



**SOUTH AFRICAN HERITAGE RESOURCES AGENCY**  
 111 HARRINGTON STREET, CAPE TOWN, 8001  
 PO BOX 4637, CAPE TOWN, 8000  
 TEL: 021 462 4502 FAX: 021 462 4509

<p><b>FOR OFFICIAL USE ONLY:</b>                  File No.: .....                  Date received: .....                  Date approved: .....                  Applicant: .....                  Site / Object: .....                  Permit No.: .....</p>
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**APPLICATION FOR PERMIT:  
 ARCHAEOLOGICAL AND PALAEOONTOLOGICAL SITES AND METEORITES**

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

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*In terms of Section 35 (4) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) no person may, without a permit issued by the relevant heritage resources authority, destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or material or any meteorite; or bring onto, or use at an archaeological or palaeontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.*

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Other application forms are available for shipwrecks (303), heritage objects, export of archaeological and palaeontological material (304); burials (305), the built environment and landscape (307) or the registration of private collections (402).

**Applicants are advised that without full details no permit may be issued.**

**A. APPLICANT'S DETAILS**

1. Name and address of applicant: **Cape Archaeological Survey** .....  
**Unit 2 Greenwich Grove, Duke Road, Rondebosh**  
 Phone: (H) **(021) 761 4744** (W) **(021) 685 1658** (Cell) **083 208 0648**  
 Fax: N/A E-mail: **mary@casprojects.co.za** .....  
 Identity number of applicant (or passport): **Company Registration CK 90/31205/23** .....
2. Academic qualifications of applicant:  
**MA (Archaeology)**
3. Previous relevant experience of applicant: **20 years in contract archaeology** .....
4. Name and address of a person who can serve as a reference, i.e. a qualified archaeologist, palaeontologist or geologist, as relevant: **Professor Alan Morris, Department of Human biology, Faculty of Health Science, University of Cape Town, Anzio Road, Observatory** .....
5. Name and address of the South African scientific institution with which the applicant collaborates: .....  
**N/A** .....
6. Name and address of the South African scientific institution that will curate the material recovered: .....  
**N/A** .....

**B. DETAILS OF SITE(S) OR OBJECT(S)**

7. Name(s) of site: **Black River Cemetery (Erf 33030) Historic Cemetery (see appendix 1: figures 1-5).** .....

8. Nature of site or object(s) *e.g. archaeological, palaeontological, meteorite\**: **Historical Archaeology** .....

*\* Please supply a short description of the site, including, type and approximate date on a separate sheet of paper see appendix 2*

9. Period, era, age or date of site or object(s) \*: **Historic (19<sup>th</sup> 20<sup>th</sup> century; 1867-1927, 1927-1952)**.....

10. Geographical situation of site / object *MARK POSITION OF SITE ON A PHOTOSTAT OF A 1:10 000 or 1:50 000 MAP:*

Province: **Western Cape**.....

Magisterial district: ..... 1: 50 000 Map number : ..... (or SAN chart)

Latitude & Longitude: **33°57'41.92"S 18°29'51.77"E** . Recording method (GPS, Trig., Other) : .....

Farm Name and No.: ..... / Town : .....

Nearest Town: **Athlone** ..... / Street address & Erf #: **Athlone abutting Klipfontein,**

**Cressy and Helder Road , Erf 33030**.....

11. If it is a national or provincial heritage site / object, the number and date of the notice in the *Government Gazette* N/A.....

**C. PURPOSE OF APPLICATION**

12. Purpose of and reasons for application\*

**To exhume a historic graveyard located on Erf 33030 and repatriate the remains to St Marks Church in Athlone. The exhumation and repatriation has been approved by the landowner, the Anglican Church, and Interested and Affected Parties who registered during a 60 day public consultation period during 2012 and 2013 as set out in the National Heritage Resources Act 1999 No 25, Section 36 (see appendix 2).**

**The study erf, which looks like a green-field site is was researched by Michael Bester, from Bester Architects, who has both written records and death registers for the period 1867 until 1927, and again from 1946 to 1952. It is estimated from these records, and the archaeologists previous experience of working on site of this size at St Stephens in Paarl (Patrick 2006) that at least 3 000 burials may be exposed during the exhumation process.**

**Once the exhumation process is complete the land will be sold for development. Development options were discussed during the public consultation phase and a summary of IA&Ps voting on the matter forms part of this submission is included in appendix 3.**

