19 June 2015

PGS
HERITAGE & GRAVE
RELOCATION CONSULTANTS

APPLICATION TO RELOCATE GRAVES LOCATED AT – SAVANNA CITY TOWNSHIP ESTABLISHMENT ON ERF 4387 IN EXTENSION 3 OF THE FARM DOORNKUIL 3619Q SEDIBENG DISTRICT GAUTENG PROVINCE.

In terms of the Regulations Relating to the Management of Human Remains (No R 363 of 22 May 2013) of the National Health Act (No 61 of 2003) and Ordinance 7 of 1925 (Graves and Dead Bodies Ordinance) (re-instituted by Proclamation 109 of 17 June 1994), we are applying to exhume the mortal remains buried in <u>approximately 11 graves in 1 informal cemetery</u> on the above mentioned property, and to have them re-buried elsewhere. In addition we also comply with the relevant requirements set out in Section 36 of the National Heritage Resources Act (Act 25 of 1999).

BACKGROUND INFORMATION

During a previous grave relocation project, <u>an additional cemetery as described above was identified</u> by the client (Appendix 1). PGS Heritage were made aware of this additional cemetery and advised that a separate process of social consultation and permit applications were necessary prior to any relocation of this additional cemetery. The development impacting on the current location of the graves is <u>a housing development of large extent</u>. All other permissions and permits required for the development have been granted and the installation of essential services and infrastructure has already started.

Our company has been appointed by <u>Savanna City Development</u> to effect the relocation of these 11 graves. We will be assisted in this regard by <u>Martins Funeral Undertakers</u>, <u>Roodepoort</u>.

LOCATION OF THE GRAVES

The graves, in question, are located on the following property that falls under your jurisdiction:

Savanna City Development. Farm Doornkuil, 369IQ Erf 4387 Extension 3 (Appendix 2).

LEGAL COMPLIANCE

In order to fully comply with legislation we are also seeking the permission of the following entities:

- In terms of Removal of Graves and Dead Bodies Ordinance (Ordinance 7 of 1925) we are applying to the delegated Provincial MEC which is also the authorized sphere of government identified in of the Regulations Relating to the Management of Human Remains (No R 363 of 22 May 2013) of the National Health Act (No 61 of 2003).
- In terms of the Regulations Relating to the Management of Human Remains (No R363 of 22 May 2013) of the National Health Act (No 61 of 2003) we are applying to the Local and District Municipality who have jurisdiction to ensure the supervision of an Environmental Health Practitioner.
- In terms of the Regulations Relating to the Management of Human Remains (No R 363 of 22 May 2013) of the National Health Act (No 61 of 2003) we will notify the local SAPS and arrange for a member of SAPS to be present during the exhumation. A copy of the notice letter to SAPS with proof that it was received (Appendix 3).

POSSIBLE HEALTH RISKS IDENTIFIED

Due to the nature of the graves subject to this application no specific health risks were identified. It is expected that all of the remains will be fully skeletonized and that the graves will contain dry bone only. We have applied for permission from the Provincial Department of Health to conduct the exhumations and re-burials subject to this application.

EXHUMATION PROCESS

The exhumation of the graves subject to this application will be conducted by a professional registered funeral undertaker assisted by an accredited archaeologist where it is required by the National Heritage Resources Act (25 of 1999). Where the affected family or next-of-kin could be identified their presence at the exhumation and participation in the re-burial will be arranged.

All actions in terms of supervision and control during exhumation and re-burial will be in compliance with the requirements of Regulations Relating to the Management of Human Remains (No R 363 of 22 May 2013) of the National Health Act (No 61 of 2003).

Any person that comes in contact with the human remains or is involved with the excavation of the grave will be supplied with, and be required to wear the appropriate Personal Protective Equipment (PPE). The human remains will be placed in a new coffin at the grave side immediately upon exhumation and will be sealed and disinfected before handling and transport to the re-burial site. Disinfectants and precautionary measures will be used during all stages of the exhumation process.

