disputing the relocation process due to the lack of compensation and final agreement, Next of kin started with meetings at Mtunzini and the Councillors to protest against the project due to non payment arrangements	14/06/2013	Information received by Anna-Marie Ludik	Mr. Keith Powell, Annelien Fouche, Jan Beukes

Meeting Request	AGRS requested a meeting with Tronox and next of kin not later than 25/06/2013	17/06/2013	Anna-Marie Ludik	Jan Beukes
Meeting confirmation	Tronox Sands Jan Beukes confirmed date and time of meeting	20/06/2013	Anna-Marie Ludik	Jan Beukes
Traveling arrangements	Traveling arrangements made to attend meeting	20/06/2013	Anna-Marie Ludik, Annelize Heyns & Sophy Rakgalakane	Flight Centre
Meeting	AGRS met with Tronox Sands Legal Department, Community Project advisors, Project Managers and next of kin. Full explanation of project procedures was explained in English and Zulu, next of kin expressed concerns, involvement and compensation.	25/06/2013	Annelize Heyns & Sophy Rakgalakane	Bronwyn Williams, Jan Beukes, P S Mthembu, Nico, Siphon, Bronwyn Williams, Mr Nkosi & Thembinkosi
Meeting	Site visit with next of kin and all known sites co-ordinates was plotted and documented by AGRS and Tronox Sands personnel	25/06/2013	Annelize Heyns & Sophy Rakgalakane	Bronwyn Williams, Jan Beukes, P S Mthembu, Nico, Siphon, Bronwyn Williams, Mr Nkosi & Thembinkosi
Information Request	Jan Beukes Tronox Sands Manager needed advice to discuss the way forward regarding the relocating process	11/07/2013	Anna-Marie Ludik	Jan Beukes
Proposal	Family suggested that it may be advisable to advertise again in the surrounding local municipal newspapers as well as the radio stations most listened to by the Zulu population areas Stanger, Newcastle, Richardsbay, Pongola	16/07/2013	Anna-Marie Ludik, Annelize Heyns	Jan Beukes
Proposal emailed with quotations attached	Suggestions together with quotes forwarded to Stephan explaining the need and urgency regarding the adverts.	17/07/2013	Anna-Marie Ludik The vast areas is problematic to advertise as most of the people do not read newspapers.	Stephan Gaigher

Proposal suggestions reply	Stephan explained that the budget do not allow for any further adverts at this stage and will forward a recommendation should it be needed	17/07/2013	Anna-Marie Ludik	Stephan Gaigher
Next of kin project dispute	Next of kin contacted Jan Beukes at Tronox Sands claiming that Annelize Heyns expressed her concern that no graves exists in the site identified by himself	25/07/2013	Information received by Anna-Marie Ludik	Jan Beukes & Mr T Nkosi
Project dispute explanation	Annelize Heyns explained to Jan Beukes from Tronox Sands that she did speak to Mr T Nkosi explaining to him that he must identify individual graves, he refuses to do so unless he is compensated for his involvement and ignored to answer any other question put to him.	25/07/2013	Annelize Heyns & Anna-Marie Ludik Received several calls from the Nkosi and Sabiniso families claiming money for their expenses they had to attend the meetings.	Jan Beukes
Project discussion	Suggestions made during our communication with Tronox Sands Lawyer regarding the compensation issue to resolve matters and to find a way to move forward	25/07/2013	Anna-Marie Ludik	Bronwyn Williams
Newspaper adverts proof	Received proof of adverts placed during the Social Consultation process	29/07/2013	Anna-Marie Ludik	Caxton
Project Report	Report regarding the process and concerns forwarded to Stephan	05/08/2013	Anna-Marie Ludik	Stephan Gaigher
Request for meeting	AGRS requested for a meeting and site visit together with Jan Beukes and a geologist to meet with Mr Mc Murray's employee on the 15/08/2013	06/08/2013	Anna-Marie Ludik	Jan Beukes

