



To:	South African Heritage Resources Agency	Date:	07 October 2019
From:	Digby Wells Environmental	Proj #:	EXX3775
RE:	Addendum to the Belfast Implementation Project Burial Grounds and Graves Relocation Report		

1 Introduction

Exxaro Coal Mpumalanga (Pty) Ltd (hereinafter Exxaro¹) appointed Digby Wells Environmental (hereinafter Digby Wells) to undertake a Grave Relocation Process (GRP) as required by their Belfast Implementation Project (BIP).

This report constitutes an addendum to the Burial Grounds and Graves (BGG) Relocation Report (Digby Wells, 2019²) as relevant to the aforementioned Project.

1.1 Project Background

Exxaro is the holder of a Mining Right (MP 30/5/1/2/2/431) for the Belfast Coal Mine, presently under development. The Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET) granted Environmental Authorisation (EA [MDEDET Ref. No.: 17/2/3 N-131; NEAS Ref. No.: MPP/EIA/0000304/2012]) for the Project on 4 July 2013, after which Exxaro appointed Digby Wells to develop a Resettlement Action Plan (RAP) and undertake a Burial Grounds and Graves Consultation (BGGC) Process.

The BGGC Process aimed to identify and consult with *bona fide* Next-of-Kin (NoK) of deceased buried in affected graves regarding the future of identified graves, with specific focus on possible grave relocation. The outcomes of this process were encapsulated within the BGGC Report in support of an application for exhumation and relocation to the various national and provincial authorities. On behalf of Exxaro, Digby Wells made the following applications:

- The SAHRA BGG Unit in terms of Section 36 of the NHRA; and
- The Mpumalanga Department of Health and Emakhazeni Local Municipality (ELM) in terms of the National Health Act, 2003 (Act No. 61 of 2003) (NHA) and The

¹ Exxaro Coal Mpumalanga (Pty) Ltd is a subsidiary of Exxaro Coal (Pty) Ltd owned by Exxaro Resources Limited. For the purposes of this report "Exxaro" refers to Exxaro Coal Mpumalanga (Pty) Ltd.

² Available at <https://sahris.sahra.org.za/heritage-reports/exx3775belfastinterimgpreport>

Mpumalanga Cemeteries, Crematoria and Exhumation of Bodies Act, 2005 (Act No. 8 of 2005) (MCCEBA).

Table 1-1: SAHRIS References

Case Reference:	Exxaro Belfast GRP			
SAHRA Case ID:	9356			
Case Officer:	Thingahangwi Tracy Tshivhase			
Permit ID:	2244	2561	2719	2960
Permit Validity:	May 2016 – May 2017	July 2017 – July 2018	April 2018 – April 2019	June 2019 – June 2020
Permit Holders:	Johan Nel and Justin du Piesanie			

Following the receipt of the relevant permits and approvals, Exxaro requested Digby Wells in conjunction with the Mosaic Funeral Group (MFG) Emalahleni (hereinafter MFG) to implement the GRP. The exhumations commenced in November 2018, resulting in the relocation of all but nine (9) graves. These comprised the following:

Table 1-2: Graves not relocated before April 2019

Grave ID	Farm portion	Age	Deceased	NoK identified	NoK
238	Blyvooruitzicht 383 Ptn 10	>60 / ??	Unknown,	No	Unknown, -
232		<60	Radebe, Linah	Yes	Skhosana, Selinah
Z1G3-141	Zoekop 426 Ptn 1	<60	Masihla, Malao	Yes	Masihla, Nomasonto
Z1G3-242		<60	Mabena, Rose	Yes	Mabena, Maria
Z1G3-245		<60	Mabena, Jan	Yes	
Z1G3-341		<60	Mashile, Martha	Yes	Nkosi, Nurse
Z1G3-78		<60	Nkosi, Thomas	Yes	

Grave ID	Farm portion	Age	Deceased	NoK identified	NoK
Z1G3-115		<60	Nkosi, Dumisane	Yes	
Z1G3-201		<60	Magudulela, Sanah	Yes	Nkosi, Esther

The burial site comprising graves 232 and 238 located on Blyvooruitzicht 383 Ptn 10, was located beneath the northern edge of a construction Waste Rock stockpile's embankment. In 2018, Exxaro cleared this burial site of waste rock overfill, however, it was still located too close to the stockpile's embankment posing a safety risk when considering the vertical slope stability. Furthermore, the region experienced excessive rainfall during the 2018 wet season limiting access to the immediate vicinity of the burial site due to the creation of marshland. To safely relocate the stockpile to a different area within the mine, Exxaro had to wait for the marshland to subside therefore requiring the postponement of the exhumations of 232 and 238.