A registered Funeral Undertaker from the jurisdiction in which the graves are located was appointed to conduct the exhumation, transport and re-burial of the graves. A letter of appointment and acceptance is attached as a separate document (Appendix 4).

CONSULTATION WITH AFFECTED PARTIES

In order to identify the deceased individuals buried in the graves subject to this application the following public participation and social consultation activities were conducted:

- Leading up to the inception of the development project an extensive public participation process
 was conducted in compliance with environmental, social and Heritage Impact Assessment
 processes. This culminated in the granting of a record of decision (RoD) allowing the project to
 continue on the recommendation that the affected graves be exhumed and re-buried
 elsewhere.
- Of the 11 graves located at this cemetery only one has an inscribed headstone, which reads

MATE EA RATEHANG

ELIAS TAUKOBO

THAKO 1878

AFALLA 9 – 8 – 1925

- Mr Frans Mokoena was visited on 2 November 2014, Mr Mokoena said that he had no knowledge of additional graves on the farm and refered us to the Tshabalala family.
- Mrs Maria Tshabalala was visited at her home in Apple Orchard on 2 November 2014. She was not home so a card and a message was left to phone 073 800 3602.
- Mrs Sarah Mabote (cell: 078 548 1880) called Mr Nienaber on 3 November 2014 and reported to have graves and wanted to arrange a site visit.
- Mr Nienaber contacted Mrs Sarah Mabote on 13 March 2015. Mrs Mabote informed Mr Nienaber that her family graves were close to the river and were in fact not those located at cemetery 6 and that she does not know the Taukobo Family.
- Mr Nienaber contacted Mrs Maria Tshabalala who confirmed that she has no information about the graves located at cemetery 6 and that she is not familiar with the Taukobo Family.

 To accompany the public consultation process site notices in English and isiZulu were erected at the site (Appendix 5) as well as bilingual newspaper notices were published in the Daily Sun (15 April) and Lenasia Times (Mid-April 2015)

<u>Response received on the notices placed:</u> No response was received as a result of the notices that were placed. Some community members, when asked, indicated that they have noted they heard and read the notices, but didn't respond since they did not have graves in that area.

In addition extensive documentary and archival research was conducted.

 Documentary and archival research with the aim of identifying the graves and the possible next-of-kin of the deceased individuals was conducted by a professional historian with experience in archival research. The farm name or physical address where the graves are located, as well as any names from headstones and any available historical maps and photographs were included in the research.

Name and contact particulars of historian: <u>J Kitto and PD Birkholtz, PGS Heritage, jennifer@pgsheritage.co.za, Tel: (w) 012 332 5305</u>

<u>Summary of results:</u> No reference to graves on the properties in question were found in any of the sources. According to the List of farms in the Transvaal book the farm was previously Doornkuil 36, Vereniging district. Documents and plans relating to this farm were found, but none referred to graves on the property. The subdivision of the farm is documented, but no cemeteries are mentioned. Some documents with information regarding owners at certain dates and administration applications were also found.

Based on the results of the above actions an extensive stakeholder based social consultation
process aimed at identifying and consulting with individually affected families was
conducted over a period of three months by a professional social consultant. The findings
were as follows:

Name and contact particulars of social consultant: <u>Coen Nienaber, PGS Heritage,</u> <u>coen@pgsheritage.co.za, Tel: (w) 012 332 5305</u>

<u>Summary of results:</u> From the previous grave relocation project, which culminated in September 2014, no relatives or leads as to the descendants of the deceased individuals

located at this newly discovered cemetery came forward. To ensure that the possibility of

relatives being contacted an additional social consultation phase was initiated. In conclusion

no next of kin could be identified for the deceased individuals' cemetery 6.

Permission by next-of- kin: <u>Due to the fact that the buried individuals and next-of-kin could</u>

not be identified the grave and affected family remains unknown.

