

**REPORT ON THE RELOCATION OF 1 GRAVE
FROM THE PROPERTY OF THE
POTGIETERSRUST PLATINUM MINE,
MOKOPANE, LIMPOPO PROVINCE**

COMPILED

BY

PROFESSIONAL GRAVE SOLUTIONS (PTY) LTD

SAHRA PERMIT NUMBER: **80/06/09/018/51**

Reference: SAHRA-PPRUST-001

Compiled by: HS Steyn and

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Date: 27 November 2006



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REPORT ON THE RELOCATION OF ONE GRAVE FROM POTGIETERSRUST
PLATINUM, MOKOPANE, LIMPOPO PROVINCE

Report compiled by: H.S. Steyn and W.C. Nienaber

Date of report: 24 November 2006

THE RELOCATION OF ONE GRAVE FROM THE PROPERTY OF POTGIETERSRUS PLATINUM

This report is submitted in fulfilment of the requirements of:

- The agreement between *Professional Grave Solutions (Pty) Ltd* and *Anglo Platinum* for the completion of the Project: *Potgietersrus Platinum Grave Relocation Project*.
- The **South African Heritage Resources Agency Permit No. 80/06/09/018/51** issued under Section 36(3) of the National Heritage Resources Act, Act no. 25 of 1999 to H.S. Steyn and W.C. Nienaber.

This report covers the exhumation of the human remains of one individual from Anglo Platinum's Potgieters Platinum mine, Mokopane, Limpopo

1. Introduction

Professional Grave Solutions (Pty) Ltd was appointed by *Anglo Platinum* to undertake the exhumation and reinternment of one individual buried on the farm Zwartfontein 818 LR near Mokopane, Limpopo. The grave needed to be relocated as they were directly affected by the expansion of the Optimum Colliery's Kwagga North Pit. The graves were exhumed on 2006/11/06 and the remains of the deceased were reburied on 2006/11/08 in the Hendrina Municipal Cemetery, the closest available cemetery to the location of the graves.

2. Social Consultation

2.1. SOCIAL CONSULTATION PROCEDURE

Professional Grave Solutions (Pty) Ltd was appointed by Potgietersrus Platinum Mines (Pty) Ltd to undertake the necessary scope of work regarding the relocation of graves older than 60 years that are affected by the expansion of their mining activities on the farm Zwartfontein 818 LR, Limpopo Province. Approximately 23 graves are affected in total. This report pertains to the exhumation of one of these graves (CP-01) that needed to be urgently relocated as a result of encroaching mining activities.

The relocation of the 23 graves older than 60 years forms part of a bigger grave relocation project by the mine during which 2255 graves have already been relocated. A further 250 graves needs to be relocated before the project is completed.

The following procedure was followed by the mine in terms of a public participation process:

- 2.1.1 Tribal Resolution to Relocate.** This document was signed around Sep-2002 and gave rise to the need for the audits of the existing villages including graves.
- 2.1.2 First and Second Audits.** These audits were conducted by the Architectural Consultants (TPC & Prism) starting in May and ending in Sep-2003 and involved the recording of the physical structures and other improvements at each stand within the existing villages of Ga-Puka and Ga-Sekhaolelo.
- 2.1.3 Grave Audit.** At around the time of the 2nd audit the graves on Overysel & Zwartfontein were also captured on a database. However, it was felt that the exercise was flawed and so a second grave audit was done around Jun / Jul-2004. The Architects were instrumental in doing the audit which was conducted as follows:
- 2.1.4 Distribution of Message:** The Motlhotlo Section-21s informed their community of the need to have their graves audited. They also used their Community Kgoros and Headmen to distribute the message, not only to their communities, but also to the other neighboring communities. (i.e the community structures - both traditional and elected for purposes of relocation - were used to distribute the message by word of mouth).
- 2.1.5 Collection of Grave Information:** Community members from Motlhotlo and surrounding villages came forward and pointed out their graves existing on the farms Overysel and Zwartfontein. The architects, working with a surveyor, recorded the: position of the graves (x and y cords); the details of the deceased; and the details of the informant or next-of-kin. Some 2700 graves were captured on the electronic database (one will note that some of these graves have next-of-kin from other villages, which proves that the message was distributed beyond Motlhotlo village).

