

BURIAL GROUNDS, GRAVES, AND EXHUMATION

APPLICATION FOR A PERMIT IN TERMS OF: Section 27/ Section 36

DESTROY, DAMAGE, EXCAVATE, ALTER, EXHUME OR REMOVE FROM ITS ORIGINAL POSITION OR OTHERWISE DISTURB GRAVES OR ANY BURIAL GROUND OR PART THEREOF WHICH CONTAINS SUCH GRAVES.
Making an incorrect statement or providing incorrect information may result in all or part of the application having to be reconsidered by HWC in the future, or submission of a new application.

IN ORDER FOR THE APPLICATION TO BE CONSIDERED, ALL SECTIONS OF THE APPLICATION FORM MUST BE COMPLETED

HERITAGE WESTERN CAPE REFERENCE NO., AS PROVIDED DURING SCRUTINY:

HWC25102803

SECTION A	
PLEASE TICK THE APPROPRIATE BOX	
<input checked="" type="checkbox"/>	The work as applied for has not started .
<input type="checkbox"/>	The work as applied for has started (Attention is drawn to Section 51 of the NHRA). As-built plans indicated the work undertaken and must be submitted which clearly identifies the contraventions and work yet to be undertaken.
<input type="checkbox"/>	The work as applied for has been completed (Attention is drawn to Section 51 of the NHRA). As-built plans must be submitted which clearly identifies the contraventions.
<input type="checkbox"/>	Deviation from an existing permit for work yet to be undertaken
<input type="checkbox"/>	Minor Works are only processed at the discretion of Heritage Western Cape, in instances where the work being undertaken will not impact on the significance of a structure or its surrounds identified as having significance. Please refer to HWC's webpage https://www.hwc.org.za to review the Requirements for Minor Works applications.
<input type="checkbox"/>	Emergency applications are only accepted at the discretion of Heritage Western Cape in terms of Regulation No. 3(8) of HWC's regulations published on 29 August 2003.
<input type="checkbox"/>	Extension of a permit; Date of current permit: (dd/mm/yy): _____ (The current permit must be attached. Extensions are only granted when the existing permit has not lapsed).
<input type="checkbox"/>	The site has a Heritage Agreement / Conservation Management Plan / Maintenance Management Plan in place (please attach)

DETAILS OF SITE, PLACE OR STRUCTURE

Physical address of site: M16/Francis van Zyl Drive, Stellenbosch University Tygerberg Campus, Belville

Erf No or Farm Name and No.: ERF 24602

GPS Coordinates: 33° 54' 28.08" S 18° 37' 00.99" E

Type of site, place, or structure (indicate by means of a cross in the appropriate space(s) below):

- ☐ **Provincial Heritage Site** (or a previously declared national monument in terms of the National Monuments Act, 1969) in terms of Section 27, **or a provisionally protected heritage site** in terms of Section 29 of the National Heritage Resources Act (1999).
- ☐ Single Burial
- ☒ Unofficial burial ground (i.e on a farm or privately owned land)
- ☐ Grave located on a church
- ☐ Unknown

SECTION B

NAME AND DETAILS OF APPLICANT

Name: Dr Jayson Orton

Identity number of applicant: 7606225224085

Company / Capacity: ASHA Consulting (Pty) Ltd

Address and postal code: 40 Brassie Street, Lakeside, 7945

Cellular phone number: 083 272 3225

E-mail: jayson@asha-consulting.co.za

Signature: _____ Date: 16.10.2025

DETAILS OF COLLABORATING INSTITUTION

Name of Institution: Stellenbosch University

Head of Institution: Facilities Management – Director Development Planning and Design – FC Swart

Address and postal code: Hammanshandweg, Stellenbosch, 7600

Cellular phone number: 083 415 7972

E-mail: planning@sun.ac.za

Declaration: I, **Francois Swart**, am fully aware of this application and accept its contents and declare that I intend to undertake the actions as proposed in this application.

Signature:  Date: 24 October 2025

SECTION C

PROPOSED TYPE OF ACTION

	Analysis		Dating
	Development of the site	X	Excavation (Test/ ground-truthing)
X	Disturbance		Removal from its original or current position
	Collection		Other (please specify):
	The use of excavation equipment that assists in the detection or recovery of metals or archaeological material or objects (If relevant, provide a motivation for the use of mechanical excavation equipment or any equipment that assists in the detection or recovery of metal or archaeological material or objects.)		