• Landowner permission: A copy of the land owner's permission to exhume and re-bury the

remains is attached as a separate document (Appendix 6).

RE-BURIAL OF THE REMAINS

The remains in graves subject to this application will be reburied at the closest municipal cemetery,

Evaton cemetery.

APPLICATION

We hereby apply for permission to exhume and rebury the remains in 11 graves currently at

Savanna City Development. Farm Doornkuil, 369IQ Erf 4387 Ext 2 for reburial at Evaton Municipal

Cemetery.

If any additional information is required please feel free to contact the undersigned.

Yours sincerely,

Coen Nienaber

Archaeologist for PGS Heritage

W.C. Menakes.

Cell: 083 279 5738

e-mail: coen@pgsheritage.co.za

APPENDIX 1 – PHOTOS OF CEMETERY 6

Savanna City Cemeteries











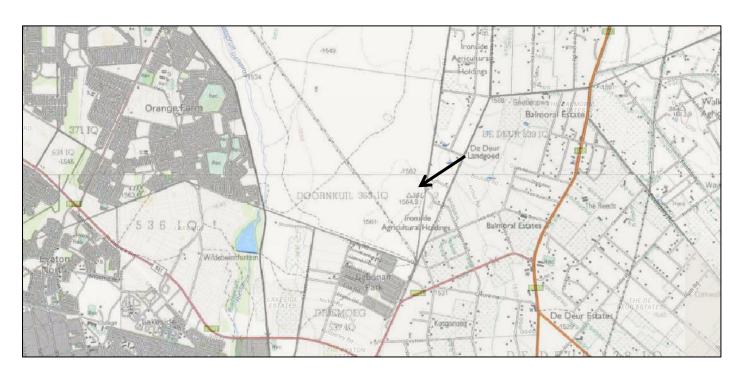






APPENDIX 2 – MAP OF THE LOCATION OF CEMETERY 6





APPENDIX 3 - NOTICE LETTER FOR SAPS AND RESPONSE

6/10/2014 PGSHeritage Mail - APPLICATION TO RELOCATE GRAVES LOCATED AT -SAVANNA CITY TOWN SHIP ESTABLISHMENT ON PORTION...



Coen Nienaber < coen@gravesolutions.co.za>

APPLICATION TO RELOCATE GRAVES LOCATED AT – SAVANNA CITY TOWNSHIP ESTABLISHMENT ON PORTIONS 1, 9, 10, 11, 12 AND 18 OF THE FARM DOORNKUIL 369IQ, SEDIBENG DISTRICT GAUTENG PROVINCE

GP:De Deur SC <SlabbertSonja@saps.gov.za>
To: Coen Nienaber <coen@gravesolutions.co.za>

5 June 2014 14:45

Mr Coen Nienaber

- 1) I hereby acknowledge receipt of your letter.
- 2) The Station has no objection against the relocation of the graves if done in accordance with prescribed laws.

Colonel Sonta Slabbert

Station Commander

De Deur SAPS

Tel: (016) 590-1070

Fax: (016) 590-2075

Cell: 0.82 412 5766

Fax to Mail: 0.86 246 74.86

In Service With The King!!!

From: Coen Nienaber [mailto:coen@gravesolutions.co.za]

Sent: 05 June 2014 11:26 AM

To: GP:De Deur SC

 $\begin{array}{l} \textbf{Subject:} \ \ \text{Fwd: APPLICATION TO RELOCATE GRAVES LOCATED AT-SAVANNA CITY TOWNSHIP} \\ \text{ESTABLISHMENT ON PORTIONS 1, 9, 10, 11, 12 AND 18 OF THE FARM DOORNKUIL 369IQ, SEDIBENG} \\ \end{array}$

DISTRICT GAUTENG PROVINCE

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APPENDIX 4 – MARTINS FUNERAL UNDERTAKER APPOINTMENT AND ACCEPTANCE LETTER



CC 2000 / 038855 / 23 VAT NUMBER: 4220195681 5 Paris ave, Bordeaux, Randburg P.O. Box 1964, Randburg, 2125 Tell Nr. (011) 781-3966 Fax Nr: (011) 326-3850

Website: www.martinsrandburg.co.za

2015/06/12

To whom it may concern

Relocation of 11 graves impacted by the development of Savanna City Ext1 and Ext4 on the farm Doornkul 369 IQ, Sedibeng District Municipality.