- 2 **Motlhotlo Grave Relocation Legal Agreement.** During 2004 an overarching legal agreement was drafted, as a sub-agreement to the Suite of Legal Agreements associated with the Motlhotlo Village relocation. This agreement, to be signed by Anglo Platinum and the Communities Legal Advisor, formalised the Motlhotlo Community's agreement for grave relocation and stipulated conditions such as the compensation for cultural ceremonies. Although agreed to the document was unfortunately never signed as Mr van Kerckhoven would not back date and Adv Nthai would not sign unless he did.
- 3 **Tender for Grave Relocation.** An enquiry for the relocation of some 2196 graves was put out for open tender between Oct and Nov-2004 (the number of graves had been rationalized down from some 2700 on the basis that some layout side the footprint affected by new mine development). Some 17 tenderers returned tender documents which were adjudicated early in 2005.
- 4 **Contract Award & Initiation.** Following the adjudication process the contract for the relocation of the graves was made around 14-Apr-2005. The contract was awarded to a Polokwane based BBE company – Tshepho Funeral Undertakers (TFU). As part of their contract TFU were responsible for obtaining all necessary permits.
- 5 **Involvement of Community During Relocation Process.** During the grave relocation process TFU has relied heavily on the Motlhotlo S21s to assist in identifying and obtaining the relevant next-of-kin consent sign-off. The contractor has used the database info to identify the graves and, with assistance from the S21s, invite the next-of-kin to come forward, sign the consent-to-relocate form, and witness the grave relocation process. Where next-of-kin are from neighbouring villages they have been given the opportunity to elect the graveyard to which they wish their graves to be relocated.
- 6 **Compensation for Cultural Ceremonies Associated with Grave Relocation.** The process of compensation to next-of-kin for cultural ceremonies associated with grave relocation has been ongoing and is largely complete for all graves relocated to date.
- 7 **Issues Relating to Permits.** To date some 2255 graves have been relocated and a further 260 still need to be relocated. However, the relocation process has been placed on hold until such time as we are satisfied that all permits are indeed in place. The following summarizes the permit situation:
 - 7.1.1 **Premier's Authorisation.** Previously an application was made by TFU to the Premier's office, however, the response from the MEC's office (Premier forwarded the application to the MEC) was ambiguous (they wished the Project "success" without actually indicating their explicit approval). Because of this I made a further application recently and I have sent this via Tommy Ntsewa who has indicated he will have a formal response today.
 - 7.1.2 **Municipal Authorization.** Previously an application was made by TFU to the municipality; however, the response was nothing more than an acknowledgement of receipt of application. After a further application, permission was received from the municipality.
 - 7.1.3 **SAHRA Permit.** According to an independent archaeologists' study some 23 of the remaining 260 graves still to be relocated are / or could be older than 60-years. This permit application deals with one of these graves (CP01).
 - 7.1.4 **Health & SAP.** The request permits have been obtained from both the Dept of Health and SAP.

7.1.5 Next-of-Kin Consent. No consent was received from the next of kin as the grave (CP01) is currently unknown. Given the high visibility of the project, it is unlikely that the grave will at this late stage be claimed.

8 Site notices. Legal notices were placed at the grave and at the entrance to the opencast area on 07/08/2006. No response was received from these notices.

3. Legal Compliance

Exhumation and re-interment is governed by Ordinance 12 of 1980 (Exhumations Ordinance) and Ordinance 7 of 1925 (Graves and Dead Bodies Ordinance), while handling and transportation of human remains are subject to the stipulations of Act 65 of 1983 (Human Tissues Act) as well as relevant Department of Health regulations. The graves and mortal remains of victims of conflict and graves older than 60 years in a burial ground not administered by a local authority, as well as all graves older than 100 years, are also subject to the stipulations of National Heritage Resources Act (Act 25 of 1999). All local laws and by-laws regarding cemeteries must also be adhered to.

In order to comply with the above, and taking into account the extreme urgency of the situation, permissions to exhume and re-inter the human remains and associated grave dressings and cultural remains were obtained from:

- South African Heritage Resources Agency (SAHRA). Permit number **80/06/09/018/51** was issued in this regard.
- Permission was obtained by the mine from the Provincial Department of Health for the relocation to take place.
- A permit was obtained by the mine from the MEC of Local Government and Housing, Limpopo Province.

4. Methodology

4.1 Method of excavation

The methods employed during exhumation aimed to recover all the remains, to minimise damage to the remains, to record the three-dimensional context of the remains and to preserve and respect the dignity of the buried individual. All evidence that might allude to the events leading to the death of the individual and circumstances regarding the event were recorded and interpreted. The information gathered was presented in a technical report.