DESCRIPTION OF THE EXCAVATION SITE – Provide a short description of the site's history

Please refer to the attached Heritage Statement.

DESCRIBE THE PURPOSE OF THE DESTRUCTION / ALTERATION / DAMAGE – (i.e., for academic study, investigation, recovery etc.)

The ground-truthing of 6 potential grave targets identified through Ground Penetrating Radar (GPR) scanning undertaken on Erf 24602 (SU Campus). It is important to note that no exhumation is being proposed, only the ground truthing of 6 potential burial targets. As requested, two community leaders to be identified by the new Hardekraaltjie Memorial Management Committee (HMMC) will be present at the test excavations. The outcome of the ground truthing will determine the way forward in terms of the buffer area around the Hardekraaltjie Cemetery and the proposed Memorialisation thereof.

MOTIVATION FOR PROPOSED ACTION/S – (Provide a brief motivation in terms of heritage grounds and the necessity of the exhumation or rescue of human remain/s)

Methodology for ground truthing:

The locations of a number of potential graves on Erf 24602 (SU Campus) were noted using ground penetrating radar. These locations were surveyed, and the surveyor will return to the site prior to the excavation work and mark the six targets. Although many other anomalies were also noted, the six that seemed most likely to be graves were earmarked for testing so that, overall, the amount of disturbance could be minimised. It is assumed that if these six most likely targets prove negative then the remaining less likely targets will also be negative.

Once the targets are pegged by the surveyor, Dr Orton will visit the site and hand excavate small trenches at 90 degrees across the potential targets. The aims will be to look for, in this order:

(1) disturbance in the soil indicative of a grave shaft,

(2) brown stains or wood fragments indicating the edges of coffins (the lids cave in and rest on the bones in the base of the coffin, but the full height of the side walls of the coffins is usually preserved), and

(3) human remains.

It will probably be best to stop excavation of each target as soon as one of these signs is found. Once all six have been explored we can then go back and work further if necessary. Ground disturbance alone in all 6 targets will not necessarily prove graves. We can also consult with the community leaders on site to determine whether further excavation should be carried out. Seeing coffin remains will guarantee that graves occur, and it can probably be assumed that no exhumations took place. If for any reason there is still doubt, then the last option of continuing till human remains are exposed will be applicable. The deeper the excavation goes, the larger the hole/trench will need to be.

Note that NO exhumation is proposed and the plan will be to affect the minimum amount of disturbance possible in order to gain clarity on whether graves occur in the 'extended buffer zone' on Erf 24602 (SU Campus) or not. Therefore, the ground truthing proposed is only to establish that graves are present and not to move them in any way. At this point we do not know if there are graves, but all the necessary precautionary measures have and will be taken.

Please refer to the attached Heritage Statement.

PREVIOUS HWC APPLICATIONS APPLICABLE TO THE SITE – Provide details of any previous applications submitted to HWC on the site.

HWC Reference No.	NHRA Section	Summary of Proposal	Application Status (Approved, Not Approved, Pending)	Permit / Record of Decision Date
16060607AS0606M	S38(4)	PHASE 1 HIA (Addendum Architectural Assessment): Proposed redevelopment of Tygerberg Hospital Precinct, Erven 14298 and 15350, Belville	Final Decision	30 July 2018
17110803As1110E	S38(8)	NID: Proposed upgrade and redevelopment on Erven 24602, 18228 and Portion of Erf 15349, University of Stellenbosch Tygerberg Campus, Parow.	Final Comment	6 December 2017
21040806SB0409E	S36	PERMIT REPORT: TESTING OF A SMALL AREA ON ERF 24602 AT THE UNIVERSITY OF STELLENBOSCH TYGERBERG CAMPUS	EMERGENCY PERMIT: Approved	13 April 2021
HWC24091815	S36	THE MEMORIALISATION OF THE HARDEKRAALTJIE CEMETERY AND BURIALS (ERF 15349 & ERF 18228), PAROW.	Pending	

SECTION D

PUBLIC CONSULTATION

Conservation bodies are interested parties in the management of our heritage resources. HWC requires that the registered conservation bodies are informed and provided 30 days to provide comment when applications are received for specific geographical areas or categories of heritage resources in terms of Section 25(10) of the National Heritage Resources Act, 1999. Please find the list of registered conservation bodies for the Western Province on our website: <https://www.hwc.org.za/conservation-bodies>

INTERESTED AND AFFECTED PARTY / CONSERVATION BODY LIST

Engagement around the Memorialisation process commenced on Heritage Day on the 24 September 2021, that entailed extensive pre-application consultation as per the attached Heritage Statement and resulted in the publication of a book.