1.2 Purpose of the Addendum

The addendum to the BGG Relocation Report is to comply with the specified conditions contained within the various permits and approvals issued by the relevant authorities, in respect of the relocation of graves 232 and 238 on 30 September 2019.

2 Summary of Additional Consultation

Exxaro, supported by Bhayi Lam Consulting and Digby Wells, facilitated additional consultation with the Skhosana family in respect of their family grave, registered as 232. The first meeting was held on 26 November 2018. The intent of the meeting was to:

- Postpone the exhumations scheduled for Wednesday, 28 November 2018;
- Provide reasoning for the postponement and apologise for the delay; and
- Reach agreement on the traditional ceremonial requirements already procured and delivered, and that which will be required for a later date.

Exxaro, supported by Bhayi Lam Consulting, conducted a second meeting with the Skhosana family on 24 May 2019. The purpose of the meeting was to:

- Provide an explanation for the extended delay in the exhumation of grave 232;
- Inform the Skhosana family that Exxaro was waiting for the SAHRA permit renewal to be approved;
- Reassure the Skhosana family that the exhumations and relocations would be scheduled as soon as possible as to avoid unnecessary delays; and
- Confirm the traditional ceremonial requirements that would be procured to facilitate the Skhosana's cultural practices prior to the exhumation.

In preparation for the exhumations of graves 232 and 238, Exxaro supported by Digby Wells facilitated a final meeting with the Skhosana family on 2 September 2019. The reason for the meeting was to:

- Confirm the traditional ceremonial requirements, a date for delivery and to schedule the exhumations; and
- Reaffirm the grave site *status quo*.

3 Methodology

MFG undertook the exhumation manually utilising standard exhumation practice informed by archaeological excavation techniques, under the supervision of Justin du Piesanie. This comprised the following steps.

Table 3-1: Exhumation and Relocation Methodologies Employed

Step	Methodology Employed
Manual excavation	Excavation was undertaken by two-man teams using pick and shovel. Excavations were undertaken in arbitrary levels in the lower third of the grave pit, i.e. areas assumed to be the location of the more robust lower limbs (<i>femur, tibia or fibula</i>) that would serve as an indicator of the mortal remains depth. Attention was paid to soil colour, texture and compaction to guide the identification of the extent of the grave pit. Excavation using pick and shovel was discontinued at the first identification of mortal remains, or any other evidence of burial including corrugated iron sheets, iron nails, or remnants of coffins and other burial containers.
Recording of remains	No mortal remains were identified in either grave location. The terminal level of the grave pit was recorded through photographs and written notes.
Removal of remains	A symbolic sample in the absence of mortal remains were placed into body bags and new replacement coffins in the presence of family members (<i>where applicable</i>). No representatives from the ELM or SAPS attended any of the exhumations.
Reburial	The remains were transported to the reburial site via hearse and re-interred in previously prepared graves. Once the coffins were placed into the new grave pits, it was backfilled. Subsequent to the reburial, new tombstones were placed at the graves to conclude the process.

In accordance with the requirements of the issued permits, MFG notified the relevant authorities on 06 September 2019 of the commencement of the exhumation and relocation process.

4 Records of Exhumation and Relocation

This section presents a summary of the exhumation and relocations undertaken on 30 September 2019. This section must be read in conjunction with the BGG Relocation Report.

Table 4-1: Summary of Exhumation and Relocation Process

Date	Graves	Comments
30 September 2019	232 238	<p>MFG collected symbolic samples of the two graves situated on Blyvooruitzicht 383 Ptn 10. The symbolic remains were reinterred on 30 September 2019 in the respective relocation cemeteries, namely Vlaklaagte 2 and Siyathuthuka.</p> <p>The site was prepared prior to the exhumation on 30 September 2019, comprising the removal of rubble associated with the Waste Rock stockpile. Due to surface impacts, no visible surface markers for the graves remained. The location of the two graves was identified using Global Positioning data (GPS) data recorded in 2015 as part of the consultation process.</p> <p>Manual excavation focussed on the recorded areas, demarcated by wooden stakes positioned on the four corners of each grave. Excavations were completed using pick and shovel methodologies, however, no grave pit could be identified. Excavation continued to the terminal level as indicated by a solid gravel and clay layer. In the absence of discernible evidence of a grave pit, MFG under the supervision of Digby Wells completed test pit excavations directly adjacent to the demarcated graves.</p> <p>No mortal remains or material culture was identified.</p> <p>The family as represented by Selina Skhosana consented to the collection of a symbolic sample for reinternment at the Vlaklaagte 2 cemetery. A symbolic sample was collected for the unknown grave 238 which was reinterred at the Siyathuthuka cemetery.</p>