I hereby confirm that our company has been appointed by PGS Heritage to effect the relocation of the remains buried in 11(Eleven) graves impacted by the development of Savanna City Ext1 and Ext4 on the farm Doornkul 369 IQ, Sedibeng District Municipality.

Kind regards,

Kobus Herbst

General Manager

Members: C. Wolmarans (Operations), B. Wolmarans (Financial) J.J.T. Herbst (General Manager)

APPENDIX 5 – SOCIAL CONSULTATIONS: SITE AND NEWSPAPER NOTICES

2014-11-02

ISAZISO: UKUNGENELELA EZINSALELENI ZEZIDUMBU EZISEMATHUNENI

Lapha kukhishwe isaziso sokuthi:

I-PGS Heritage ne Savannah City

Bahlose ukufaka isicelo ngokwemigomo yeSigaba 35 neSigaba 36 soMthetho owaziwa ngele-National Heritage Resources Act (uMthetho, nombolo-25 wangonyaka-1999); national Health Act (Act 61 of 2003) kanjalo nazo zonke izimiso ezifanele zakuleyo ndawo; ekuphathweni kweSifundazwe, yisifundazwe amathuna akuso, iSouth African Heritage Resources Agency (SAHRA) noma iziko eligunyaziwe yisifundazwe kanjalo nomasipala ofanele wakuleyo ndawo, ukuthola imvume yokumba izinsalela zamathuna angcwatshwe kulendawo:

Savannah City Development, Orange Farm, Gauteng Province,

Erf 4387 in Extension 3) GPS coordinates: S 26°27'54.62"; E 27°55'0.21"

Lamathuna azothinteka ngokuthi ambiwe asuswe kulendawo akuyo njengamanje izinsalela zawo zingcwatshwe kabusha kwindawo entsha ngokwesicelo nokuvumelana nemindeni ethintekayo. Bonke abantu, umphakathi othintekayo noma ohlobene ngokwesiko kanye nezizukulwane zabantu abangcwatshwe kulendawo bayamenywa ukuba babambe iqhaza kulokhu nokuthi kumele balethe imininingwane yabo yokuxhumana kulelikheli elingezansi ezinsukwini eziyi-60 kusukela osukwini olukulesi saziso:

Mr. Coen Nienaber

PGS Heritage, PO Box 32542, Totiusdal, 0134

Tel: 012 332 5305, Fax: 086 675 8077, Cell: 083 279 5738

E-mail: coen@pgsheritage.co.za



2014-11-02

NOTICE: MITIGATION OF AFFECTED HUMAN REMAINS IN GRAVES

Notice is hereby given that:

On behalf of Savannah City and PGS Heritage

intend applying in terms of Section 35 and 36 of the National Heritage Resources Act (Act 25 of 1999); as well as the national Health Act (61 of 2003) 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

for approval to exhume and re-inter in a local cemetery, or to mitigate by other means, the remains of graves buried at this location:

The human remains will be exhumed from their current place of burial and reburied in a new location *as per* the request of the deceased's families. All persons and communities descendant from the buried individuals, all persons and communities by tradition concerned with the graves or any person or communities with an interest in the graves are invited to participate in the process and must forward their contact particulars to the address listed below **within 60 days of the date of this notice**:

Mr. Coen nienaber PGS Heritage, PO Box 32542, Totiusdal, 0134

Tel: 012 332 5305, Fax: 086 675 8077, Cell: 083 279 5738

E-mail: coen@gravesolutions.co.za





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Mid-April, 2015

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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

for approval to exhume and re-inter in a local cemetery, or to mitigate by other means, remains of graves buried at this location:

Savannah City Development, Orange Farm Gauteng Province, (Erf 4387 in Extension 3) GPS coordinates: S 26°27'54.62"; F 27°55'0 21"

The humanremains will be exhumed from their current place of burial and reburied in a new location as perthe request of the deceased's families. All persons and communities descend from the buried individuals, all persons and communities by tradition concerned with the graves or any person or communities with an interest in the graves are invited to participate in the process and must forward their contact culars to the address listed below within 14days of the date of this notice:

PGS Heritage, PO Box 32542, Totiusdal, 0134 Tel: 012 332 5305, Fax: 086 675 8077, Cell: 083 279 5738 E-mail: coen@pgsheritage.co.za

ISAZISO: UKUNGENELELA

EZINSALELENI ZEZIDUMBU

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Laphakukhishweisazisosokuthi

I-PGS Heritage neSavannah City

gele-National Heritage Resources

Bahloseukufakaisicelongokwemigomoye

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RELIGION on the

Religion, Secularism and Democracy

After the so-called "Arab Spring", political pundits Aret in so-carred Arab spring, pointed punding began to speculate on the nature of future administrative changes in the Middle East. There is currently some debate on how intensely traditional and religious societies will react to more modern forms of statecraft.

So, is political Islam compatible with democracy and secularizing. To answer the question at least to some

secularism? To answer the question, at least to some extent, it is necessary to review and clarify some

To illustrate, many people imagine "secularism" and

To illustrate, many people imagine "secularism" and "democracy" as ideologies that are interchangeable (meaning one and the same). This is a fallacy! Secularism as a case in point may be defined as the notion of "separating politics from spirituality, whilst allowing freedom of religion on an equal basis".

allowing freedom of religion on an equal basis".

Democracy on the other hand, can ultimately be regarded as: "The investment of all political power in the hands of the people of a country and their representatives." Notice here the complete absence of reference to religion or spirituality.

Indeed, the above definitions clearly demonstrate that a secular country need not necessarily be a democratic one (though thankfully most are), nor does secularism have to be a ne-condition for a democratic state.

have to be a pre-condition for a democratic state.

have to be a pre-condition for a democratic state. Thus, people must acknowledge, however reluctantly, that it is very possible for a country to operate as a "Religious Democracy". Those that deny this possibility will argue that all states based on religious doctrines MUST be regarded as Theocracies ("Theo's" meaning God and "Cracy" meaning government). Clearly implying an autocracy dominated by priests. dominated by priests.

Yet in spite of this, Muslims continually profess to regard their holy book as a complete source of law. These codifications (derived from the Quran), if translated into the Greek word for LAW will be called "Nomos". Since Islam REJECTS the concept of "Nomos". Since Islam REJECTS the concept of Priesthood, but chooses instead to follow a constitution based on a document called the Quran, an Islamic state

osset on a tocument caret un Equant, an issiants state CANNOT be referred to as a Theocracy. Instead a true Islamic administration could in fact justly be referred to as a "Momocracy" (a dominion by Law or in Arabic "Shariah"). Islamic rule at its best can easily function as a more ethical version of modern democracy. The Quran states in ch.42:38: "...Those democracy. In e Quran states in cn.42382. "... Inose who conduct their affairs by mutual consultation..."and further "...and consult the people on current affairs..."ch.3:159. Also: "...And the believers, men and women are protecting friends one of another..."ch.9:71. The reader may refer to my booklet Political principles in Islam for more insight. Let us now briefly turn our attention to the temporal.

Do the ideals of secularism feature at all in a religious state?

Well, firstly the notion of Secularism and its followers well, insuly the notion of secularism and its followers should be applauded for championing religious tolerance and its emphasis on human rights (up until recently).