The attached Heritage Statement includes the proposal put forward for Memorialisation in an in-application consultation process that ran from October 2024 until October 2025. The Heritage Statement (including Annexures) has undergone the following official Public Participation Process:

- Circulated to the identified Interested and Affected Parties (I&APs) List for a 30-day comment period (16th October – 15th November 2024).
- All documentation was uploaded onto our website and hard copies were placed in the:
 - Ravensmead Public Library,
 - Belville Public Library,
 - Parow Public Library, as well as
 - SU Tygerberg Campus Library.
- A Site Notice was placed at the entrance to the Stellenbosch University Tygerberg Campus for the duration of the 30-day public comment period.
- An advertisement was placed in the TygerBurger.
- Notification Letters were sent to the I&AP List (Annexure G1 of the Heritage Statement).
- A public meeting was held in the Ravensmead Public Library on Saturday 26 October 2024 at 10:30.

The comments received during the above public consultation process and our responses are captured in Appendix G4 of the Heritage Statement.

Since the fixed comment period ended a number of focus group meetings have been held with various stakeholders and community members to discuss the way forward and the formation of the current option 4.

Please refer to 'Section 10: Consultation and Participation' of the Heritage Statement and Annexure G of the Heritage Statement for proof of the Public Participation Process undertaken, the List of Interested and Affected Parties and the Comments and Response Report.

Name	Email	Response Provided Within The 30-Day Period: Yes or No	Date of Initiation of Consultation Period
Refer to Appendix G1 for a list of Interested and Affected Parties (I&APs) notified of the 30-day comment period (16th October – 15th November 2024). Please refer to Appendix G3 for the Proof of Public Participation undertaken and Appendix G4 for the comments received and the responses thereto.			

PLEASE NOTE

Applications are considered to be public documents and are open to public scrutiny. Should you wish for your application to be kept confidential, please motivate your request on a separate sheet attached to your application form. For applications that are granted confidentiality, this confidentiality will be limited to one year (12 months).

Annexures:

Annexure 1: Proof of Payment

Annexure 2: Power of Attorney

Annexure 3: CV Jayson Orton



Notice of Payment

06 November 2025

Dear FYNBOSLAND 323 CC

Subject: Notice Of Payment: Heritage WesternCape

Please be advised that you made a payment to Heritage WesternCape as indicated below.

Transaction number:	80285B51A0-34
Payment date:	2025-11-06
Payment made from:	TJEKREKENING
Payment made to:	Heritage WesternCape
Beneficiary bank name:	NEDBANK
Beneficiary account number:	1452048924
Bank branch code:	145209
For the amount of:	1 000.00
Immediate payment:	N
Reference on beneficiary statement:	HWC25102803

Please remember that the following applies to online banking payments to non-ABSA and Absa Vehicle and Asset Finance bank accounts.

- Payments made on weekdays before 15:30 will be credited to the receiving bank account by midnight of the same day.
- Payments made on weekdays after 15:30 will be credited by midnight of the following day.
- Payments made on a Saturday, Sunday or Public holiday will be credited to the account by midnight of the 1st following weekday.
- Payments may take up to 30 minutes to reflect in the beneficiary's Vehicle Finance Account.

If you need more information or assistance, please call us on 0860 008 600 or +2711 501 5110 (International calls).

If you have made an incorrect internet banking payment, please send an email to digital@absa.co.za

Yours sincerely

General Manager: Digital Channels

This document is intended for use by the addressee and is privileged and confidential. If the transmission has been misdirected to you, please contact us immediately. Thank you.