5 Conclusion

Exxaro appointed Digby Wells to undertake a GRP for the BIP, completed in part during April 2019. This addendum serves to provide records of the exhumation and relocation of graves 232 and 238. To date, MFG have exhumed and relocated 162 graves, including 19 graves not previously identified comprising eight adult remains, and 11 new born graves not previously registered by the NoK.

The remaining BIP GRP graves located on the farm Zoekop 426 Ptn 1, as presented in Table 1-2, are younger than 60 years therefore falling outside the ambit of Section 36(3) of the NHRA and are subject to the legislation and approvals outlined in the BGG Relocation Report.



The graves remaining within burial ground Z1G3 are to be conserved *in situ* in accordance with the principles outlined in the Exxaro Grave Relocation Policy and entitlements encapsulated in the General Agreements.

Justin du Piesanie

From: Luyanda Ntlanjeni <luyanda@bhayilam.co.za>
Sent: Monday, 26 November 2018 17:59
To: 'Eric Mdlalose [HQP]'; 'Johan Van Der Bijl [HQP]'
Cc: 'Leon De Kock [HQP]'; fiekedj@gcs-sa.biz; Justin du Piesanie; Nondumiso Gwala
Subject: RE: Meeting with Skosana NoK and Family.
Attachments: Selina Skhosana Agreement (26Nov2018).pdf; Selina Skhosana Inscription.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear All.

The meeting held today with the Nok concerned, i.e. Mrs. Selina Skhosana, went as follows:

- Mr. Mdlalose stated that all Exxaro activities related to the exhumation and reburial of graves are governed by the laws and regulations of South Africa;
- Exxaro could have conveyed the message related to Mrs. Skhosana's grave via telephone; but the company opted to organise a meeting in order to show respect to the family;
- Mr. Eric Mdlalose explained to the Nok that the family grave registered under her name will not be relocated on Wednesday 28 November 2018, due to the fact that the grave cannot currently be accessed as it is very close to the mining operations;
- Mr. Mdlalose conveyed the message that Exxaro Management sincerely apologises for the delay in exhuming and re-burying the grave, as the company understands that the relocation of graves is a very sensitive matter;
- As a result, the company will deliver the groceries, the goat and the cow that were required for the reburial ceremony to the family as a show of gratitude. Once a new date has been secured for the exhumation and reburial of the grave, a new set of groceries, a cow and a goat will be delivered again;
- Mrs. Skhosana accepted the apology from Exxaro and confirmed that she will await a new date for the exhumation and reburial of the grave;
- Mrs. Skhosana requested that, once the exhumation and reburial date of the grave has been confirmed, the grave must be reburied in close proximity to the graves registered under Mrs. Maria Radebe since they are related (Mrs. Radebe's graves are to be relocated on Wednesday 28 November 2018);
- An agreement reflecting the above was drafted which was signed by Mrs. Skhosana, Mr. Luyanda Ntlanjeni and Mr. Eric Mdlalose (see attached); and
- Mrs. Skhosana submitted a hand written request for the inscription that she would like to appear on the tomb stone, upon the reburial of the grave (see attached).

Thank you.

Kindly contact me if clarification is required.

Regards,

Luyanda Ntlanjeni
Director

From: Luyanda Ntlanjeni [<mailto:luyanda@bhayilam.co.za>]

Sent: Sunday, May 26, 2019 3:01 PM

To: Eric Mdlalose [HQP] <Eric.Mdlalose@exxaro.com>

Cc: fiekedi@gcs-sa.biz

Subject: Selina Skhosana Graves

Importance: High

Sensitivity: Confidential

Dear Mr. Mdlalose.

This is an email update relating to the graves belonging to Mrs. Selina Skhosana, who is based in Siyabuswa, Kwa-Mhlanga.