Meeting and site visit	Meeting arranged for 10am rescheduled for 1pm due to Mr Mc Murray's employee not available	15/08/2013	Annelize Heyns, Lazarus Maragaan, Sophy Rakgalakan e & Jeroen Beukers	Jan Beukes, Marius Vlok
Meeting extended	Accommodation arranged for staff members due to Mr Mc Murray's employee requested by Tronox to provide more information regarding graves and sites	15/08/2013	Annelize Heyns, Lazarus Maragaan, Sophy Rakgalakan e & Jeroen Beukers Booking rescheduled for flight rented vehicle and sleep over charges.	Jan Beukes
Site Visit	Mr Mc Murray's employee provided information regarding the grave site and explained that the graves are unknown they were all workers from Mozambique without any descendants they were seasonal and illegal immigrants without any next of kin or any relatives in the area.	16/08/2013 16/08/2013	Annelize Heyns, Lazarus Maragaan, Sophy Rakgalakan e & Jeroen Beukers Annelize Heyns, Lazarus Maragaan, Sophy Rakgalakan e & Jeroen Beukers	Jan Beukes & Marius Vlok Jan Beukes and Marius Vlok
Discussion	Mr. Willem Le Roux guest house owner confirmed that no human remains were buried on that farm since 1944 up to date. Only two dogs were buried on the farm one in 1960 and the other in 1980's. Other from that no other burials ever took place nor were there any other burial sites on the farm.	26/08/2013	Annelize Heyns	Mr. Willem Le Roux
Project discussion	Project discussed with Jan Beukes to find a solution regarding the demand for compensation	01/11/2013	Anna-Marie Ludik	Jan Beukes

ANNEXURE B

MEETING NOTES

Grave Relocation Tronox Fairbreeze Meeting

12/10/2012

Fairbreeze Boardroom Mtunzini

Members Present: Jan Beukes, Annelien Fouche, Anna-Marie Ludik, Div de Villiers, Lazarus Mankgane

Members Apologies: None

Agenda Item 1: Jan Beukes explained the scope of development and the impact it will have on existing neighbouring farmland and time frame.

Discussion: The proposed mining area was pointed out to us, however no graves or gravesites were pointed out at this time due to the fact that the actual burial sites were unknown, only two grave sites were documented and was pointed out to us.

Jan Beukes requested Divie de Villiers to not put up Site notices as yet in the area as the full mining scope of work is not finally approved yet.

Agenda Item: Anna-Marie Ludik discussed the relocation process and the importance of community and tribal involvement regarding the process.

Discussion: Notices of the intention to identify and possibly relocating graves found on specific areas allocated in the proposed mining belt were placed in the local newspapers in English and Zulu. News Paper used - Zululand Observer. This notices contained information on the portions and specific farms. Contact numbers were provided for any family, tribal councillors or members of the community for more information pertaining to the identification of the graves and burial sites. The notices were advertised in English and Zulu with the Social Consultation Process the burial sites will be pointed out to us by family members.

Urged the importance of arranging a meeting with all Tribal Councils before the Social Consultation Process starts. Requested permission to have Site Notices placed at all sites. Permission was not granted at the time as per Mr Jan Beukes due to the exact areas of new development was not yet finalised.

Jan Beukes explained that no person is allowed unattended visitation to the gravesites and that all graves will not be affected only once the graves sites was identified as affected grave sites.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: Annelien Fouche will forward next schedule meeting date, time and location.

02/05/2014

Notes Prepared by: Anna-Marie Ludik

Meeting Notes

Grave Relocation Tronox Fairbreeze Meeting

18/01/2013

Richards Bay

Members Present: Annelize Heyns, Jacques Hanekom, Anna-Marie Ludik, Div de Villiers, Lazarus Mangan, Mr. P Nkosi, Merriam Nkosi, Joseph Cele, Sophy Cele,

Mr Nkabinde and Mr. Siboniso

Members Apologies: None

Agenda Item 1:

Discussion: Identification of graves was discussed for the possible relocation on the 2nd phase.

