



SOUTH AFRICAN HERITAGE RESOURCES AGENCY
111 HARRINGTON STREET, CAPETOWN. 8001
POBOX 4637, CAPE TOWN, 8000
TEL: 021 462 4502 FAX: 021 462 4509

FOR OFFICIAL USE ONLY: File No.:
Date received:
Date approved:
Applicant:
Site/Object:
Permit No.:

APPLICATION FOR PERMIT: BURIAL GROUNDS AND GRAVES

Please note: Permit Applications expire one year after the date of receipt.

In terms of Section 36 (3) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) 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 equipment, or any equipment which assists in the detection or recovery of metals.*

Other application forms are available for archaeological and palaeontological material and sites (302), for shipwrecks (303), for the export or sale of heritage objects including archaeological and palaeontological material, material from shipwrecks and meteorites (304), for the built environment and landscape (307) or the registration of private collections (402).

Applicants are advised that without full details no permit may be issued.

A. DETAILS OF APPLICANT AND OTHER RELEVANT PEOPLE

1. Name and address of archaeologist or person who is to be responsible for the action(s):

Trust Mlilo (acting as Principal Investigator)
Sativa Travel and Environmental Consultants (Pty) Ltd
Constantia Park Building 16-5
546 16th Road
Midrand 1685, Gauteng Province
Tel: 011
Fax:
Cell:
E-mail: trust.mlilo@gmail.com

Identity number: 7111275797189

2. Qualifications and relevant experience:

MA. (Archaeology), BA Hons, PDGE, BA & (Univ. of Pretoria) and PhD (Cand. Wits) ASAPA (Professional member). More than 15 years of Heritage Management Practice, Archaeological Research; Heritage Sites management, rescue, salvage and Phases 1 and 2 HIA studies including grave and burial relocation, ethnography).

The burial site is located on the farm Tweefontein 328 JS, eMalahleni Local Municipality, Mpumalanga Province

Latitude: S25° 51' 20.88"

Longitude: E029° 47' 23.60"

9. Is the grave/ burial ground that of -Victim(s) of Conflict? (Please circle as appropriate)

and/or **older than 60 years?**

and/or has the grave been - found accidentally during the course of development?

The inspection identified eight (8) graves located in one cluster. All the graves are marked by tombstones and inscribed headstones. The preliminary inspection noted that four graves are older than 60 years and two were confirmed to be younger than 60 years and the two graves with collapsed headstones could not be confirmed. The site looks like it has been neglected for some time but however one of the graves had recently placed coins which shows someone is visiting the site to conduct rituals.

10. Brief description:

Figure 1 and 2: View of inscribed tombstones identified on the mining area

Figure 1 and 2: View of burial site within the mining area





Mafu's Funeral Home was commissioned by South 32 SA Coal Holdings to conduct Phase 2 Heritage Mitigation for burial grounds and graves relocation from the proposed mining development site (see figure:1). Mafu's Funeral Home is working with Sativa Travel and Environmental Consultants (Pty) Ltd as the archaeologists and heritage specialists for the project. The latter's archaeologists and heritage specialists team conducted a field and site condition survey of the mining footprint. The survey identified a total of 8 graves located at one site. The identified burial grounds are on the direct mine footprint.

Figure 4 and 5



12. Geographical Situation of Site or Object (Please mark general location of grave(s) on a photostat of a 1:50 000 map (NB)

