



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency - Pretoria Office | 432 Paul Kruger Street | Pretoria

SITE INSPECTION REPORT: Grave Relocated from Annesley Andalusite Mine

BY

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HERITAGE INSPECTORATE UNIT

8 May 2017

APP Indicator Number: 2.1





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Introduction

Section 36 subsection 3(b) of National Heritage Resources Act 25 of 1999 states that no person may destroy, damage, alter, exhume, 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 without a permit issued by SAHRA or a provincial heritage resources authority. Section 36 (5), states that SAHRA or a provincial heritage resources authority may not issue a permit for any activity under subsection 3(b) unless it is satisfied that the applicant has, in accordance with regulations made by responsible heritage resources authority-

- (a) made a concerted effort to contact and consult communities and individuals who by tradition have an interest in such grave or burial ground;
- and
- (b) reached agreements with such communities and individuals regarding the future of such grave or burial ground.

In November 2016, SAHRA Heritage Inspectorate received a complaint referred to South African Heritage Resources Agency by the Limpopo Province Public Protector regarding family graves which have been relocated from their original place by the Annesley Andalusite Mine (in Burgersfort, Limpopo) without the family's consent.



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Background

Mr Hendrick Mototoloana Moropana approached the Office of the Public Protector requesting urgent intervention regarding family graves which have been relocated from their original place by the Annesley Andalusite Mine (in Burgersfort, Limpopo) without the family's consent. The complainant lodged a complaint with the Public Protector that indiscretions have occurred whereby his parents and sibling's graves have been relocated without his knowledge.

Mr Maropana mentioned that he is the only surviving son of the deceased parents and his other siblings. According to Mr Maropana, four graves have been relocated by the mine's operations and he was not consulted by the mine to get his consent. Upon visitation of the graves site for cultural rituals, he then realised that there is a mine operating on site and was advised that all the graves had been relocated. He was later directed to a place where they have been relocated. He was left with no option but to fulfill his cultural practices to the graves which are unknown to him as no elderly person was present when such relocation was executed. Maropana has not been answered as to who consented on the relocations and the basis on which they were made. He further mentioned that there are other graves which were not relocated and currently could not be identified as the mine is dumping sand in the area.

Purpose of the meeting

On the 21 April 2017 we had a meeting in the Pretoria satellite office with the mine officials and their lawyer and Mr Maropana. It was establish whether there has been a contravention of section 36 of the National Heritage Resources Act, to see if there are any traces of the graves that the



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complainant claim to have within the mining site and to also acquire relevant documentation i.e Heritage Impact Assessment (HIA), public participation documentation and consent letters signed by the families, so as to identify who consented on behalf of the Maropana.

Assessment and findings

During the meeting it was discovered that the Annesley Andalusite mine does not have any (documentation relating to heritage) on site, except the area map of Segorong Aerial Pictures of Annesley Mine. The permission for exhumation and interment of human remains that they received from Greater Tubatse community services department dated 22 June 2012. These are the graves that under 60 years which the mine still need to send proof of HIA and permit from SAHRA for relocation of graves which are 60 years old.

Conclusion

SAHRA's Heritage Protection Unit is still waiting for proof of consent letters and HIA. An Undertaking Notice has been given the mine on 21 April 2017.

Recommendations

➤ SAHRA Heritage Protection Unit has issued an undertaking notice requesting relevant documentation (Heritage Impact Assessment, public participation documentation and consent letters signed by the families).

Manager: Nkosazana Machete

Executive Officer:

Date: 08 May 2017

Date:



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