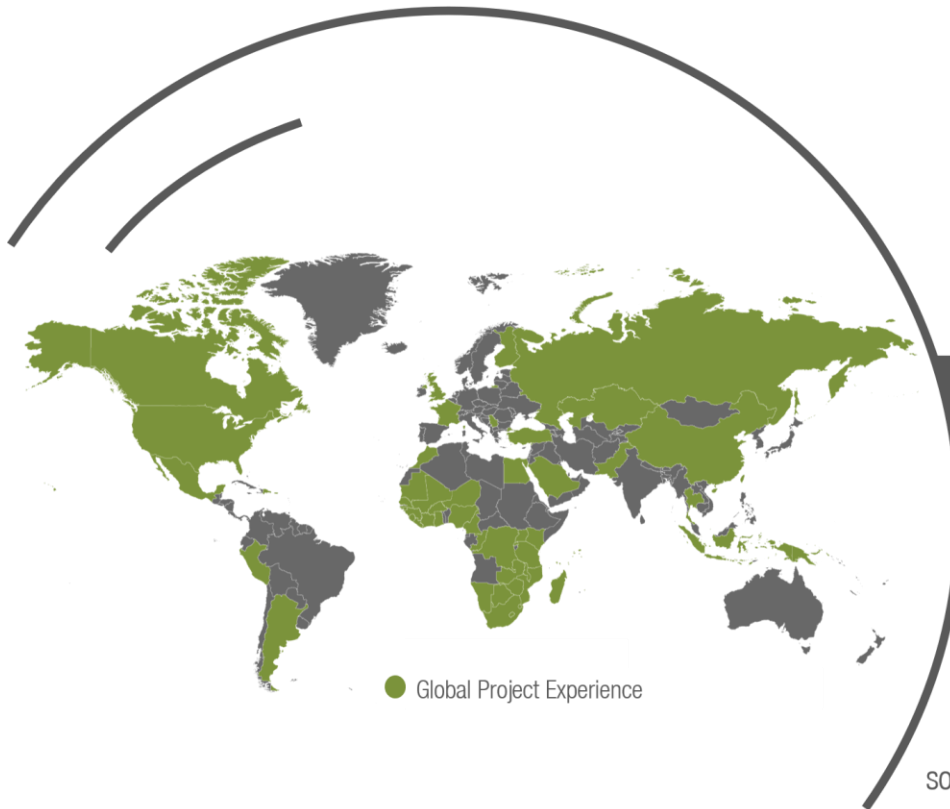


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Exxaro Coal Mpumalanga (Pty) Ltd Belfast Coal Mine Grave Relocation

Grave Relocation Close-out Report

Prepared for:

Exxaro

Project Number:

EXX6855

December 2022



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This document has been prepared by Digby Wells Environmental.

Report Type:	Grave Relocation Close-out Report
Project Name:	Exxaro Coal Mpumalanga (Pty) Ltd Belfast Coal Mine Grave Relocation
Project Code:	EXX6855

Name	Responsibility	Signature	Date
Muofhe Ravhura	Report compilation		June 2022
Johan Nel	Reviewer		December 2022

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1. Introduction

Exxaro Coal Mpumalanga (Pty) Ltd (hereinafter Exxaro) appointed Digby Wells Environmental (hereinafter Digby Wells) to undertake a Grave Relocation Process (GRP) for one grave that will be affected by Belfast Coal Mine Project.

This report constitutes the Burial Grounds and Graves Relocation Report. Although the exhumation did not fall under the mandate of the South Africa Heritage Resources Agency (SAHRA) Burial Grounds and Graves (BGG) unit, the report is structured to align with Section 36 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA).

The exhumation and reburial of grave EBCM-01 was concluded on 16th February 2022.

1.1. Purpose and Outline of Report

This GRP report was compiled to comply with the conditions contained within the permits and approvals issued by the relevant authorities. The remainder of the report will be structured as follows:

- The remainder of Chapter 1 provides the project background and location, a summary of the legal framework and applicable permits and approvals'
- Chapter 2 describes the methodology employed to execute the project, including additional consultation; and
- Chapter 3 concludes the report and project.

1.2. Project Background

Exxaro Coal Mpumalanga (Pty) Ltd (Exxaro) is the holder of a Mining Right (MP 30/5/1/2/2/431) for the Exxaro Belfast Coal Mine (EBCM), presently operational. 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 a 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.