Islam it must be admitted, whilst fully prepared to undertake the moral imperatives of freedom of religion and human rights, nevertheless considers it a delusion and numan rights, nevertneses considers it a detusion to divorce morality, spirituality, and hence religion, from affairs of state. The current Western assault on Muslim sensibilities on the basis of religion bears ample testimony to this delusion. Secularists (and democrats) appear to have forgotten that the maintenance of human rights has its greatest value designations of setting. during times of crisis.

during times of crisis.

Islam, for its part, simply commences from the point of view that it is much better to accept man's dependence upon ethical moral and spiritual values and proceed from that point. Doing so, allows the individual to affirm the responsibility of being part of a principled nation. In fact adherence to this system in the ancient talkens would while no reaffer, where described was obtained. Islamic world, whilst not perfect, worked remarkably well.

Nevertheless, it must be acknowledged that properly Nevertheless, 1t must be acknowledged that properly functioning religious democracies in the modern world are rare. The reasons for this are complex, but I believe that it has much to do with the philosophy of group rights versus individual rights.

In the ancient world, people were regarded as

individuals belonging to a GROUP. One's rights were therefore confined to the rights of the group (collective rights), be it religious, cultural or tribal. At its height, the efficiently run pluralistic, and (mostly) tolerant Islamic Ottoman Empire was a classic example of this. In those days, people generally behaved generally behaved predictably, and dutifully followed the accepted conventions of the time, and thus were relatively content with the status

In the modern however, INDIVIDUAL however, INDIVIDUAL rights are strongly emphasised and occasionally even at the expense of group rights. Surely this 'personal rights based' evolution conforms to the next level of spirituality in religion Unfortunately the Unfortunately the transition from group rights to strong individual rights in the modern secular world is not handled particularly well by modern Muslim well by modern Muslim to the strong to the strong result of the strong results and the strong results and the strong results and the strong results are strong results. countries. It hardly helps countries. It hardly helps that most Muslim states are currently under authoritarian rule operating under the protection of Western states. Even quasi religious non-Muslim states such as Israel (amongst others) and India under the BJP party are falling woefully short are falling woefully short in the human rights department. The reasons for this are complex and beyond the scope of this article.

Fortunately Muslims still maintain the Quran as their book of authority. In order for them to rediscover and re-organise their political goals, all that is required (as a that is required (as a starting point), is a renewed confidence in their primary document, followed by objective study rather than mindless adherence to antiquated legal precedents.

precedents.

Bashir Vania is an accomplished Islamic author, da'ee, scholar, who has engaged in many public inter-faith dialogues with non-Muslim theologians.

He is the Director of Islamic Info Centre (IIC). To learn more about Bashir Vania and the IIC, visit www.silamichio.o.sa

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26 May 2014

Burial Grounds and Graves Unit South African Heritage Resources Agency 470 Paul Kruger Street Pretoria 0001

Attention Ms Itumeleng N. Masiteng

Heritage Officer: Permitting

Tel: 012 320 8490 Fax: 012 320 8486

Dear Ms Masiteng

LETTER OF PERMISSION: EXHUMATION AND RELOCATION OF GRAVES AT SAVANNA CITY TOWNSHIP ESTABLISHMENT ON PORTIONS 1,9,10.11,12 AND 18 OF THE FARM DOORNKUIL, 369IQ

The property on which the Savanna City development is occurring is owned by Savanna City. Herewith, we give permission for the graves to be exhumed and re-buried at a different location to be determined by a social consultation process. The graves located on this property will be adversely affected by the development and it is essential that they are relocated to enable the development to proceed.

The developer has appointed Professional Grave Solutions (Pty) Ltd to exhume and relocate the graves within the above mentioned development area.

Yours faithfully

Davina Piek (Developments Director)

Directors: L Dykman, D Newton, Y Patel, A Wightman, C A Glover (Alt), BT Mulherron (Alt), P A Pappagogiannis (Alt)