POWER OF ATTORNEY

I, the undersigned, Nicolette van den Eijkel (ID No. 660813 0154 085), duly authorized by

STELLENBOSCH UNIVERSITY

In my capacity as Chief Director: Facilities Management, do hereby nominate, constitute and appoint:

Francois Swart
Director: Development Planning and Design
(ID No. 750625 5039 082)

- a) With power of substitution to be the University's lawful agent, and in its name, place and stead to submit all documentation on its behalf, required for land use management/land development application in terms of the Spatial Planning and Land Use Management legislation applicable in the municipality or Province.
- b) And in addition to the above, to engage with the authorities on the University's behalf in all matters relating to the above-mentioned submissions and further may represent the University at any inquiry in relation to the above-mentioned matters and generally do whatever may be necessary or desirable to procure the approval of any/all above related applications.
- c) Hereby ratifying, allowing and confirming; and promising and agreeing to ratify, allow and confirm all and whatsoever the agent lawfully does, or cause to be done, by virtue of these precedents.

SIGNED AT Stellenbosch University THIS 3 DAY OF October 2024.

On behalf of Stellenbosch University:



Nicolette van den Eijkel
Chief Director: Facilities Management
Tel no. 021 808 3918 or 082 747 4560

*Curriculum Vitae***Jayson David John Orton****ARCHAEOLOGIST AND HERITAGE CONSULTANT****Contact Details and personal information:**

Address: 40 Brassie Street, Lakeside, 7945
Telephone: (021) 788 1025
Cell Phone: 083 272 3225
Email: jayson@asha-consulting.co.za

Birth date and place: 22 June 1976, Cape Town, South Africa
Citizenship: South African
ID no: 760622 522 4085
Driver's License: Code EB
Marital Status: Married to Carol Orton
Languages spoken: English, Afrikaans, basic French

Education:

SA College High School	Matric	1994
University of Cape Town	B.A. (Archaeology, Environmental & Geographical Science)	1997
University of Cape Town	B.A. (Honours) (Archaeology) [First Class]	1998
University of Cape Town	M.A. (Archaeology)	2004
University of Oxford	D.Phil. (Archaeology)	2013

Employment History:

Spatial Archaeology Research Unit, UCT	Research assistant	Jan 1996 – Dec 1998
Department of Archaeology, UCT	Field archaeologist	Jan 1998 – Dec 1998
UCT Archaeology Contracts Office	Field archaeologist	Jan 1999 – May 2004
UCT Archaeology Contracts Office	Heritage & archaeological consultant	Jun 2004 – May 2012
School of Archaeology, University of Oxford	Undergraduate Tutor	Oct 2008 – Dec 2008
ACO Associates cc	Associate, Heritage & archaeological consultant	Jan 2011 – Dec 2013
ASHA Consulting (Pty) Ltd	Director, Heritage & archaeological consultant	Jan 2014 –

Professional Accreditation:

- Association of Southern African Professional Archaeologists (ASAPA) membership number: 233
- ASAPA CRM Section member with the following accreditation:
 - Principal Investigator: Coastal shell middens (awarded 2007)
Stone Age archaeology (awarded 2007)
Grave relocation (awarded 2014)
 - Field Director: Rock art (awarded 2007)
Colonial period archaeology (awarded 2007)
- Association of Professional Heritage Practitioners (APHP) membership number: 43
 - Accredited Professional Heritage Practitioner

Memberships and affiliations:

- | | |
|---|-------------|
| ➤ South African Archaeological Society Council member | 2004 – 2016 |
| ➤ Assoc. Southern African Professional Archaeologists (ASAPA) member | 2006 – |
| ➤ UCT Department of Archaeology Research Associate | 2013 – 2017 |
| ➤ Heritage Western Cape APM Committee member | 2013 – 2023 |
| ➤ UNISA Department of Archaeology and Anthropology Research Fellow | 2014 – |
| ➤ Fish Hoek Valley Historical Association | 2014 – |
| ➤ Kalk Bay Historical Association | 2016 – |
| ➤ Association of Professional Heritage Practitioners member (CRM Section) | 2016 – |
| ➤ Southern African Field Archaeology section editor | 2021 – |

Fieldwork and project experience:

I have extensive experience as Field Director and Principal Investigator throughout Western and Northern Cape, and the western Free State and Eastern Cape. I also work in the eastern part of South Africa through partnership with an Iron Age accredited colleague.

