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Website:
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FOR OFFICIAL USE ONLY:

File No.:

Datereceived:
.....

Dateapproved:
.....

Applicant:
.....

Site/Object:
.....

PermitNo.:
.....

**APPLICATION FOR PERMIT:
BURIAL GROUNDS AND
GRAVES**

Please note: Permit applications expire one year after
the date of receipt.

*In terms of Section 36 (3) of the National Heritage Resources Act (Act no. 25 of 1999)
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*

Mr. Munyadziwa Magoma. (Acting as Principal Investigator)
Vhubvo Consulting CC
Constantia Park
16th Rd,
Midrand,
I685
(W) : +27 11 312 2878
(C) : +27 82 535 6855
Email: munyadziwa@vhubvo.co.za/ munyadziwam@gmail.com

3. Name and address of owner of the land:

Phumi Molefe (Umgeni Water Representative)
Umgeni Water (Head Office)
310 Burger Street,
Pietermaritzburg
3201
South Africa
(W) +27 (33) 341 1111
E-mail: Phumi.Molefe@umgeni.co.za

Identity number: N/A

4. Name & address of planning Authority:

Umgeni Water
310 Burger Street,
Pietermaritzburg
3201
South Africa

5. Have arrangements been made to cover the cost of the action(s) (*Please circle as appropriate*):

YES NO

6. Name and address of the South African scientific institution (if applicable) that will curate the material recovered if it cannot be re-interred: N/A

B. DETAILS OF GRAVE OR BURIAL GROUND

7. **Name(s) of place:**

The graves are located in the Silangwe village in Bizana of Winnie Madikizala-Mandela local municipality in the Alfred Nzo district municipality of Eastern Cape province. They all belong to Hlangabezo family under the leadership of Nkosi Qobo. The graves are all said to be located in a portion of the Hlangabezo homestead which now belongs to Umgeni Water.

8. **Is the grave/ burial ground that of** (*Please circle as appropriate*)

A - victim(s) of conflict?

and/or B –

older than 60 years? and/or

C - has the grave been found accidentally during the course of development?

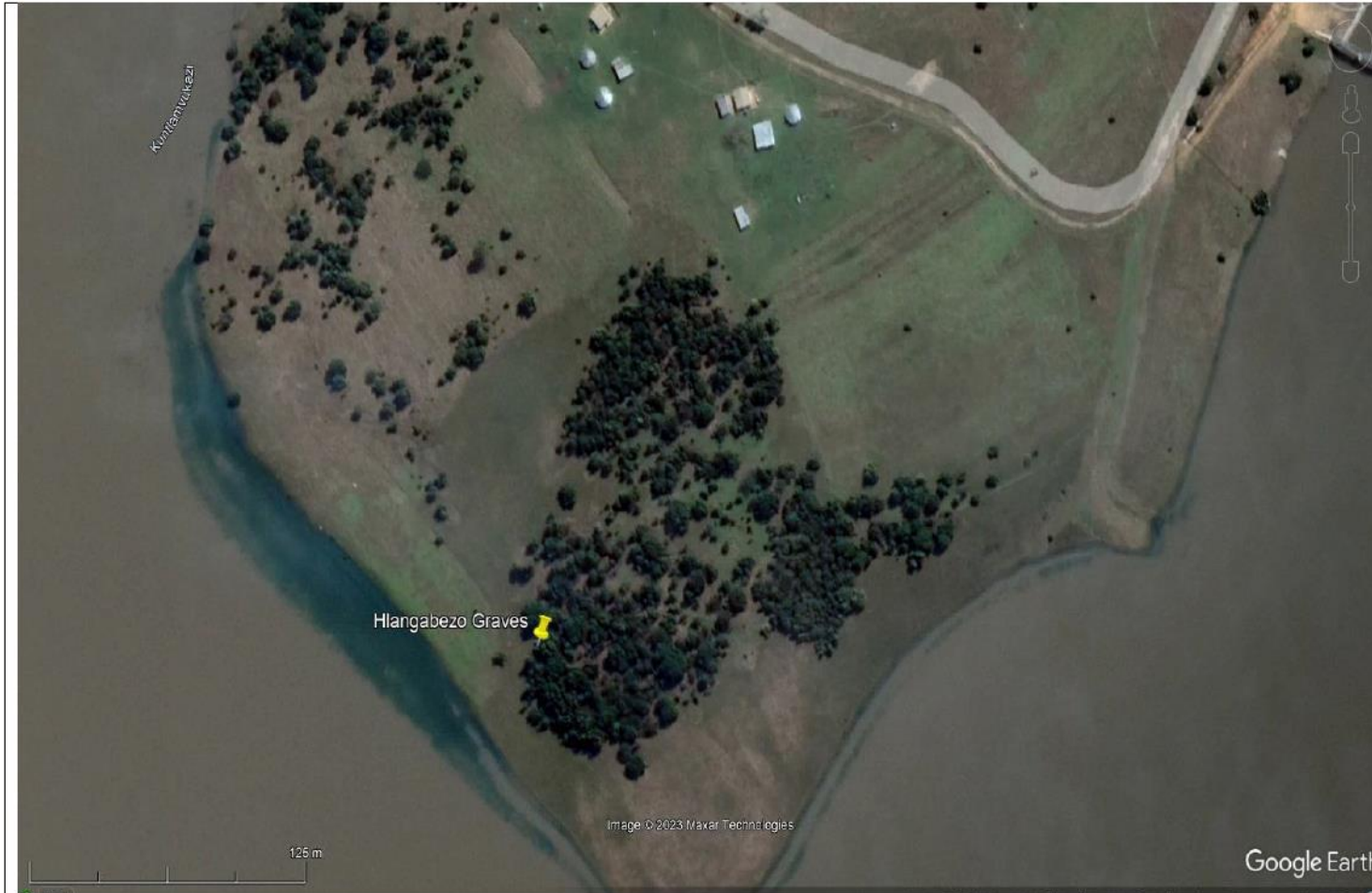
9. Brief description of the nature of grave:

During the family consultation, it was discovered that the family members seem to conclude that there is a total of six graves graveyard to be relocated. These are graves of family members who died and were buried between 1956-1969. It was established through consultation with the family that the first person to be buried in the graveyard to be relocated died in 1956. During the consultation process, it was also noted that the oldest and surviving member of the family was just 10 years in 1956. It is for this reason, that there seems to be confusion regarding the exact number of graves, exact location, and identity of the graves. There is a possibility that they may be the seven to ten graves in this family graveyard based on some of the information gathered during the consultation with the family. In addition, during our visit, it was noted that the family members do not know the exact location of the graves and that there are no headstones or grave demarcation. The graveyard as pointed out by the family is currently approximately 50 – 100 m away from the dam. The area is also now invaded by and alien woody tree species black wattle (*Acacia mearnsii*) which is endemic to South-Eastern Australia. The invading woody tree species are estimated to be between 10 to 20 years.

Evidence for date of grave(s):

The family does not have the death certificate of the their deceased family members but they were aware that the death took place between 1956 to 1969. The family representative (Mr. Mfuneko Hlangabezo) was then asked to draft an affidavit under oath to solidify the information given by the family (Appendix 2)

11. Geographical situation of site or object (*Please mark general location of grave(s) on a photostat of at least a 1:50 000 map*) (NB)



Project Name:
GPS survey of Hlangabezo family graves on Ludeke servitude in Silangwe village
Client:

On behalf of:

Archaeological Consultant:

Sejjo Sesho Consultants

Magisterial District: *Alfred Nzo*

Traditional authority: *Izilangwe Admin Area*

1: 50 000 Map number: *N/A*

Latitude & Longitude: *30°44'43.49"S 29°44'28.24"E*

Recording method (GPS, Trig., Other): *GPS*

Farm Name and No.: *Silangwe Village*

Town: *Silangwe Village*

Nearest Town: *Bizana*

Street address & Erf #: *N/A*

12. If it is a provincial heritage site / object, the number and date of the notice in the *Government Gazette*:

NO

C. REASON FOR APPLICATION

13. Purpose of and reasons for application*

In 2012, Umgeni Water constructed the Ludeke Dam as part of the Greater Mbizana Regional Bulk Water Scheme in Bizana, Eastern Cape. This was through the Tri-partite RBIG Funding and Implementation Agreement between the Department of Water and Sanitation (DWS), Alfred Nzo District Municipality (ANDM) and Umgeni Water (UW) where UW was the Implementing Agent. The construction phase was completed in May 2014 and the dam handed over to DWS. There were outstanding matters from the construction of the Ludeke Dam which required to be completed, including undertaking relocation of graves that are within the dam servitude. The Hlangabezo family was the only family that was left behind during the 2014 graves relocation and exhumation from the dam servitude. Ganwa Consulting and Development was then appointed as the Social Facilitator, who then appointed Setjo Sesho Consulting in March 2023 as the professional Archaeological service provider to undertake the grave relocation process.