Agenda Item: Annelize Heyns and Lazarus Mankgane discussed the relocation process and the importance of allocating the next of kin involved on the impacted sites.

Discussion: Possible areas where the farm workers might have been moved to after the farm were sold.

Fliers (over 2000) were distributed in various areas – Mtunzini, Mbisimbelwe, Dokodweni, Nqutshini, Amatikulu, Esikhawini, Richards Bay, and Epangeni. Application was made to place notices at the SAP Offices, Municipal Offices and Clinics application was denied although Richard Bay Clinic and SAP approved Taxi ranks, Spaza Shops, Restaurants do they feel that we have covered all necessary areas?

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: Anna-Marie Ludik will forward next schedule meeting date, time and location.

Notes Prepared by: Annelize Heyns

Meeting Notes

Grave Relocation Tronox Fairbreeze Meeting

04/02/2012

Fairbreeze Boardroom Mtunzini

Members Present: Annelize Heyns, Jacques Hanekom and Lazarus Mangan, Mr. Nkosi Ndibande

02/05/2014

Mngomezulu and Mr. Siboniso

Members Apologies: None however Annelien Fouche did not attend meeting as arranged

Agenda Item 1: Identification of grave sites and family individual graves.

Discussion: Annelien did not arrange the meeting with Site Managers and alternative site visit arrangements had to be made.

Agenda Item: Site Visit.

Discussion: 6 possible grave sites were identified by the families (Nkosi and Sibiniso)

Agenda Item: Next of kin discussions regarding the individual identification of graves.

Discussion: Family wants to know how they will be compensated for their time travelling and information.

Agenda Item: Compensation.

Discussion: No compensation will be discussed or paid neither by Tronox nor by ourselves.

Agenda Item: Tribal Council involvement discussions.

Discussion: Next of kin feels unhappy with the involvement of the Tribal councils, and demanded that they do not want to see them as they are unknown and was never known while living on the farm.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: Anna-Marie Ludik will forward next schedule meeting date, time and location.

Notes Prepared by: Annelize Heyns

Meeting Notes

Grave Relocation Tronox Fairbreeze Meeting

05/03/2013

Eshowe

Members Present: Annelize Heyns, Sophy Rakgalakane and Lazarus Mankgane, Eshowe Tribal Council.

Members Apologies: None

Agenda Item: Grave Relocation Project

Discussion: The grave relocation process was explained to all family members involved.

02/05/2014

Agenda Item: Family members who use to live and work on the farm with interest regarding the graves.

Discussion: Family members will arrange with Eshowe Tribal Council to identify their graves on the 5th of April 2013.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: 5th of April 2013

Notes Prepared by: Anna-Marie Ludik

Meeting Notes

Grave Relocation Tronox Fairbreeze Meeting

15/03/2013

Fairbreeze Boardroom Mtunzini

Members Present: Annelize Heyns, Lazarus Mangaan, Annelien Fouche, Mr M P Ntuli, Mr V B Khoza, Mr M Mthinyane, Mr S Msweli, Mr M Nkwanyana, Mr D M Mhkongo, Mr N V Nzuza & Mr Cup Ogagwini

Members Apologies: None

Agenda Item 1: Annelien Fouche explained the mining scope and the intend to identify more grave sites or individual graves.

Discussion: The process was explained to the Tribal Councils and the urgent need to find family members in English and in Zulu.

Agenda Item: Tribal Council involvement.

Discussion: The Tribal Council involvement need was explained to all Chiefs and representatives attending the meeting.

Agenda Item: All Tribal Council Chiefs and representatives were individually thanked for attending the meeting.

Discussion: Acts of gratitude were exchanged by AGRS, Tronox and all Tribal Council members.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: 5th of April 2013

Notes Prepared by: Annelize Heyns

02/05/2014

Minutes of Meeting

Grave Relocation Tronox Fairbreeze Meeting

25/06/2013

Fairbreeze Boardroom Mtunzini

Members Present: Jan Beukes, Bronwyn Williams, Mr. P S Mthembu, Mr. Nico, Mr. Sipho, Bronwyn Williams, Mr Nkosi, Mr. Thembinkosi.