**Approvals from the Department of Health and the Environmental Control Officer are set out in appendix 4 and the appointed undertaker, vetted by the Department of Health, in appendix 5.**

**\* PLEASE SUPPLY FULL MOTIVATION OR RESEARCH PROPOSAL**

**The permit is requested initially to undertake trial excavations across the site to verify the spatial distribution of burials and establish the depth of the burial shaft. Thereafter this information will be used to set up a working methodology (the same methodology developed by Patrick 2003 for the St Stephens ) regarding how to excavate the site in quadrants, how to manage bulk earthmoving with the contractor, how to map and record daily exhumations. Daily observations will include developing a demographic profile, scoring skeletal pathologies and linking this to the social history of the area in the 19<sup>th</sup> century. An accredited undertaker will remove exhumed burial on a daily basis and these will be stored at their premises until cremation can be undertaken. A dedicated columbarium is being build at St Marks church in Athlone to house the cremated remains.**

13 Nature of activity. *Please circle the appropriate activities below*

**Destruction or Damage\* for:** Analysis / Dating / Restoration / Security / Other\*

Excavation or disturbance\*

Alteration\*

Removal from original site\*

Exhumation and re-interment\* **X**

Explore with a metal detector or other equipment\*\*

Other (e.g. removal of graffiti at rock art site)\*

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

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

From **February 2014** To **February 2016**

15. Have you consulted the landowner about this project? **Yes** Please supply documentation. Please see appendix 4

16. Institutional support (as relevant):

**I, N/A**..... **Head of**.....  
(South African Institution) where the applicant will be based while undertaking this project, hereby state that I support the application.

Signature:..... Date:.....

**I, Alan Lindhorst** ..... **Head of Constaniaberg Funeral Homes**.....  
(Institution) hereby undertake to store in our institution the material and records from this project once completed.

Signature:..... Date:.....

**I, Mary Patrick** .....

undertake strictly to observe the terms, conditions, restrictions, regulations and guidelines under which the Council may issue the permit to me.

Signature: ..... **(APPLICANT)** ..... **Place: Rondebosch, Cape Town**.....

**Date:** .....

- Excavation or disturbance\*  
 Alteration\*  
 Removal from original site\*  
 Exhumation and re-interment\* **X**  
 Explore with a metal detector or other equipment\*\*  
 Other (e.g. removal of graffiti at each art site)\*  
*Please supply extra details on a separate sheet of paper\*.*

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

From February 2014 to February 2016

15. Have you consulted the landowner about this project? **Yes** - Please supply documentation. Please see appendix 4

16. Institutional support (as relevant):

I, N/A Head of \_\_\_\_\_  
 (South African Institution) where the applicant will be based while undertaking this project, hereby state that I support the application.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, Alan Lindhorst Head of Constantiaberg Funeral Home  
 (Institution) hereby undertake to store in our institution the material and records from this project once completed.

Signature: Alan Lindhorst Date: 18-11-2013

I, Mary Patrick \_\_\_\_\_

undertake strictly to observe the terms, conditions, restrictions, regulations and guidelines under which the Council may issue the permit to \_\_\_\_\_.

Signature: Mary Patrick Place: Rondebosch, Cape Town

(APPLICANT)

Date: 18 Nov 2013

**CONSTANTIABERG  
 FUNERAL HOME**

PO Box 53396, Kenilworth 7749  
 85 Kenilworth Road, Kenilworth  
 TEL: (021) 871 2400

From May 2006, certain permit applications submitted to the South African Heritage Resources Authority, SAHRA, in terms of the National Heritage Resources Act (Act No 25 of 1999) must be accompanied by payment of the appropriate fee.

Permit Applications made on **SAHRA APM Permit Form No 302** will carry the following fees:

1. Permits issued by the <b>SAHRA Archaeology, Palaeontology and Meteorite Unit (APM)</b> Unit for Grade I archaeological or palaeontological heritage resources or meteorites; and for Grade II & III and generally protected heritage resources, on an agency basis, for Provincial Heritage Resources Authorities	Fee	*Permit Code
i. Application fee for destruction, damage, excavation, alteration or disturbance in terms of s.35(4) for research and conservation;	CEO to determine	*AP302REC
ii. Application fee for destruction, damage, excavation, alteration or disturbance in terms of s.35 (4) for mitigation or development;	R150	*AP302DES
iii. Application fee for filming by commercial film by commercial film crews in terms of s.35 (4);	CEO to determine	*AP302FIL

**Kindly ensure that you supply the Application Code (see table above\*) followed by the surname of the permit applicant, in the reference section of the bank deposit slip.**

For example

Charges may be waived, at the discretion of SAHRA Chief Executive Officer, for certain permit applications.