Locality Map

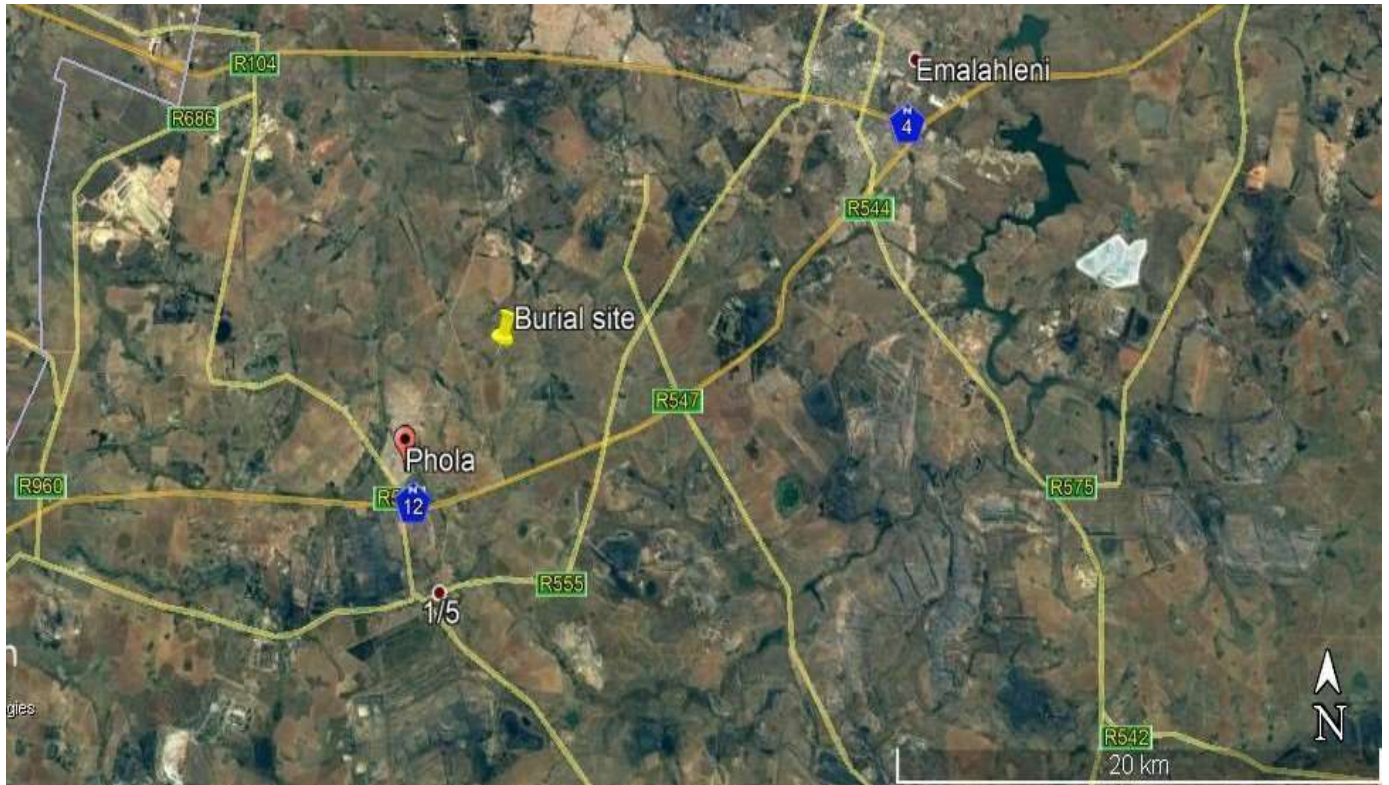


Figure 6 - Locality Map

Province: Mpumalanga
Magisterial district: eMalahleni Local Municipality
1: 50 000 Map number: 2429BC
Latitude & Longitude: S25° 51' 20.88" E029° 47' 23.60"
Recording method (GPS, Trig., Other): GPS
Farm Name and No.: Tweefontein 328 JS
/Town: eMalahleni
Nearest Town: eMalahleni
/ Street address & Erf # : N/A

13. If it is a national or provincial heritage site / object, the number and date of the notice in the *Government Gazette*

Gazette: Not applicable.

C. REASON FOR APPLICATION

14. Purpose of and reasons for application:

The application is for relocation of the graves located on the farm Tweefontein 328 JS, eMalahleni Local Municipality, Mpumalanga Province. The site is within the mining area and is directly affected by the mining activities.

15. Period for which permit is required (Permits are not normally issued for periods longer than three years):

From: As soon as possible

To: July 2022

16. Nature of activity. Please circle the appropriate activities below

Destruction or Damage*

Exhumation and re-interment*

**Excavation*
other equipment****

Other*

Alteration* (e.g. Restoration)

Removal from original site*

Bring into use a metal detector or

*: Refer C.14. above.

D. PREREQUISITES FOR PERMIT

17. Please indicate what arrangements have been made for the exhumation and re-interment of the contents of the grave(s)(provide documentation and details):

Sativa TEC (Pty) Ltd assisted by Mafu's Funeral Home will conduct the exhumation and reburial. A qualified archaeologist will manage and supervise the whole exhumation process. He will also undertake and complete the reporting process thereof.