Feasibility studies:

Heritage feasibility studies examining all aspects of heritage from the desktop

Phase 1 surveys and impact assessments:

- | | |
|---|--|
| ➤ Project types | ➤ Development types |
| ○ Notification of Intent to Develop applications | ○ Mining and borrow pits |
| ○ Heritage Impact Assessments | ○ Roads (new and upgrades) |
| ○ Self-standing assessments under Section 38(1) of the NHRA | ○ Residential, commercial and industrial development |
| ○ Assessments under NEMA and Section 38(8) of the NHRA | ○ Agricultural developments |
| ○ Archaeological specialist studies | ○ Dams and pipe lines |
| ○ Strategic assessments | ○ Power lines and substations |
| ○ Phase 1 archaeological test excavations in historical and prehistoric sites | ○ Renewable energy facilities (wind, solar and hydro-electric) |
| ○ Archaeological research projects | |

Phase 2 mitigation and research excavations:

- | | |
|-----------------------------|--|
| ➤ ESA open sites | ○ Duinefontein, Gouda, Namaqualand |
| ➤ MSA rock shelters | ○ Fish Hoek, Yzerfontein, Cederberg, Namaqualand |
| ➤ MSA open sites | ○ Swartland, Bushmanland, Namaqualand |
| ➤ LSA rock shelters | ○ Cederberg, Namaqualand, Knersvlakte, Bushmanland |
| ➤ LSA open sites (inland) | ○ Swartland, Franschhoek, Namaqualand, Bushmanland, De Aar |
| ➤ LSA coastal shell middens | ○ Melkbosstrand, Yzerfontein, Saldanha Bay, Paternoster, Dwarskersbos, Infanta, Knysna, Namaqualand coast, Knersvlakte |
| ➤ LSA burials | ○ Melkbosstrand, Saldanha Bay, Namaqualand coast, Knysna |
| ➤ Historical sites | ○ Waterfront (fort, dump and well), Noordhoek (cottage), variety of small excavations in central Cape Town and surrounding suburbs, Franschhoek (farmstead and well) |
| ➤ Historic burial grounds | ○ Green Point (Prestwich Street), V&A Waterfront (Marina Residential), Paarl, Beaufort West, Paarl, De Aar |

Awards:

1998: Frank Schweitzer memorial book prize for an outstanding student.

2015/2016: Western Cape Government Cultural Affairs Awards: Best Heritage Project.



Association of Professional Heritage Practitioners

MEMBERSHIP CERTIFICATE

THIS CERTIFIES THAT

JAYSON ORTON

MEMBERSHIP NUMBER: PHP0043

has been awarded membership as a
PROFESSIONAL MEMBER (PHP)

This membership is subject to the *Standards for Membership and Code of Conduct*, referred to in Sections 2 and 3 of the APHP Constitution respectively. The definition of a Professional may be found at: www.aphp.org.za/membership

Please contact us via info@aphp.org.za should further information be required.

THIS CERTIFICATE IS VALID FROM **1 JUNE 2025 – 1 JULY 2026**

CHAIRPERSON

[Issued by the Association of Professional Heritage Practitioners Executive Committee]

Watermark Image: Lydenburg-Head, circa 500 AD
Illustration from: *Ritual Space in the Zimbabwe Culture*. https://www.researchgate.net/figure/One-of-the-original-Lydenburg-Heads-redrawn-from-photograph-courtesy-Iziko-Museums_fig7_272310317 [accessed 29 Jun 2025]

Association of Professional Heritage Practitioners
info@aphp.org.za
www.aphp.org.za

<< archaeologists

THE ASSOCIATION OF SOUTHERN AFRICAN PROFESSIONAL ARCHAEOLOGISTS



Dr Jayson Orton

CRM

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A stylized, handwritten signature in black ink, appearing to read 'J. Orton', written over a white rectangular background.

Accredited professional archaeologist for the SADC region

Further CRM accreditation

Level	Specialist areas
Principal Investigator	Coastal shell middens; Stone Age archaeology
Field Director	Rock art; Colonial period archaeology; Grave relocation

This card is subject to the conditions issued to the card holder. The card remains the property of ASAPA and must be surrendered on request. If found please return to: ASAPA, P.O. Box 172, Wits, 2050, RSA