After the conclusion of the Belfast Implementation Project (BIP) Grave Relocation Process (GRP), Exxaro identified a possible grave (EBCM-01) close to their Pit 1 Strip 17 Block 1/2

infrastructure footprint. Exxaro notified Digby Wells as the specialist service provider to inspect the grave in accordance with Section 15.2 of the BIP Environmental Management Plan (EMP).

The BGGC process commenced in August 2020 with a verification survey, and the identification of *bona fide* Next-of-kin (NoK) of the deceased interred in the identified grave. Public Notifications were placed in accordance with Chapter XI of the NHRA Regulations. During the 60 days notification period required by NHRA, no NoK came forward. However, during the permit application process, a Nok came forward and identified the grave as that of her sister. Consultation with the Nok included the development of an entitlement framework, including ceremonial practices in respect of exhumations. The entitlement framework served as the basis for the development of formal agreement between Exxaro and NoK.

The BGGC process culminated in a BGGC Report submitted to the SAHRA and Mpumalanga Heritage Resources Authority (MPHRA) in September 2021 and November 2021 in support of the application. However, the SAHRA BGG application was withdrawn when it was found that the graves is younger than 60 years.

The same report supported local and provincial applications for exhumation and reburial made to Emakhazeni Local Municipality. Following the receipt of the relevant permits and approvals, Exxaro requested Digby Wells in conjunction with the Mosaic Funeral Group Emakhazeni (hereinafter MFG) to implement the GRP.

Digby Wells, on behalf of Exxaro, made applications to:

- The SAHRA BGG in terms of Section 36 of NHRA (later withdrawn); and
- The Emakhazeni Local Municipality (ELM) and Mpumalanga Department of Health (DoH) in terms of the National Health Act, 2003 (Act No. 61 of 2003) (NHA) and the Mpumalanga Cemeteries, Crematoria and Exhumation of Bodies Act, 2005 (Act No. 8 of 2005) (MCCEBA).

1.3. Project Location

The Project is situated approximately 10 km southwest of Belfast, 45 km east of Middelburg and 30 km north of Carolina within the Mpumalanga Province. Exxaro is the current legal landowner of the properties on which the Belfast Coal Mine is to be developed, and the various burial grounds and graves are located. General location details of the Belfast Coal Mine and the title deed information are presented Table 1-1.

Plan 1 presents the local setting of the BIP operation and Plan 2 demonstrates the location of the identified grave to that of the known graves considered during the BIP GRP.