Members Apologies: None

Agenda Item: Relocation Process explained

Discussion: The Relocation Process was explained in full detail with all aspects involved with the process and timelines. Advertisements in English and Zulu. Notices of the intention to identify and possibly relocating graves found on specific areas allocated in the proposed mining belt were placed in the local newspapers News Paper used - Zululand Observer. This notices contained information on the portions and specific farms. Contact numbers where provided for any family, Tribal Councillors or members of the community for more information pertaining to the identification of the graves and burial sites. The notices were advertised in English and Zulu with the Social Consultation Process.

Agenda Item: The importance of Family and Tribal Council involvement.

Discussion: Next of kin demanding compensation for all information provided.

Agenda Item: New advertisements and notices to be placed at Stanger, Eshowe, Richard Bay etc

Discussion: The family advised that more means of advertisement should be used like local radio stations, local newspapers in Zulu and point of consultation with local councillors in each surrounding area and family members.

Payment also required then for each person working on this project as per family request.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: Annelien Fouche will forward next schedule meeting date, time and location.

Notes Prepared by: Annelize Heyns

Meeting Notes

Grave Relocation Tronox Fairbreeze Meeting

15/08/2013

02/05/2014

Fairbreeze Boardroom Mtunzini

Members Present: Jan Beukes, Marius Vlok, Annelize Heyns, Lazarus Maragaan, Sophy Rakgalakane & Jeroen Beukers

Members Apologies: None

Agenda Item: Neighbouring farm Mr Mc Murray's employee to assist with information regarding graves.

Discussion: Meeting arranged for 10am rescheduled for 1pm due to Mr Mc Murray's driver not available.

Agenda Item: Next of kin to identify more graves

Discussion: Graves marked however the site will not be affected by the mining procedures in the future as per Jan Beukes and the geologist.

Agenda Item: Extended accommodation arranged for staff members due to Mr Mc Murray's employee requested by Tronox to provide more information regarding graves and sites

Discussion: Due to an unforeseen emergency on Mr Mc Murray's farm the driver will only be available on the 16/08/2016.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: 16/08/2013

Notes Prepared by: Annelize Heyns

Meeting Notes

Grave Relocation Tronox Fairbreeze Meeting

16/08/2013

Fairbreeze Boardroom Mtunzini

Members Present: Jan Beukes, Marius Vlok, Annelize Heyns, Lazarus Mankgane, Sophy Rakgalakane & Jeroen Beukers, Paulus

Members Apologies: None

Agenda Item 1: Site Visit to site 6.

Discussion: Site visit to both sites, only one site could be visited due to farmer not available to open and assist us. Site visit was arranged for site 6 and was found that site clearance will be

02/05/2014

extremely difficult and even if site clearance was done excessively, no graves will be visible and will only specifically be identified with family involvement.

Agenda Item: The family still refuses any information without compensation.

Discussion: It is of utmost importance that we discuss the compensation issue, some of the relatives are elderly and if we can't come to an agreement we might lose valuable information should they pass away.

Agenda Item: Other family members identified graves.

Discussion: The family members at the compound and other identified graves already plotted, these graves will not be disturbed nor impacted upon with any mining activities.

Future Agenda: All suggested agenda items will be tabled for the next meeting.

Next Meeting: None at this moment

Minutes Prepared by: Annelize Heyns

ANNEXURE C

ADVERTISEMENTS

AGRS

086 515 1178

p.6

ISAZISO MAYELANA nenxenywe ka35 no36 weNATIONAL HERITAGE RESOURCES ACT (umthetho wesi25 ka1999)