- A meeting was held between Mrs. Selina Skhosana, 2 of her family members and Mr. Eric Mdlalose on **Friday 24 May 2019**;
- The purpose of the meeting was to explain the delay in relocating Mrs. Selina Skhosana's grave(s), after she made enquiries about the relocation of the grave(s);
- Mrs. Skhosana was promised that her graves will be relocated around April 2019, after the rainy season;
- Mr. Mdlalose explained that, unfortunately, the graves could not be moved by April 2019 due to the late rains/floods experienced until the end of April 2019;
- The permit to relocate the graves was for a 12 month period and it expired at the end of April 2019;
- As a result, Exxaro had to apply for a new permit to relocate the grave(s), belonging to Mrs. Selina Skhosana;
- It is hoped that the permit will be granted by the relevant government authorities by end July 2019, to enable to relocation of graves belonging to Mrs. Skhosana;
- Due to the inconvenience caused by Exxaro to Mrs. Skhosana, she was promised that she will obtain groceries and livestock from Exxaro (as reflected in the NoK form signed with Digby Wells);
- It was therefore agreed that Mrs. Skhosana will receive the groceries reflected in the NoK form, including 2x goats (both female) and 1x Cow (not black in colour); and
- Since Mrs. Skhosana is related to the late Mr. Koos Radebe, the family also requested a copy of the NoK form signed by Mr. Koos Radebe; in order to verify the type and number of livestock that was agreed to between Mr. Koos Radebe and Digby Wells/Exxaro (since no livestock were delivered to the family when their graves were relocated).

I hope you find the above in order.

Regards,

Luyanda Ntlanjeni

Director

Bhayi Lam Consulting

060 391 3620 (Cell)

086 260 3000 (Fax)



BHAYI LAM CONSULTING PTY LTD



DIGBY WELLS

ENVIRONMENTAL

To:	Exxaro Coal (Mpumalanga) (Pty) Ltd	Date:	04 September 2019
From:	Digby Wells Environmental	Proj #:	EXX3775
RE:	Discussion with Skhosana Family for Outstanding Grave Relocation		

1 Introduction

Exxaro Coal (Mpumalanga) (Pty) Ltd (hereinafter Exxaro), supported by Digby Wells Environmental (hereinafter Digby Wells), facilitated a meeting with Selina Skhosana on 03 September 2019 in Vlaklaagte, Mpumalanga at her residence. The intent of the meeting was to discuss the relocation of her family grave, 232, requiring relocation as part of the Exxaro Belfast Implementation Project (BIP) Grave Relocation Process (GRP).

This memorandum serves as the minutes of the proceedings of the meeting.

2 Attendance

Table 2-1 presents the names of the individuals that attended the meeting:

Table 2-1: Attendees

Individual	Capacity
Selina Skhosana	Next of Kin (NoK)
Mr Skhosana	Family Member
Eric Mdlalose	Exxaro
Nondumiso Gwala	Digby Wells

3 Agenda

The meeting followed the agenda presented in Table 3-1

Table 3-1: Meeting Agenda

No.	Item	By
1.	Introduction/ Welcome	ALL
2	Grocery List	Nondumiso Gwala
3	Grave Site Status Quo	Eric Mdlalose

No.	Item	By
4	Conclusion	Eric Mdlalose
5	Way Forwards	Nondumiso Gwala
6	Closing	ALL

4 Grocery List

Digby Wells procured and delivered Mrs. Skhosana's traditional ceremonial requirements on 7 and 14 November 2018 respectively. Upon postponement of the scheduled exhumation for 28 November 2019, Exxaro in conjunction with Bhayi Lam Consulting, held a meeting with the Skhosana family on 26 November to postpone the exhumations, as well as committed to the procurement of additional traditional ceremonial requirements when the exhumations take place.

Mrs. Skhosana discussed and provided a new list of traditional ceremonial requirements to Exxaro and Digby Wells. The new list of traditional ceremonial requirements is included in Appendix A of this memorandum.

To note, Mrs. Skhosana requires both the goats and cows be fit and of good quality and will not accept small or old livestock.

5 Grave Site Status Quo

Eric Mdlalose thanked Mrs. Skhosana for welcoming us into her home. He indicated since last year's engagements it is important to engage prior to the relocation of the grave this year. He further apologised it has taken Exxaro a full year to re-engage with the family, but reiterated the message previously conveyed that once the operations had cleared by the grave site and the rainy season had passed, the family would be contacted. It is for that reason; these engagements are only happening now.

Below is a discussion that took place between Eric Mdlalose and Selina Skhosana.

Eric Mdlalose When the mine started working in the area, the contractor that was hired made a mistake by dumping waste rock on the grave site. As a result, Exxaro had to clear that area for the grave to be visible.

Selina Skhosana I am really glad you have said this.