The excavation methods employed accomplished the *in situ* exposure of the burial and associated artefacts (Nienaber and Steyn, 1999). The focus was on accurate and complete documentation (Nienaber, 1997). Various methods for the excavation of graves have been proposed by different authors (Hester, 1975; Joukowsky, 1980; Krogman and Iscan, 1986; Morse, 1978) and all stress the need for adequate workspace around the exposed remains and a systematic approach to the removal of individual bones. The archaeological method, including extensive test trenching to prevent damage to the remains, was employed. This approach was largely similar to that of forensic archaeology where buried body cases are concerned. The approach was adapted for each situation since graves vary in shape, size, depth and content (Nienaber, 1999). The methods used in forensic archaeology are discussed by Steyn, et.al. (2000).

In each case, the surface features of the grave were cleaned and documented. Hereafter the cultural material associated with the surface dressing were collected and catalogued, if they occurred. All observations regarding construction, materials and characteristics of the surface features were documented.

After the removal of the surface features the extent of the burial pit was ascertained through excavation and observation of differences in the matrix. After the indications of the presence and characteristics of the burial pit were documented, the in-fill was excavated to expose the human remains and associated cultural materials. Removal of the matrix of the burial pit was accomplished through the test-trench approach whereby a narrow trench (25-30 cm wide) is excavated with a trowel to a depth of between 15 and 20 cm in the lower third of the burial pit (in this instance the lower third usually constituted the eastern side of the grave). This area is chosen since it is most likely that the femurs of the skeleton occur in this part of the grave. Since the femur is a robust bone, it is usually not easily damaged through excavation. If no indications of the presence of human remains were observed in the test trench, the remaining in-fill matrix, down to the depth of the test trench, was removed with a shovel. This process was repeated until indications of the presence of human remains were observed.

As soon as human remains were encountered, care was taken to leave as much of the skeleton as possible covered in order to protect the remains from damage by excavation and to preserve the integrity of the context of the skeletal elements and possible associated cultural remains. The extent and characteristics of the burial pit were now documented and the workspace was assessed and enlarged if not sufficient. This was only done after documentation of the features of the burial pit and without sacrificing any vital information.

The excavation then continued with the aim of ascertaining the extent of the skeletal remains and the location of the different skeletal elements after which the remains were uncovered, starting from the middle and working outwards. This method again ensures the minimum disturbance of the remains and associated cultural materials. As soon as the skeleton was uncovered, it was documented *in situ* and removed. A further test trench of 15 cm deep was dug in the area directly underlying the location of the remains to ensure that all possible remains and artefacts were found and recovered.

5. Exhumation of remains and details of deceased.

5.1 General discussion

The exhumation of the remains took place on Monday 6 November 2006 and the reburial of the remains was done on the Wednesday 8 November 2006.

Refer Appendix C – Photographs

5.2 CP-01

Details of deceased as indicated by the family

Name:	Unknown
Surname:	Unknown
Age at death:	Unknown
Date of death:	Unknown
Name of family representative:	Unknown
New grave number:	Rooibokfontein Cemetery – grave 12/06

Location of grave

The grave (which did not form part of a cemetery) was situated on the farm Zwartfontein 818 LR west of Mokopane, Limpopo Province (**refer Appendix A – Locality map**). The grave had to be removed urgently as it was situated directly in the way an overburden dump of the Potgietersrus Platinum Mine (**refer Appendix C, photograph 3**). The exact co-ordinates of the cemetery were 29.740410E and 25.907860S.

Surface features

The surface features of the grave consisted of a lining of rocks forming a small oval shaped grave dressing. No formal headstone was present and the identity of the deceased was not indicated on the surface features of the grave. No cultural materials were found on the grave. The grave dressing was aligned along a north/south axis and measured 1,0m x 0,7m (**refer Appendix C, photograph 1**).

Excavation of grave and description of contents and features

After the grave dressing was removed, the excavation followed the extent of the surface features (as described in the methodology) until a solid sterile soil matrix were reached at a depth of 1,1m.

No cultural materials were recovered from the excavation.

No human remains were found and the excavation was abandoned at a depth of 1,1m when it was apparent that the matrix was culturally sterile (**refer Appendix C, photograph 2**). No grave pit was found and it is apparent that the excavated structure was probably not a grave.

