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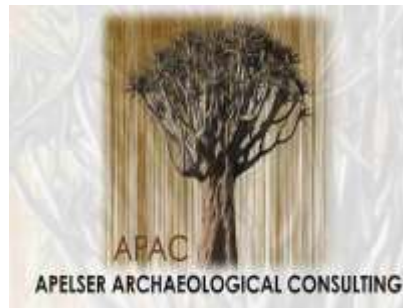
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Comprehensive and Professional Solutions for all Heritage Related Matters
CK 2006/014630/23 **VAT NO.: 4360226270**

Reference: APAC017/52

2017-08-02

To: **Whom it May Concern**

**M&T Development (Pty) Ltd
P.O.Box 39727
FAERIE GLEN
0043**

RE: ASSESSMENT OF GRAVE SITES & GRAVES TO BE EXHUMED AND RELOCATED FROM PORTION 221 ZUURFONTEIN 33IR (SOPHIE'S PLACE) – IMPACT BY TOWNSHIP ESTABLISHMENT

APAC & AVBOB Funerals Johannesburg was appointed by M&T Development, in conjunction with Nali Sustainability Solutions, to undertake the assessment, exhumation and relocation of an estimated 50 graves located in an informal cemetery from the above property. The establishment & development of a Township is being planned for the site (called Sophie's Place) and will impact on the graves situated here. This necessitated the appointment to conduct the work and the follow the required processes to successfully exhume and relocate the graves from here prior to the development commencing.

Two separate site visits and assessments were conducted during the 31st of July and the 1st of August by the Specialist Team of APAC and AVBOB. During these assessments the grave site and graves were individually documented (photographed and GPS location data recorded), as well as the graves counted and numbered. Site Notices (as required by law) were also erected at the Main Entrance to the area as well as on the Grave Site as well, indicating the intent of exhumation & relocation and requesting members of the public to come forward to identify and claim these graves and to register as Interested & Affected Parties. Similar notices will also be placed in the printed media (local and national newspapers) for the same reason. This forms part of the Social Consultation process required to try and identify possible family members/descendants of the deceased individuals buried here in order to get possible consent for the exhumations.

The assessments and numbering the graves conducted during the 31st of July and 1st of August 2017 resulted in the identification of approximately **174** graves, located at 2 separate locations close to each other, with the largest number (around **170**) in the known graveyard and approximately **4** graves located in the smaller enclosed area. This means that the originally estimated number of 50 graves is far less than the actual number, and will have to be taken into consideration in terms of the costing.

AJ Pelser BA (UNISA), BA (Hons) (Archaeology) [WITS], MA (Archaeology) [WITS]

Beatrix Bed & Breakfast Trading as A Pelser Archaeological Consulting

Most of the graves on the site are stone-packed without any formal headstones with inscriptions, although there are a few with cement/concrete headstones (some with legible inscriptions). At this stage the following family names and dates for the graves (dates of death/burial) could be identified:

1. Mose **Shabalala** (1944 died aged 72 years old)
2. Abram **Mawaci** (died 6 May 37 = 1937)
3. Cledis **Mawaci** (died 3.8.42 = 1942)
4. J.C.M. **Rampeba** (dates not visible)

There are a number of others, but the inscriptions on the headstones are difficult to read/decipher at this stage. It is however estimated that most of the graves here date to the 1930's and probably up to the 1950's. A search in the Chief Surveyor General's database (www.csg.dla.gov.za) on old maps of the study area did not reveal any known or informal cemeteries here, while a similar search in the South African National Archives Database was also unsuccessful. All the graves are therefore most likely older than 60 years of age (in terms of date of burial) and is protected by the National Heritage Resources Act (Act 25 of 1999). In terms of graves the Act states the following:

According to the above-mentioned act the following is protected as cultural heritage resources:

- a. Archaeological artifacts, structures and sites older than 100 years
- b. Ethnographic art objects (e.g. prehistoric rock art) and ethnography
- c. Objects of decorative and visual arts
- d. Military objects, structures and sites older than 75 years
- e. Historical objects, structures and sites older than 60 years
- f. Proclaimed heritage sites
- g. **Grave yards and graves older than 60 years**
- h. Meteorites and fossils
- i. Objects, structures and sites of scientific or technological value.