18. Please give details of consultation with communities and individuals who by tradition has an interest in the grave(s), and of the agreement reached with such communities and individuals (as required by Act 36 and the relevant Regulations Chps IX and XI) (provide documentation and details):

Mafu's Funeral Home in collaboration with the heritage team conducted the public consultation. The team tracked the Swanepoel, Marais and Pretorius families within Middelburg, Witbank, Delmas and the Phola area. The team has not yet positively identified families that have links to the burial site. The consultations are still on-going and we hope to track down all the descendants of the affected graves. Full social and ethnological consultation will commence in due course in line with the requirements of the National Heritage Resources Act to ensure that the potential custodians are identified and consulted about the proposed relocation of the affected graves.

Mafu's Funeral Home advertised in the Middelburg Observer and Witbank News on the 12th of March

2021. The adverts were both in Afrikaans and English. In addition, Mafu's Funeral home advertised on the Radio Kragbron (Afrikaans) in order to reach out to potential custodians of the graves. On the other hand, Mafu's Funeral submitted an application letter to SAPS Phola on the 25 February 2021 and obtained authorisation on the 7th of May 2021. Mafu's Funeral Home obtained authorisation from eMalahleni Local Municipality (ENV17/4/1) on the 8th of May 2021.

I, Trust Mlilo, **Undertake strictly to observe the terms, conditions, restrictions, regulations, and guidelines under which the Council may issue the permit to me.**

Trust Mlilo (Principal Investigator)

Signature: 
(Applicant & Principal Investigator) Date: 2021/07/15

Place: Pretoria

I, Refer Appendix C for permission from South 32 .
hereby give permission for the above actions to be undertaken.

Signature:N/A
(Landowner) Date: N/A Place: N/A

I Not applicable Head of
(institution) hereby undertake to store in our institution the relevant material and records.

Signature: N/A Date: N/A
(Head of Institution)

From May 2006, certain permit applications submitted to the South African Heritage Resources Authority, SAHRA, in terms of the National Heritage Resources Act (Act No 25 of 1999) must be accompanied by payment of the appropriate fee (PTO).
Permit Applications made on **SAHRA APM Permit Form No 305** will carry the following fees:

1. Permits issued by SAHRA Archaeology, Palaeontology & Meteorite Unit (APM) Unit for burials	Fee	*Application Code
i. Application fee for burials disturbed or relocated in terms of s.36 in consequence of development;	R250 unless SAHRA directs otherwise	*AP305BUR
ii. Application fee for accidentally discovered burials disturbed or relocated in terms of s.36;	Exemption	*AP305BAE
2. Permits issued for Victims of Conflict in terms of s.36;	Exemption	*AP305EXE

Kindly ensure that you supply the Application Code (see table above*) followed by the surname of the permit applicant, in the reference section of the bank deposit slip.

For example, AP305BUR MGUNI would be entered in the reference section of the bank form for an application for restoration or relocation of a grave from an applicant with the surname Mguni.

Charges may be waived, at the discretion of SAHRA Chief Executive Officer, for certain permit applications. It should be NOTED that SAHRA may, in terms of section 3 of the SAHRA permitting regulations, require that a financial deposit be lodged with SAHRA to safeguard a heritage resource until satisfactory completion of the action for which the permit is required.

PAYMENT may be made by depositing the relevant amount into the SAHRA bank account and faxing or producing the proof of payment (i.e., stamped deposit slip, internet banking confirmation, etc.), OR through Internet Banking and emailing or faxing proof of payment, OR by cheque, on application.

PLEASE TAKE NOTE THAT APPLICATIONS NOT ACCOMPANIED BY A PAYMENT OR PROOF OF PAYMENT MAY NOT BE PROCESSED UNLESS EXEMPTED ABOVE OR BY SAHRA.

SAHRA BANKING DETAILS:

**South African Heritage Resources Agency
ABSA Bank, Adderley Street; Cape Town
Bank Code: 63 2005; Account Number: 40-6416-0070.**

Should you have any queries please contact the appropriate unit via: SAHRA, PO Box 4637, Cape Town 8000; or by email at info@sahra.org.za; or Tel: 021 462 4502; Fax: 021 462 4509.