A soil substitute (soil taken from the bottom of the grave pit) were recovered from the bottom of the excavation and placed in the new coffin.

Synthesis of evidence

The excavated structure was probably not a grave. A soil substitute was buried on 11 October 2006 in the Rooibokfontein Cemetery; Grave Number 12/06.

6. Conclusion

The excavation took place on 2006/10/02. No human remains were recovered during the excavation. A soil substitute was taken from the bottom of the excavation and was reburied in the Rooibokfontein.

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APPENDIX A – LOCALITY MAP

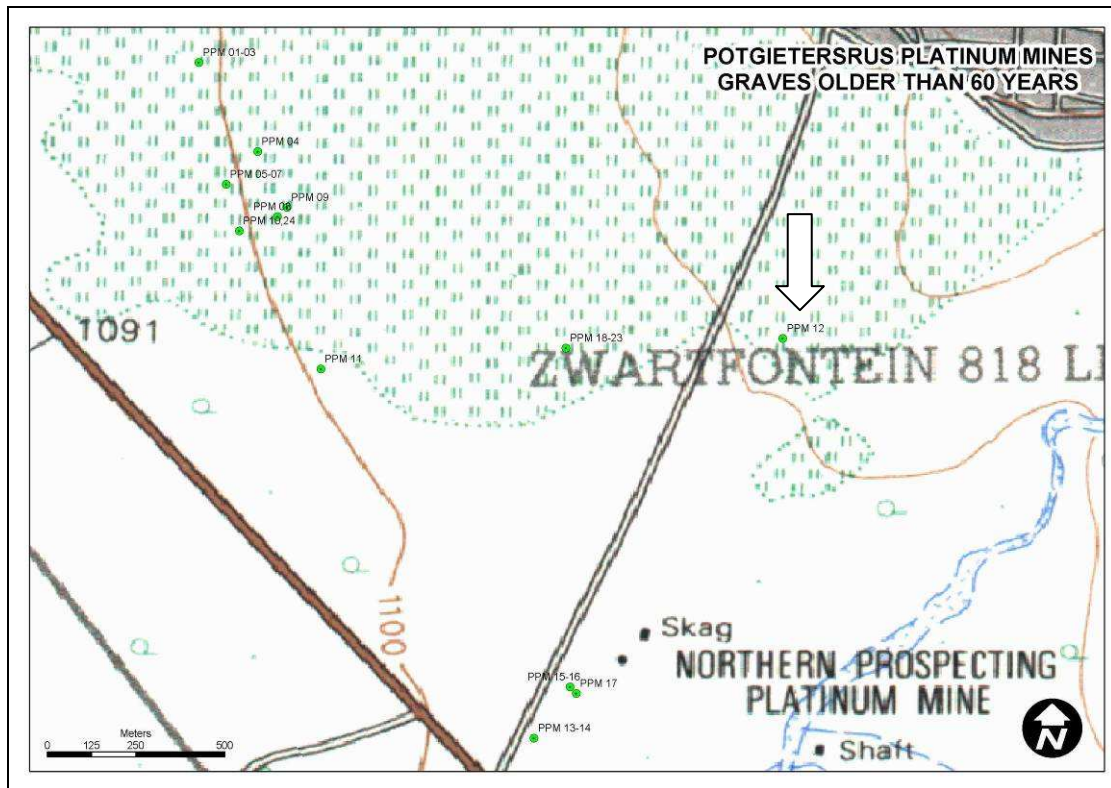


Figure 1. The arrow indicates the position of the grave.

APPENDIX B – COPIES OF SITE NOTICES

NOTICE:

EXHUMATION AND REINTERMENT OF INDIVIDUALS BURIED IN GRAVES SITUATED AT THIS LOCATION

07/08/2006

Notice is hereby given that *Professional Grave Solutions (Pty) Ltd* and *Twala Ama Afrika Funeral Directors cc* intend applying in terms of the Human Tissues Act (Act No.65 of 1983 and as amended); The Removal of Graves and Dead Bodies Ordinance (Ord. No. 7 of 1925); The Exhumations Ordinance (Ord. No. 12 of 1980); and Section 35 and 36 of the National Heritage Resources Act (Act 25 of 1999) as well as the relevant local regulations to the Limpopo Provincial Government, the South African Heritage Resources Agency (SAHRA) and the relevant Local Authorities for approval to exhume the remains of the individuals buried at this location for re-interment in a local cemetery.