It should be NOTED that SAHRA may, in terms of section 3 of the SAHRA permitting regulations, require that a financial deposit be lodged with SAHRA to safeguard a heritage resource until satisfactory completion of the action for which the permit is required.

**PAYMENT may be made** by depositing the relevant amount into the SAHRA bank account and faxing or producing the proof of payment (i.e., stamped deposit slip, internet banking confirmation, etc.), OR through Internet Banking and emailing or faxing proof of payment, OR by cheque, on application.

PLEASE TAKE NOTE THAT APPLICATIONS NOT ACCOMPANIED BY A PAYMENT OR PROOF OF PAYMENT MAY NOT BE PROCESSED UNLESS EXEMPTED ABOVE OR BY SAHRA.

**SAHRA banking details:**

South African Heritage Resources Agency  
 ABSA Bank, Adderley Street; Cape Town  
 Bank Code: 63 2005; Account Number: 40-6416-0070.

Should you have any queries please contact the appropriate unit via: SAHRA, PO Box 4637, Cape Town 8000; or by email at [info@sahra.org.za](mailto:info@sahra.org.za); or Tel: 021 462 4502; Fax: 462 4509.

### Appendix 1: Site Location



Figure 1: 1: 50 000 location map showing the site in the Western Cape (Map Ref 3318D).

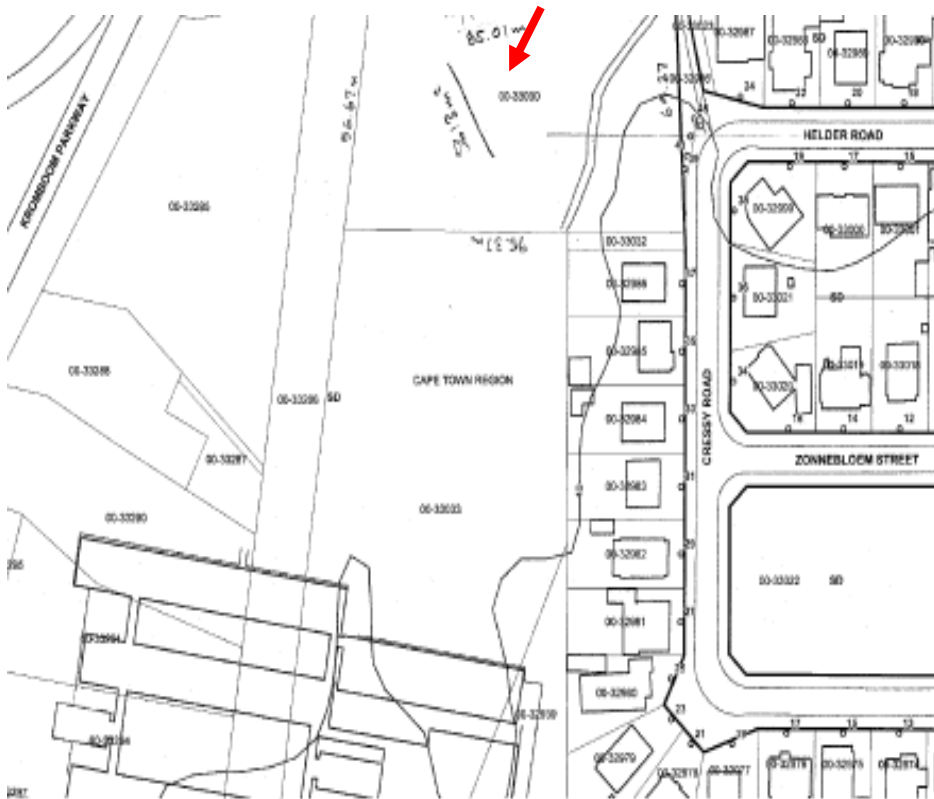


Figure 2: Zoning map showing the site (the study erf is marked with an arrow).



Figure 3: Google image (2013) showing the location of the site in relation to Kromboom Parkway (M5).