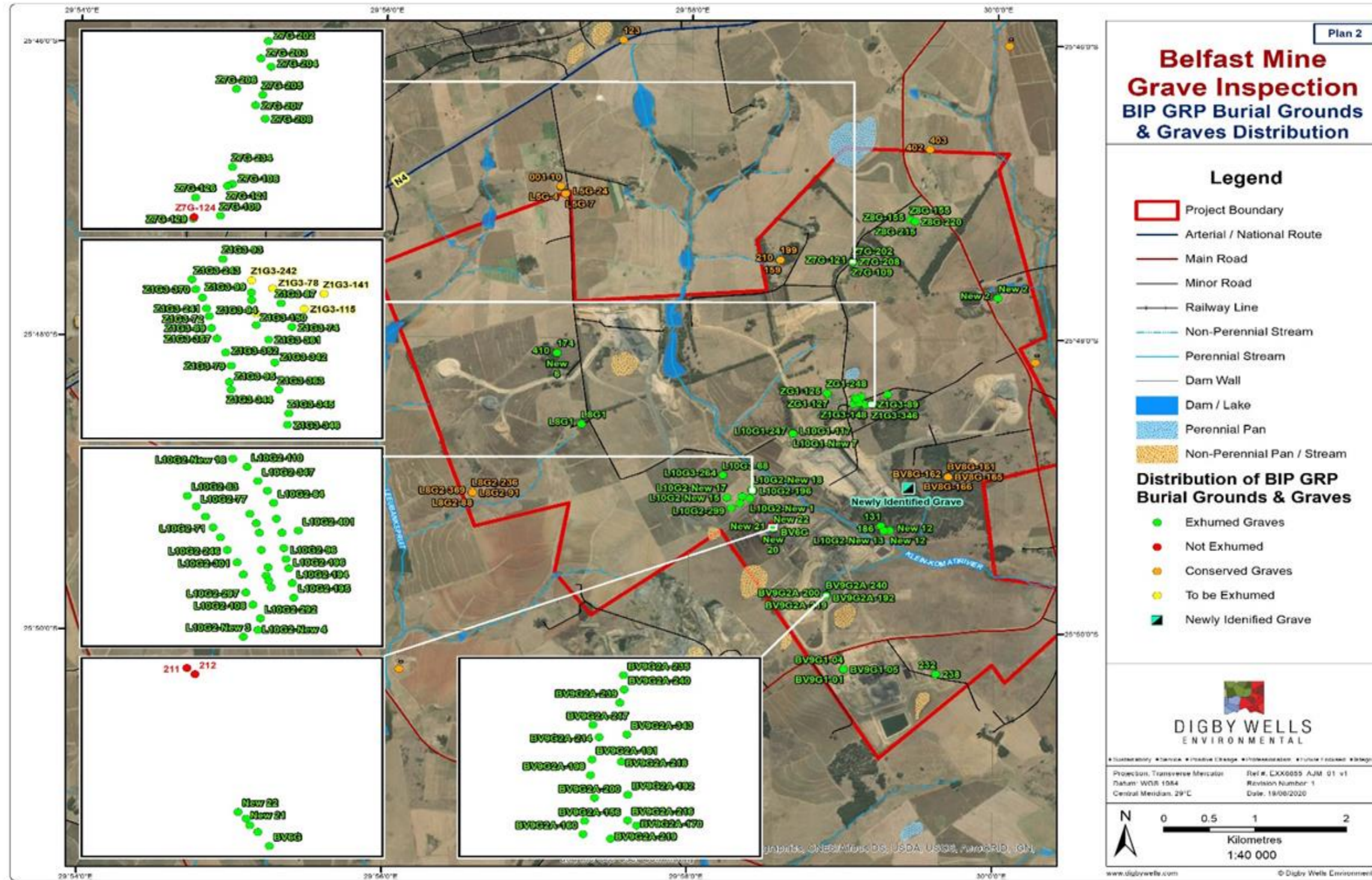
Table 1-1: Location Detail

Geographical Location	
Province	Mpumalanga
District Municipality	Nkangala District Municipality (NDM)
Local Municipality	ELM
Magisterial District	Belfast
Nearest Town/s	Belfast, Middelburg, Carolina
Properties	Blyvooruitzicht 383 JT Leeuwbank 427 JS Zoekop 426 JS
Map reference/s	2528 Pretoria & 2530 Nelspruit 1:250 000 topographical map sheets 2529 DD Arnot & 2530 CC Moedig 1:50 000 topographical map sheets
Planning Authority	
Name	Emakhazeni Local Municipality
Address	25 Scheepers Street, Belfast 1100
Contact person	Mr T.C. Khoza
Telephone	013 253 1121
Fax	013 253 2440 / 013 253 1889
Email	khozat@emakhazenilm.co.za / municipality@emakhazenilm.co.za

Plan 1: Location of Belfast mine



Plan 2: Location of Burial Grounds including EBCM-01 within the EBCM Boundary.



1.4. Legal Framework Summary

This section provides a summary of the relevant Acts, Regulations, and Policies regarding physical exhumation and reburial.

Table 1-2: Relevant Regulatory Framework

Acts	The National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); The National Health Act, 2003 (Act No. 61 of 2003) (NHA); and The Mpumalanga Cemeteries, Crematoria and Exhumations of Bodies Act, 2005 (Act No. 8 of 2005) (MCCEBA).
Regulations	National Heritage Resources Act Regulations (2000) (GN R 548) National Health Act Regulations (2003) (GN R 363)
Ordinance	The Exhumations Ordinance 12 of 1980
By-Laws	Emakhazeni Local Municipality (Highlands) Heritage Resources and Cultural Institution By-Laws (Draft)
Policies	SAHRA Burial Grounds and Graves (BGG) Guidelines to Burial Grounds and Graves Permitting Policy (2013) (Draft); Exxaro Grave Relocation Policy

1.5. Permits and Approvals

The following applicable permits and approvals were issued to Digby Wells:

- Mpumalanga DoH (same as issued for the BIP GRP);
- ELM Approval Ref No: 16/6/3;
- South African Police Services (SAPS) approval.

Copies of the permits and approvals are attached as Appendix A to this report.

2. Methodology

Digby Wells and Exxaro completed the following actions to execute the Project:

- Site verification and grave inspection;
- NoK consultation;
- Procuring and delivering items requested by the NoK to express their living heritage; and
- Exhumation, relocation and reburial of the grave.