The graves will be adversely affected by mining activities on the property on which they are currently situated.

All persons and communities descendant from the buried individuals as well as all persons and communities by tradition concerned with the graves are invited to partake in the process of relocation and must forward their contact particulars to the address listed below.

Any objections to the proposed exhumation and reinterment of the individuals can also be submitted to:

Mr. HS Steyn
Professional Grave Solutions (Pty) Ltd
PO Box 14706, Hatfield, 0028
Tel. no.: **086 111 4771**
Fax: **086 675 8077 / 012 332 0340**
Cell: **082 375 7622**
E-mail: **info@gravesolutions.co.za**

or

Mr. Linda Twala
Tel No: **011 887 5695**
Cell: **082 442 2866**

within 60 days of the date on this notice.

TSEBISO

KGPELO YA GO EPOLLWA GWA MABITLA A A LEGO MO KGAOLONG E E LATELAGO

14/09/2006

Le tsebisiwa gore Professional Grave Solutions (Pty) Ltd gammogo le Twala Ama Afrika Funeral Directors cc e na le maikemisetso a go dira kgopelo ya go epolla mabitla mo kgaolong e, le go boloka bahu ba ba amegang mo mabilteng a mo motseng go ya ka melao ya The Removal of Graves and Dead Bodies Ordinance (Ord No.7 of 1925), The Exhumation Ordinance (Ord. No. 12 of 1980) le Karolo 35 le 36 tsa National Heritage Resource Act (Act 25 of 1999) ga mmogo le melawana e e maleba ya Limpopo Provincial Administration, South African Heritage Resources Agency (SAHRA) gammogo le ditheo tse di maleba tsa mmušoselegae.

Mabitla a mantši a ka tla a thubega fa mebereko ya mo mmaeneng e dirwa fa a ka se katosiwe mo a leng gona ga byale

Batho ka moka ba e leng ditswalle tsa bahu ba ba patilweng gammogo le batho ka moka ba go ya ka setso ba nang le tokelo ya mabitla a a mo motseng ba kgopelwa go ikitsise gore ba tle ba tsebiswe fa go epollwa mabitla.

Fa go na le ditletlebo kgotsa megopolo malebana le go epollwa ga bahu, tsona di ka lebisiwa go:

Morena HS Steyn, Professional Grave Solutions (Pty) Ltd, P.O. Box 32542, Totiusdal, 0134