The National Estate includes the following:

- a. Places, buildings, structures and equipment of cultural significance
- b. Places to which oral traditions are attached or which are associated with living heritage
- c. Historical settlements and townscapes
- d. Landscapes and features of cultural significance
- e. Geological sites of scientific or cultural importance
- f. Sites of Archaeological and palaeontological importance
- g. **Graves and burial grounds**
- h. Sites of significance relating to the history of slavery
- i. Movable objects (e.g. archaeological, palaeontological, meteorites, geological specimens, military, ethnographic, books etc.)

Human remains

Graves and burial grounds are divided into the following:

- a. ancestral graves
- b. royal graves and graves of traditional leaders
- c. graves of victims of conflict
- d. graves designated by the Minister
- e. historical graves and cemeteries
- f. human remains

In terms of Section 36(3) of the National Heritage Resources Act, no person may, without a permit issued by the relevant heritage resources authority:

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

Human remains that are less than 60 years old are subject to provisions of the Human Tissue Act (Act 65 of 1983) and to local regulations. Exhumation of graves must conform to the standards set out in the Ordinance on Excavations (Ordinance no. 12 of 1980) (replacing the old Transvaal Ordinance no. 7 of 1925).

Permission must also be gained from the descendants (where known), the National Department of Health, Provincial Department of Health, Premier of the Province and local police. Furthermore, permission must also be gained from the various landowners (i.e. where the graves are located and where they are to be relocated to) before exhumation can take place.

Human remains can only be handled by a registered undertaker or an institution declared under the Human Tissues Act (Act 65 of 1983 as amended).

These graves will therefore have to be exhumed and relocated after the required social consultation process has been successfully concluded and the necessary permits have been obtained. The process has already commenced with the erection of Site Notices, while the Newspaper Advertisements are being prepared for placement.