2.1. Grave Verification

In conjunction with Exxaro representatives, Justin du Piesanie and Shannon Hardwick (both from Digby Wells) inspected the grave on 17 August 2020. This inspection was performed to confirm compliance with the BIP EMP requirements and to allow the heritage practitioner to decide on immediate remedial action to protect the burial ground from potential impacts, and to make feasible recommendations regarding the required management or mitigation measures.

In addition to GPS waypoints, photographs were taken of the identified grave. A traditional stone-packed surface dressing was used, and no headstone was present. As a result, the grave is assumed to be older than 60 years, thus afforded general protection under Section 36 of the NHRA.

The grave dressing comprised a stone-packed cairn with no identifying features, depicted in Figure 2-1. The grave is associated with The Maseko Family. The grave was identified by Mrs Maseko in the presence of Johan Nel (Digby Wells).



Figure 2-1: Grave EBCM-01

2.2. NoK Consultation

Exxaro and Digby Wells consulted with community members who were resettled as part of the RAP to identify the NoK. Initial consultation was done during the Covid-19 lockdown when Covid-19 Regulations prohibited large gatherings. Consultations were consequently conducted online.

The consultation process included a 60-day public participation required in terms of the NHRA Regulations. No persons were, however, identified through this process.

On 1 July, Mrs Tryphina Maseko contacted the Exxaro Stakeholder Affairs, claiming the grave as the last surviving member of the family of the deceased. Exxaro arranged a site visit with Mrs Maseko on 1 July 2021. She indicated that she did not remember the exact location of the grave, however, she was given permission by her village elders of the grave and consequently came forward to claim the grave.

Exxaro and Digby Wells continued consultations with Mrs Maseko that culminated in her agreeing to and providing consent for the exhumation and reburial of the deceased, identified by Mrs Maseko as her younger sister, Annah Ngomezulu.

2.3. Exhumation and Relocation

Digby Wells requested permission to exhume and relocate the contents of the graves from the ELM and DoH. The ELM issued a new approval, whilst the DoH indicated that the same approval issued for the BIP GRP could be used.

Digby Wells appointed the Mosaic Funeral Group (MFG) to assist in the exhumation and reburial according to permit requirements. The exhumation of the grave took place in 16th February 2022 employing the methodology outlined in Table 2-1. Figure 2-2 to Figure 2-6 provides photographic records of the process.

Table 2-1: Exhumation and Relocation Methodologies Employed

Action	Methodology Employed
Surface recording	Surface features and grave dressing were recorded through photographs and written notes.
Clearing	The surface dressing was removed.
Manual excavation	<p>The excavation was undertaken by two-man teams using pick and shovel. Excavations were undertaken at 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.</p> <p>Attention was paid to soil colour, texture and compaction to guide the identification of the extent of the grave pit.</p> <p>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.</p>
Exposing of remains	<p>In graves, the deceased were buried in a brick-and-mortar 'chamber' covered by corrugated iron. Remains were therefore clearly exposed and not excavated.</p> <p>Remains were transferred into a body bag and a new coffin.</p>
Recording of remains	The exposed remains were recorded through photographs and written notes.
Removal of remains	All mortal remains, and grave goods were removed and placed into a body bag and new replacement coffins in the presence of family representatives and Exxaro representatives.
Reburial	<p>The remains were re-interred in the <i>Pumulani Village Cemetery</i> in Middelburg on 16th February 2022, as per the wishes of the family.</p> <p>The new grave number is grave EBCM_01)</p> <p>The original headstone was re-erected on 16th February 2022.</p>



Figure 2-2: Detail of Surface Dressing



Figure 2-3: Manual Exhumation of Grave Pit



Figure 2-4: Exposed Corrugate Iron indicating Level of Remains



Figure 2-5: Replacing Corrugated Iron at New Grave Site



Figure 2-6: New Headstone erected at Phumulani Cemetery

3. Conclusion

Exxaro appointed Digby Wells to undertake a GRP for ECBM-01 at risk due to expanding mining activities.

Digby Wells undertook a site verification and consultation process in 2021 to identify NoK. Following the identification of Mrs Tryphina Maseko, Digby Wells made applications for the exhumation and reburial of the contents of the grave to the ELM and Mpumalanga DoH.

On receipt of the necessary approvals, Digby Wells procured and delivered items requested by the Maseko family to express their living heritage ahead of the exhumation. Digby Wells, assisted by MFG, exhumed and reburied the grave on 16 February 2022.



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Appendix A: Permits and Approvals