Nomoro ya mogala: 086 111 4771 **Fekse:** 086 675 8077/012 332 0340

Emeile : info@gravesolutions.co.za

Dibekeng tse tshela go tloga ka letšatši la tsebiso

Kgotsa

Mr Linda Twala

Tel No: 011 887 5695

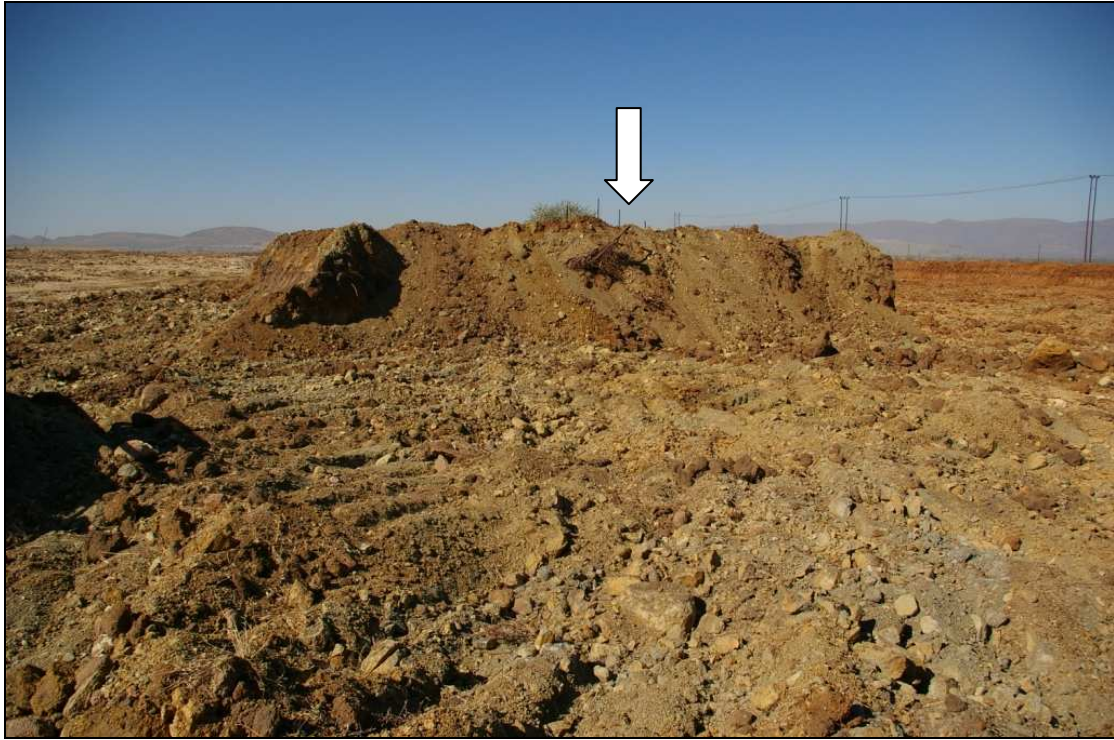
APPENDIX C – PHOTOGRAPHS



Photograph 1: CP-01 Dressing



Photograph 2: CP-01 No Remains were found.



Photograph 3: Location of CP-01. The arrow indicates the position of the grave. The urgency of the relocation can clearly be seen

APPENDIX D – COPY OF SAHRA PERMIT



SOUTH AFRICAN HERITAGE RESOURCES AGENCY
111 HARRINGTON STREET, CAPE TOWN, 8000 PO BOX 4637, CAPE TOWN, 8000
TEL: (021) 462 4502 FAX: (021) 462 4509

9/2/243/0002

PERMIT No.80/06/09/018/51

Issued under Section 36(3) of the National Heritage Resources Act, Act No. 25 of 1999. Permission is hereby given:

to: Mr H. Steyn (ID: 7109155269089) in association with Dr WC Nienaber (ID: 6911175094087),
of: Professional Grave Solutions (Pty) Ltd, PO Box 14706, Hatfield, 0028 and Heritage Resources Management Solutions cc, 225 Roos Street, Meyerspark, 0184,
for: the rescue excavation and relocation of a grave (CP01) disturbed during mining activities,
on: the farm Zwartfontein 818 LR, near Mokopane,
in: Limpopo Province.

The following conditions apply:

1. If the permit holder is not to be present on the site at all times then SAHRA must be provided with the names and qualifications of the authorised representatives.
2. Adequate recording methods as specified in the Regulations and Guidelines pertaining to the National Heritage Resources Act must be used. Note that the position of the grave must be marked on a plan of the site, and the site marked on a 1:50 000 map.
3. A standard site record form must be lodged with the Polokane Museum.
4. Human remains must at all times be handled with respect and graves should not be disturbed except where unavoidable. The consultation procedures as indicated in the gazetted regulations of the National Heritage Resources Act (Act No. 25 of 1999) must be observed as appropriate. The recommendations for removal of graves and exhumations and for re-burial made in SAHRA's Policy 'What to do when graves are uncovered', section 3, must be observed as far as possible.
5. All remains recovered, including relics and artefacts, as well as field notes and records, must be kept with the skeletal material and be curated at the .
6. A report on the excavation must be submitted to SAHRA on or before 1 November 2007.
7. Reprints of all published papers, or copies of theses or reports resulting from this work must be lodged with the relevant Provincial Heritage Resources Authority and SAHRA.
8. If a published report has not appeared within three years of the lapsing of this permit, the report required in terms of the permit will be made available to researchers on request.
9. It is the responsibility of the permit holder to obtain permission from the landowner for each visit, and conditions of access imposed by the landowner must be observed.
10. It is the responsibility of the permit holder to fill in excavations and protect sites during and after excavation to the satisfaction of the SAHRA and the landowner.
11. SAHRA shall not be liable for any losses, damages or injuries to persons or properties as a result of any activities in connection with this permit.
12. SAHRA reserves the right to cancel this permit by notice to the permit holder.
13. This permit is subject to a general appeal and may be suspended should an appeal against the decisions be received by SAHRA within 14 days from the date of the permit. SAHRA may not be held responsible for any costs or losses incurred in the event of the suspension or retraction of this permit.

This permit is valid until 1 November 2007.

for CHIEF EXECUTIVE OFFICER

Date: 3 October 2006

Place: Cape Town