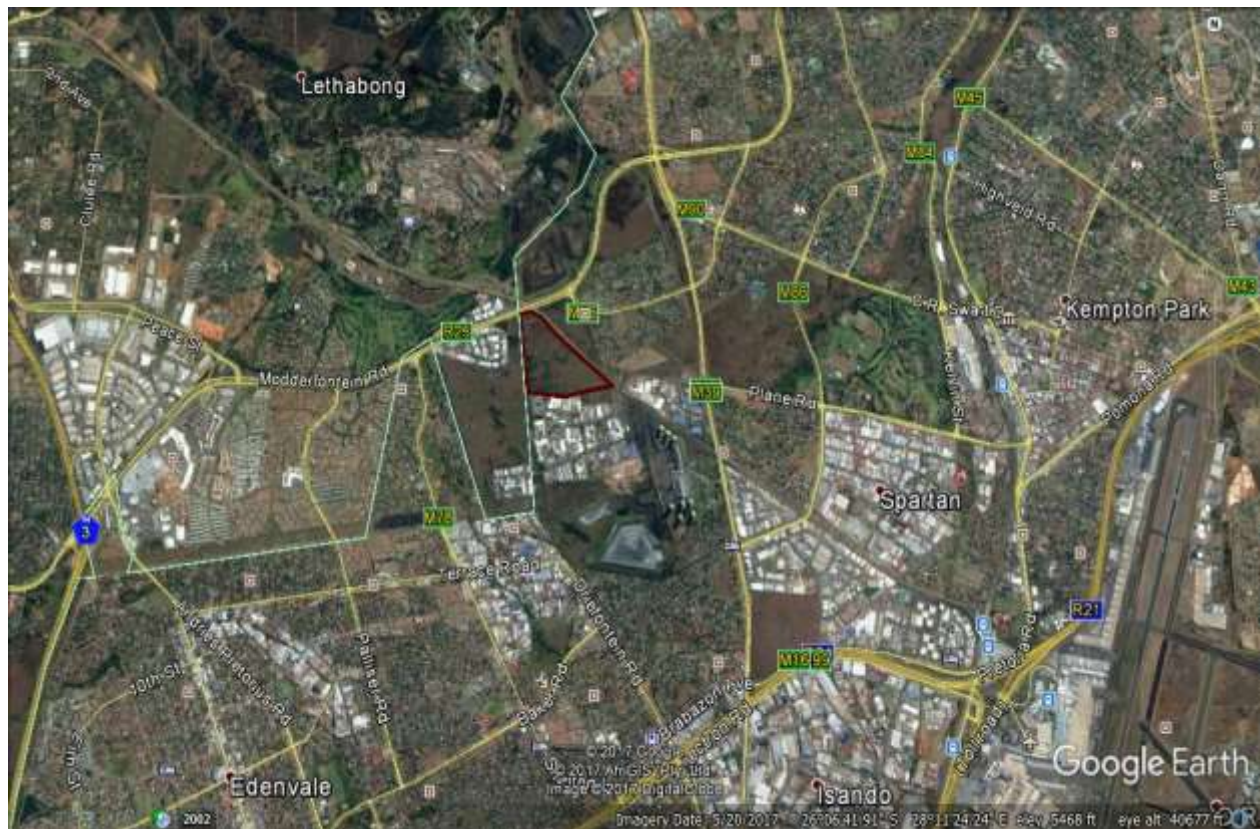


Fig.1: General location of study area in red polygon (Google Earth 2017).



Fig.2: Closer view of area and two sections of the site with graves (Google Earth 2017).



Fig.3: View of the large site with graves marked and numbered.



Fig.4: Another view of the large site.



Fig.5: The smaller separate section with possible graves marked.



Fig.6: The headstone of Mose Shabalala who died in 1944.



Fig.7: The headstone of Abram Mawaci who died in 1937.



Fig.8: The headstone of Cledis Mawaci who died in 1942.



Fig.9: The headstone of one J.C.M. Rampeba. Dates illegible.



Fig.10: Another headstone with the inscription difficult to decipher.



Fig.11: Another headstone with no visible inscription.



Fig.12: Another headstone on one of the graves.



Fig.13: A grave with a cement headstone.



Fig.14: A grave with pottery and a tin mug.



Fig.15: View of Main Entrance gate and road to the area with Site Notice erected.