Isaziso sikhishwa yi-African Grave Relocation Specialists (Ochwepheshe bokususa amancwaba walabo base-Africa ngokudabuka) neTRONOX KZN Sands loko kwenzeka ngenxenywe ka35 no36 weNATIONAL HERITAGE RESOURCES ACT (umthetho wesi25 ka1999) kanye nenxenywe ka2 (1) woMthetho wokususa amancwaba nezidumbu (Ordinance no. 7 of 1925), The Exhumations Ordinance (Ordinance no. 12 of 1980; and the Human Tissues Act (Act 65 of 1983 as amended) kanye nayo yonke imithetho yalowoMkhandlu, abaphathi noNobhala besifunda lapho kutholakala lamancwaba, neSouth African Heritage Resources Agency (SAHRA) noma labo isiFunda esibamele kanye noMkhandlu

INCAZELO YOKUZOKWENZEKA:

Njengenxenywe yokuthuthukiswa kwalendawo kumele wonke amancwaba nezidumbu ezitholaka kulendawo asuswe ngendlela efanekile ngaphambi kokuthi kungaqalwa.

LAMAFAMU ATHOLAKALO NHLANGOTHI ZOMBINI LAPHO KUNQAMULA ZE-N2 UKUSUKA E-FAIRBREEZE UKUYA E-MTUNZINI LOKU OKUZOKWENZEKA KUTHOLAKALA KULEZINDAWO EZILANDELAYO:

REMAINDER	BATON ROUGE NO. 17433
REMAINDER OF PORTION 4	LOT 98 UMLALAZI No.9667
REMAINDER	LOT 98 UMLALAZI No.9667
REMAINDER	CARLYLE NO. 13747
REMAINDER OF PORTION 5	LOT 99 UMLALAZI No.9707
REMAINDER OF PORTION 6	LOT 99 UMLALAZI No.9707
REMAINDER	Lot 87 EMOYENI No.10344
REMAINDER OF PORTION 1	LOT 99 UMLALAZI No.9707
REMAINDER	LOT 88 EMOYENI No.9105
REMAINDER OF PORTION 2	LOT 100 UMLALAZI No.12848
REMAINDER	LOT 89 UMLALAZI No.9705
REMAINDER OF PORTION 1	LOT 89 UMLALAZI No.9705
REMAINDER OF PORTION 3	LOT 100 UMLALAZI No.12848
REMAINDER OF PORTION 1	THE RANCH NO. 11368
REMAINDER	THE RANCH NO. 11368
REMAINDER	LOT 100 UMLALAZI NO. 12848
REMAINDER OF PORTION 3	LOT 91 UMLALAZI NO. 10011
REMAINDER	LOT 91 UMLALAZI NO. 10011

Igama : TRONOX KZN SANDS

Izihlobo, abangani noma ubani onolwazi ngalamancwaba angaxhumana nalaba abangasenzansi.

AFRICAN GRAVE RELOCATION SPECIALISTS

Anna Marie Ludik: 073 192-9390

Lazarus Mankgane: 079 383-1674

Pronox KZN Sands W1405

**NOTICE IN TERMS OF SECTION 35 & 36 (5) OF THE NATIONAL
HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

Notice is hereby given that African Grave Relocation Specialists and TRONOX KZN Sands intend applying in terms of Section 35 and 36 (5) of the National Heritage Resources Act (Act 25 of 1999) and Section 2 (1) of the Removal of graves and dead bodies Ordinance (Ordinance no. 7 of 1925), The Exhumations Ordinance (Ordinance no. 12 of 1980; and the Human Tissues Act (Act 65 of 1983 as amended) as well as the relevant local regulations; to the Provincial Administration of the province in which the graves are located, the South African Heritage Resources Agency (SAHRA) or their legislated provincial agency and the relevant local Municipality.

DESCRIPTION OF ACTIVITY:

As part of the new development on the following properties all graves situated on any of these farms must be relocated before any development can take place.

