



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 2.2**

BY

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**HERITAGE INSPECTORATE UNIT  
16 February 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.

## 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.



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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 site inspection**

The purpose of the site visit was to have a meeting with the complainant and the Annesley Andalusite Mine Manager. It was also 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 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.



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## **Assessment and findings**

During the meeting it was discovered that the Annesley Andalusite mine does not have any (documentation relating to heritage) on site. The mine manager mentioned that he only deals with production and not heritage. Therefore he does not have any idea how many graves have been relocated and who has consented for the relocation. After the meeting was concluded together with Mr Maropana and the mine security we went for a site inspection to search for the graves which are claimed to still be within the premises mine. No graves were found.

## **Conclusion**

SAHRA's Heritage Protection Unit has drafted and submitted an Undertaking Notice to the Legal Unit which will later be issued to the Annesley Andalusite Mine.

## **Recommendations**

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