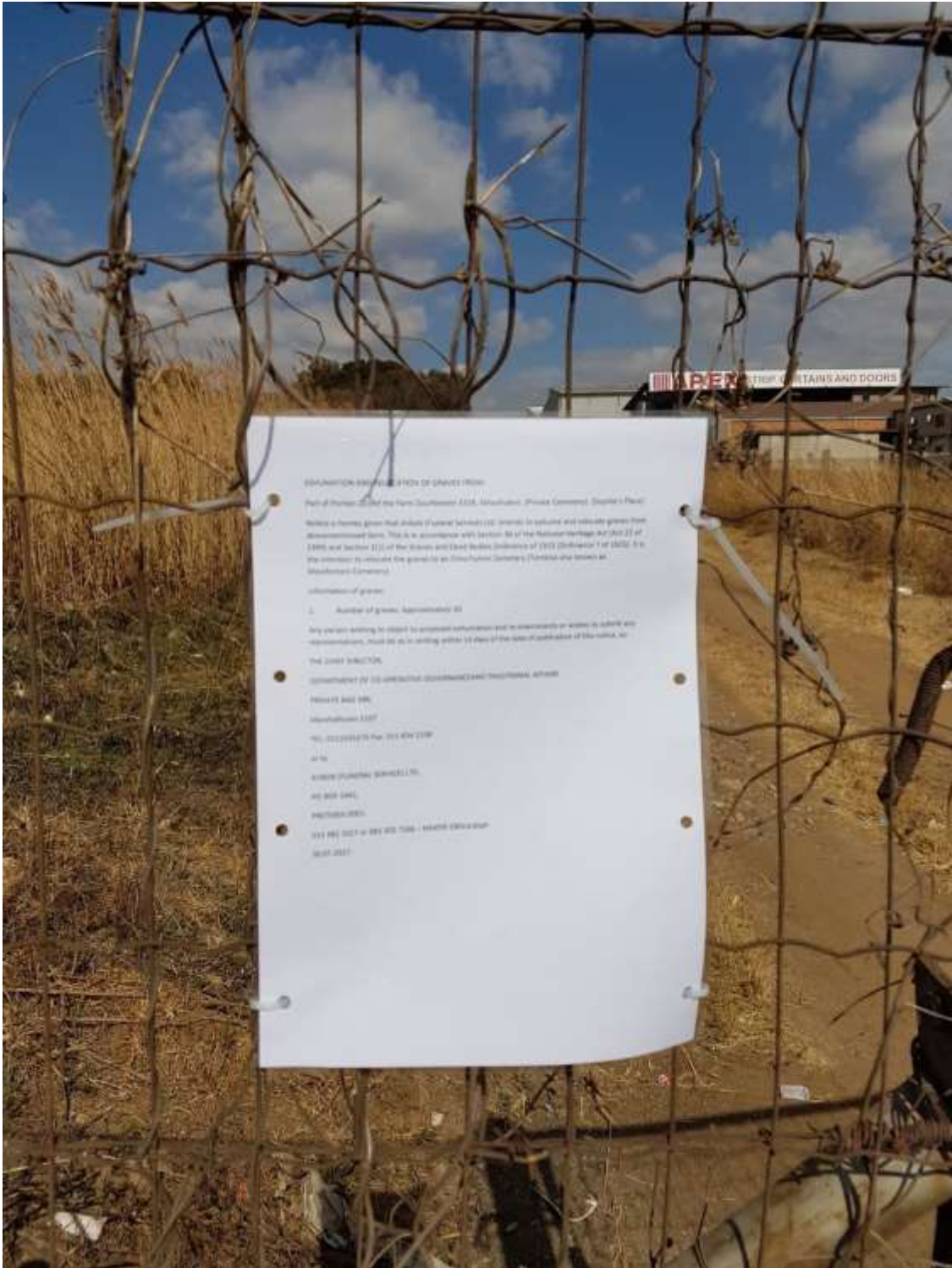


Fig.16: Closer view of Site Notice on gate.



Fig.17: Site Notices erected at the grave site.

In conclusion it is possible to say that the assessment of the grave site/s located on Portion 221 of Zuurfontein 331R (Sophie's Place) was conducted successfully. There are a total of 174 graves located on the site, with around 170 in the large section and around 4 in a separate, smaller section close by. The graves seem to date to between the 1930's and 1950's, with the largest number stone-packed without any headstones with legible inscriptions. All the graves have been numbered as well, while the required Site Notices have also been erected in various places on-site and at the Main Entrance Gate and Road leading to the site. The necessary Newspaper Advertisements are also being prepared and will be placed in due course. Once the required time-frames related to the Social Consultation has been run and the process completed, the various permit applications will be submitted. As soon as these permits have been issued the physical exhumations and relocations will be scheduled and undertaken.

The following is recommended on the way forward:

1. Continuation of the Social Consultation process that will include the placement of the Newspaper Advertisements
2. Obtaining consent from possible family members/descendants of the deceased individuals buried here
3. That a Motivation letter from M&T Development (Pty) Ltd be provided to APAC and AVBOB Funerals Johannesburg motivating the reasons why the exhumations and relocations are required. These letters are required for the permit applications as well.

Should there be any questions or comments on the contents of this document please contact the author as soon as possible.

Kind regards

Anton Pelser

A handwritten signature in black ink, appearing to be 'Anton Pelser', written in a cursive style.