

Our Ref:



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
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Enquiries: Annlin Matabane  
Tel: 0123208490  
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CaseID: 15885

Date: Wednesday February 10, 2021  
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## Final Decision

### In terms of Section 36(3) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Dr Edward Matenga

8843 Odessa Cres  
Cosmo City Ext 7  
Northriding  
2188  
Johannesburg

**Graves situated at the junction of the Heidelberg Rd (R23) and Geluksdal Rd, the latter of which is the principal entrance to Tsakane Township, were accidentally damaged during physical works for road improvement and landscaping. In accordance with Section 36 of the National Heritage Resources Act, the Ekurhuleni Metro will rehabilitate the burial ground. Representatives of the families affiliated with the graves have been consulted and they have approved the rehabilitation plan.**

The South African Heritage Resources Agency notes that the submitted application is in mitigation of the damage graves at the junction of the Heidelberg Rd (R23) and Geluksdal Rd and the public concerns raised about the matter. It has been recommended and an agreement reached with appointed representatives of the affiliated families that the graves will be rehabilitated in situ, i.e. at the original location. This understanding is confirmed in sworn affidavits, signed by the family representatives. An architectural concept for the proposed memorial has been shared with the affected families and approved. It is appended to this Report.

However, the authorisation for the in situ mitigation is not supported by SAHRA Burial Grounds and Graves Unit (BGG) due to:

- The submitted public participation process is non-compliant. A full 60 days public participation process is required to comply with the regulations as outlined in the National Heritage Resources Act (NHRA).
- The architectural concept proposed indicating 30m distance from the existing roadway; does not allow for the 100m buffer required to be maintained around all burial grounds as required by the NHRA;
- From the image provided the graves have already been disturbed in situ and their location to the roadway puts them at risk for further degradation;
- No Grave Management plan has been provided to support the mitigation recommendation for in situ

# Application for the Rehabilitation of the Tsakane Entrance Burial Ground

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preservation and site rehabilitation;

As such you are required to submit a rescue permit application for the graves including a full 60 days public participation process, and supporting authorisations.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

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Annlin Matabane  
Heritage Intern  
South African Heritage Resources Agency

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Mimi Seetelo  
Manager:Burial Grounds & Graves Unit  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/548118>