Setjo Sesho Consultants undertook a survey that confirmed a total of 6 graves that are well-known and remembered by the family, but they also indicated that these graves may be as many as 10 in total. The study was conducted within the framework of the legislation including Section 36 of the National Heritage Resources Act (Act No. 25 of 1999) and will apply the Human Tissue Act (1983). The grave screening exercise revealed that 4 graves are older than 60 years and the remaining two are younger than 60 years and therefore fall under the jurisdiction of the Human Tissue Act.

In accordance with relevant legislation, Setjo Sesho Consultants advertised in two newspapers, a national newspaper in English (Business Day Legal, 14 April 2023) and a local newspaper (Pondoland Times 21 April 2023) and pasted on-site notices as required by the heritage legislation (see Appendix 3). Consultation was undertaken with the family in the presence of the village Nkosi, and the consent letter was drafted by both Nkosi Qobo and the rest of the family who were in the consultation (see Appendix 4).

The Environmental Health permit as well as the SAPS letter was acquired by Mpiti Funeral Home (see attached Appendix 5). The main purpose of this application is to exhume and relocate the human remains who are located within the Umgeni Water servitude so as to give way for the developer to continue with the construction and also to protect the human remains as they

are protected by the NHRA 25 of 1999 under Section 36.

14. Period for which permit is required (*Permits are not normally issued for periods longer than three years*):

From July 2023- July 2024

- 15 Nature of activity. *Please circle the appropriate activities below*

A. **Destruction or Damage***

B. **Alteration*** (e.g. Restoration)

C. **Exhumation and re-interment***

D. **Removal from original site***

D. **Excavation***

F. **Bring into use a metal detector or**

other equipment* Other*

Please supply extra details on a separate sheet of paper:*

D. PREREQUISITES FOR PERMIT

16. Please indicate what arrangements have been made for the exhumation and re-interment of the contents of the grave(s)*

During the consultation with the family, they indicated that they would need to perform a ritual during the exhumation and relocation of the remains of their loved ones. They also provided the consent letter as a collective even-though they selected **Mr. Mfuneko Hlangabezo** as the family representative. The consent letter contains the names and ID numbers of all the family members who were part of the consultations and compiled the letter. Nkosi Qobo (traditional leader in the village) also provided his consent letter as the village leader to acknowledge that he is aware and was well informed about the process. Mpiti Funeral Home was appointed by Setjo Sesho Consultants as the funeral parlor that will be assisting in the exhumation and reburial.

17. Please give details of consultation with communities and individuals who by tradition have an interest in the grave(s), and of the agreement reached with such communities and individuals (*as required by section 36 of the Act and the relevant Regulations Chaps IX and XI*).

** Supply copies of documentation and details on a separate sheet of paper*

The first consultation was undertaken on the 16th of March 2023 and the second one on the 1st of April 2023 where the whole family was present. The consultation was in the presence of Nkosi Qobo who is the leader of the area (see Appendix 6).

Please note:

By the submission of this form and all material submitted in support of this application (i.e: ‘the material’), all applicant parties acknowledge that they are aware that the material and/or parts thereof will be put to the following uses and they consent to such use being made: filing as a public record; presentations to committees, etc; inclusion in the database of the national estate (commonly known as SAHRIS) and other databases dealing with heritage management; inclusion on and downloading from websites; distribution to committee members and other stakeholders and any other use required in terms of the powers, functions, duties and responsibilities allocated to the relevant heritage authority(s) under the terms of the National Heritage Resources Act (Act 25 of 1999). Should the applicant seek to impose restrictions on the use of the information by ECPHRA or if it is not possible to copy or lift information from any part of the material submitted, the material will be returned unprocessed.