Eric Mdlalose The truck that does the early workings on the site worked very close to the grave. Also, the workings occurred very close on the grave that belongs to your mother and the unknown grave. Exxaro had to stop the contractor from continuing when they realise that rocks were on top of the grave. The mistake was Exxaro's and they had to fix it, by clearing that area and demarcating it as a no-go zone. The contractor indicated that they were not aware that there was a grave of which Exxaro cannot blame them either.

Selina Skhosana	Well im glad this has been raised now because it shows trust and thank you for the clearance of the rocks. Even though you say no-one is to be blamed I think that area has so much grass that the grave could have been mistaken at the time.
Eric Mdlalose	Yes, and this was a mistake and an oversight because had the area been barricaded, we would not have this problem. Now that the area has been demarcated nothing can go into that area especially the cows that grazed there which was also a problem.
Selina Skhosana	What will happen to the unknown grave?
Eric Mdlalose	Digby Wells will guide Exxaro on the process to follow, because a grave that is unknown cannot just be relocated without the proper procedures in place, should the family come back years later looking for it, Exxaro cannot be blamed for not following procedures, therefore regulatory law will help Exxaro on what needs to be done.
Eric Mdlalose	As part of the way forward we saw it better that we come explain what has happened so when you get to the grave site you do not then have a big shock and feel that we were not transparent with you.
Eric Mdlalose	We can confirm that with the grocery list that has been signed for will be done by Digby Wells, this includes delivery of all the requirements you have now given. Do you have any other questions?
Selina Skhosana	We are ready as a family and do not think the process should be delayed any further as we are worried about the rains, we understand that the grave looks different from the early workings that have occurred, we do not want the rains to start and then have this process delayed again.

Table 5-1 presents the questions and answers recorded during the discussion between Eric Mdlalose and Mrs. Skhosana:

Table 5-1 Questions and Answers

Question	Answer
Selina Skhosana: I just want to know if the undertakers have done the tombstone for my other family Hadebe.	Eric Mdlalose: We would not be able to answer on what has happened to the other families, it better we discuss the process that would happen for your family.
Selina Skhosana: What about transport – as you have now indicated that the way forward is to have those graves removed	Nondumiso Gwala: There are two options that Digby Wells provides to the family, you can either provide your own transport with km's travelled for reimbursement.

Question	Answer
	Secondly, we can organise the transport for you and then it will take you from your home, grave site, relocation grave site and then back home.
Selina Skhosana: We do not have our own car, so the better option is to have Digby Wells arrange the transport for us.	Nondumiso Gwala: Thank you this is noted, for about how many people who you need the transport for?
Selina Skhosana: We would have about 5 to 6 people.	Nondumiso Gwala: Noted, all arrangements will be made and logistics will be given well in advance.
Selina Skhosana: Who will do the reburial?	Eric Mdlalose: Digby Wells has been appointed to do everything, so as a family you need not to worry about the actual reburial, as there are professionals on site who will do this.

6 Conclusion

Eric Mdlalose thanked the family for allowing us to engage and have a way forward on this matter. Eric Mdlalose indicated that Digby Wells will be in touch with regards to the all the arrangements, but everything will happen very soon.

Mrs. Skhosana expressed her gratitude, indicating she is happy with the discussion and the way forward on this matter.

7 Way Forward

Nondumiso Gwala advised the minutes be made available to the Skhosana family in Zulu for their records. It is intended to provide these when Digby Wells delivers the traditional ceremonial requirements.

8 Closing

The meeting was adjourned 12:00pm.



DIGBY WELLS
ENVIRONMENTAL

Appendix A: Traditional Requirements List

2 Sep 2019.

goat x2 - isikhaazi } white
cow x1 - isikhaazi } -grown

Martin - has inscription

chicken 5kg x5

Rama 500g x5

Rice taste 10kg x1

Tomatoes 3kg x1

Super B ^{12.5} 10kg x1

Beans tray x1

Comed Meat tray x1

Carrot 10kg x1

Cabbage 10kg x1

Potatoe 10kg x1

Stamp 10kg x1

Zinc, blanket x1

Sugar 10kg x1

Tea Tray x1

Coffee Ricoff x1

Milk (Ellis Brown) x1

Milk Long Life x1 (6)

Cooldrink x1 mix (12)

Onion 10kg x1

Green Pepper (Box) 9 robot

Mayonaise 12,5kg x1 (CressandWen Black)

Cooking oil 5L sunflower

Flour 10kg x1

2 Sep 2019

V/S



Signed e Vlakgate
Syabus