



TO: Mr E Gouws INDEKS Tel. 082 553 3787 E-mail: eugene@ifrica.com	FROM: Dr J van Schalkwyk National Cultural History Museum P O Box 28088, Sunnyside, Pretoria, 0132 Tel. (012) 324 6082 Fax. (012) 328 5173 E-mail: Johnny@nfi.org.za
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Dear Mr Gouws

HERITAGE SITES: ANNLIN EXTENSIONS

As requested, we have investigated the area where the graves are located. This is a long strip of land, running from Lavender road in the west, to George Anton road in the east. The southern border is formed by the suburb of Annlin Extensions and on the northern side it is determined by the ESKOM powerline. The graves are found at coordinates S 25.66927, E 28.20278 and occupy an area of approximately 40 metres (east-west) by 60 metres (north-south).

At an estimate there are about 60 graves, of which only one has a headstone (dating to 1952). The rest are marked with stones or bricks. Based on this date, it is our guess that at least some of the graves are older than 60 years. In that case, if relocation is to take place, it will have to be done in terms of the Heritage Resources Act, Act 25 of 1999, which requires that a qualified archaeologist exhume and document the graves, after which they can be relocated by a registered undertaker or an institution declared under the Human Tissues Act (Act 65 of 1983 as amended).

This is a process that normally takes a couple of months (advertising in newspapers, obtaining of permits, etc.). Depending on the requirements of the descendants, the undertaker used, the cost of the archaeological team and the place of relocation, this exercise can cost between R 2000-00 and R 3000-00 per unit. The alternative would be to establish a small park, and declaring a formal cemetery within it, which are then fenced off.

We also have investigated the rest of the area in which the proposed develop is to take place. Although nothing was noticed, we have to state that the grass is very tall, making it difficult to see and consequently it would be easy to miss smaller features. We therefore recommend that the client be informed to be on the lookout and if anything strange is noticed, work must cease immediately. The find must be reported to a museum, in order for an archaeologist to investigate it.

Yours sincerely

J A VAN SCHALKWYK

SOUTH AFRICAN HERITAGE RESOURCES ACT

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 is 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 (ie where the graves are located and where they are to be relocated) 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)**.