**THESE FARMS ARE LOCATED ON BOTH SIDES OF THE N2 HIGHWAY FROM
THE FAIRBREEZE INTERSECTION TO MTUNZINI**

LOCALITY OF ACTIVITY

FARM: REMAINDER	LOT 89 UMLAZI No.9705
REMAINDER OF PORTION 1	LOT 89 UMLAZI No.9705
REMAINDER	LOT 91 UMLAZI No.10011
REMAINDER OF PORTION 3	LOT 91 UMLAZI No.10011
REMAINDER OF PORTION 4	LOT 98 UMLAZI No.9667
REMAINDER OF PORTION 5	LOT 99 UMLAZI No.9707
REMAINDER	LOT 100 UMLAZI No.12848
REMAINDER OF PORTION 2	Lot 100 UMLAZI No.12848
REMAINDER	LOT 100 UMLAZI No.10011
REMAINDER OF PORTION 3	LOT 100 UMLAZI No.10011
REMAINDER OF PORTION 3	LOT 100 UMLAZI No.12848
REMAINDER	LOT 87 EMOYENI No.10344
REMAINDER OF PORTION 1	LOT 87 EMOYENI No.10344
REMAINDER	LOT 88 EMOYENI No.9105
THE FARM CARLYLE No.13747	
SUBDIVIDED PORTION REMAINDER THE RANCH NO.11368	
SUBDIVIDED PORTION REMAINDER OF PORTION 1 THE RANCH	
No. 11368	

Name of Proponent: TRONOX KZN SANDS

Any persons (family/ descendants or friends) with any knowledge of these graves and who wish to provide information in this regard are urged to contact any of the following individuals.

AFRICAN GRAVE RELOCATION SPECIALISTS

Anna Marie Ludik: 073 192-9390

Lazarus Mankgane: 079 383-1674

ANNEXURE D

ATTENDANCE REGISTERS

AGRS

086 515 1178

p.1

Graves of 5+9
Families = 14



AFRICAN GRAVE RELOCATION SPECIALISTS

VAT 4950212979 CC 2007/153460/23 Trading as Martin's Funerals

46 Vosloo Street
Birchleigh
Kempton Park
1619

Tel: 073 192 9390

Fax: 086 515 1178

Email: ajudik@telkomsa.net

04 / 02 / 2013

ATTENDANCE REGISTER

FAIRBREEZE

Meeting 04/02/2013

1. Thembinkosi M. Ndimande 0735822103
2. Siboniso S. Mngomezulu 0767736142 EMAIL ssmngomezulu@gmail.com
3. Annelize Heyns 083 741 2564 Annelize.Heyns75@gmail.com
4. Jacques Herremann 079 952 7466
5. _____
6. _____
7. Annelize Meeting.
8. _____
9. Amelien not available for meeting - mail received 04/02/2013 passed
10. no person have knowledge of the meeting at mine office
11. Fair Breeze.
12. _____
13. _____
14. _____

Meeting *Jan Breeze* 05/04/2013

Nzura Tribal Council

05 April 2013

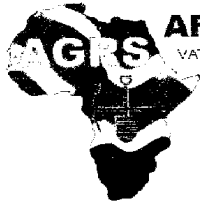
Anelys Evans 083 7412544
 Wilfred Ndlovu 078 176 7893
 Mphahlele Mphahlele 071 468778
 Pheliso Ndlovu 074 7666 988
 Babbebeni Mwananyama 076 9882205
 Joseph T Ndlovu 084 6897630
 Sifiso S Ndlovu 0799307448
 Joseph Ndlovu 076 7618 995
 Mphahlele J Mkhogqana
 Fudzoatho Mkhogqana 0723687174
 Sigidia Ndlovu 07329 15201898
 Mkhosethi Ndlovu 078 30178 15
 Sparrow M Ndlovu 073 7025895
 Mphahlele Mwananyama 070 133 1814
 Mphahlele Mkhogqana 0714 970742
 * Victor Ndlovu 0734331049 *

See 086 515 1178

Apr 19 2013 08:55PM P1

FORM NO. : 0215561213

FORM NO. : 0215561213



AFRICAN GRAVE RELOCATION SPECIALISTS

VAT 4950212979 CC 2007/153460/23 Trading as Martin's Funerals

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 Kempton Park
 1619
 Tel: 073 192 9390
 Fax: 086 515 1178
 Email: aludik@telkomsa.net


15/03/2013

ATTENDANCE REGISTER

TRONOX KZN SANDS
FAIRBREEZE

Meeting 15/03/2013

1. Anetize Heyris 083741 2564 AGRS
2. Amelie Faure 083 304 1070 Tronox
3. mP Ntuli 082 055 3716 Macombini
4. VB Khoso 018 351 7587 Macombini
5. m mthiyane " "
6. S Msweli 083 989 2250 "
7. m Nkwampira 018 8376320 "
8. D m Mkhongo 082 2910941 Ojicigwini A/C
9. N V Mzura ^{Nzura} 0734351049 M Nzura A/C
10. Cup kukema 072 3668351
11. _____
12. _____
13. _____
14. _____



COURSE ATTENDANCE REGISTER

PowerDocs No:
224872

Page 2 of 1

COURSE NAME	Fairbreeze - Graves Location Meeting	TRAINING PROVIDER'S NAME	Tronox KZN Sands
COURSE START DATE	15/03/2013	FACILITATOR'S NAME	A Fouché
COURSE END DATE	15/03/2013	DOL REGISTRATION NUMBER (only to external provider otherwise not applicable)	
DURATION (DAYS/HRS)		TRAINING SECTOR REGISTRATION NUMBER (only a to external provider otherwise not applicable)	

Gender & Race Codes (Mark with X)
 (WF= White female; WM= White male; CF= Coloured female; CM= Coloured male; IF= Indian female; IM= Indian male; AF= African Female; AM= African Male)
 As this is an official document please complete it with - Ink pen.

FULL NAME	SURNAME	DEPARTMENT EG: MPP, SPP, EMP, WINE If operator: write full name of COMPANY	JOB TITLE	Tel number EMP-REG-TRD-NUMBER	Race and gender							SIGNATURE		
					WF	WM	CF	CM	IF	IM	AF		AM	
1. C. P. ...	Maakhele	Macombini Zulu		0723668351										
2. H. V.	KIZUZA	NDUZO JK		0734331019 K										
3. D. M.	MHADIMBA	CHASWINI		0822910941										
4. M.	NKHWANYANA	MACOMBINI TRIBUKU		0788376320										
5. S.	MISWILELI	MACOMBINI TRIBUKU		0835852250										
6. M.	MTHYANG	MACOMBINI TRIBUKU												
7. V. B.	KHORA	MACOMBINI TRIBUKU		0783577587										
8. M. P.	NTULI	Macombini		0820553196										
9. Anelize	Heuns	AGRS		0837412564										
10. Annela Fouché		Tronox		0833041070										

Office Use:	Date:	Signature:
SAP Business Event nr.		
Firmly Booked		
Follow Up		
SABA		

IHM_CPC-#224872-v6-Course_Attendance_Register_HRD.DOC





AFRICAN GRAVE RELOCATION SPECIALISTS

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 Kempton Park
 1619
 Tel: 073 192 9390
 Fax: 086 515 1178
 Email: aludik@telkomsa.net

25/06/2013

ATTENDANCE REGISTER

TRONOX KZN SANDS

Meeting 25/06/2013

1. Annelize Heyns 0837412924 AGRS aludik@telkomsa.net
2. Sophy Rakgalakane 0799039796
3. Marius Vlok TRONOX 083 709 6556 marius.vlok@za.tronox.com
4. Bronwyn PARKER 076 869 4280 Bronwyn.Williams@eol.com
Sipho.mkhwanogzi@za.tronox.com
5. Sipho Mkhwanogzi 0859027247
6. NICK BULUNGA 071 877 2504 Nick.bulunga@za-tronox.com
7. Thembenkosi M. Ndimande 073 5822102-
8. Siboniso Mkhwanogzi 0767736142 smg@tronox.com
9. Jan Beukes 0834170317 jan.beukes@za.tronox.com
10. PS Mthembu 072 841 8473
11. _____
12. _____
13. _____
14. _____