Figure 4 & 5: Site photography showing the current status of the study erf at the junction of Cressy Road and Garlandale School and the M5 highway. Public Consultation Notices in the foreground.

## Appendix 2: Public Consultation Documents (2012)



**CAPE  
Archaeological  
SURVEY**

Archaeological Impact Assessment  
and Heritage Management

**NOTICE ADVERTISING A REQUEST FOR INFORMATION RELATING TO A HISTORIC GRAVEYARD,  
ST MARK'S CHURCH, ATHLONE, WESTERN CAPE**

The Anglican Diocese of Cape Town intends to carry out an exhumation and re-interment of burials from the Black River Cemetery (1875-1952), situated on Erf 33030 Cape Town, abutting Klipfontein, Cresy and Helder Roads in Athlone.

A previous 42 day public consultation process was undertaken in 2005, under the City of Cape Town's regulations; Ordinance No 12 of 1980, to disinter the graves located on the above erf and re-inter any remains found in a garden of remembrance to be created in the grounds of St Mark's Church, Athlone. No Interested and Affected Parties (IA&Ps) came forward to claim these burials at that time.

In terms of the National Heritage Resources Act (1999), Section 36(5), graves that are older than 60-years are protected and may not be destroyed, altered or moved from their original position without prior public consultation. In this regard, the National Heritage Resources Act regulations concerning the procedure for managing burial grounds and graves are hereby advertised.

The applicant, in this case the Anglican Diocese of Cape Town, is obliged to attempt to identify the descendants and family members of the persons buried in the graveyard, or any other person or community who, through an established oral or written tradition, has information concerning such a graveyard. If you, or your organisation or community, wish to be consulted or receive information regarding this process, please provide us with the following details within the 60 day advertising period (5th June – 2nd August 2012).

- Your name.
- Name and address of organisation.
- Telephone, fax and email address.
- Reason for your interest.
- Any relevant information towards identifying the persons buried on the site.

Contact Details: Mary Patrick (Archaeological Consultant)  
Tel: 021 685 1658 • Cell: 083 2080648  
Email: [maryp@method1.co.za](mailto:maryp@method1.co.za)

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**KENNISGEWING OM 'N VERSOEK TE ADVERTEER VIR INLIGTING OOR 'N HISTORIESE BEGRAAFPLAAS,  
ST. MARK'S KERK, ATHLONE, WES-KAAP.**

Die Anglikaanse Bisdom van Kaapstad is van voorneme om die menslike oorskot van Swartivier-begraafplaa's (1875-1952) gelei op Erf 33030 Kaapstad, aangrensend aan Klipfontein-, Cresy- en Helderweg in Athlone, op te graawe en te herbegraawe.

In terme van Ordonansie nr. 12 van 1980 van die Stad Kaapstad se regulasies was daar voorheen in 2005 'n openbare konsultasieproses van 42 dae om die grafte op bovermelde erf op te graawe en om dan enige oorskot wat gevind mag word in 'n tuin van herinnering op die terrein van die St. Mark's Kerk, Athlone, te herbegraawe. Op daardie tydskip het geen partye wat belang daarby kan hê of daardeur geraak mag word na vore gekom en die oorskot opgegis nie.

In terme van Artikel 36: (5) van die Wet op Nasionale Erfenis Hulpbronne van 1999 word grafte wat ouer as 60 jaar is, beskerm en mag dit nie vernietig, verander of van hul oorspronklike posisie verskuif word sonder openbare konsultasie vooraf nie. Voortspreekend hieruit word die regulasies van die Nasionale Erfenis Hulpbronne rakende die prosedure vir die bestuur van begraafplase en grafte hierby geadvertiseer.

Die applikant, in die geval die Anglikaanse Bisdom van Kaapstad, is verplig om die afstammelinge en familielede van die persone wat in die begraafplaa's begrawe is en/of enige ander persone of gemeenskap, wat verweis 'n gevestigde moudellinge en geskree oorewring, inligting rakende so 'n begraafplaa's het, te probeer identifiseer. Indien jy of jou organisasie of gemeenskap oor hierdie proses geraadpleeg wil word of inligting daaroor wil ontvang, verskaf dan a.b. die volgende besonderhede binne die advertensieperiode van 60 dae ( 5 Junie 2012 – 2 Augustus 2012 ).

- Jou naam
- Naaam en adres van organisasie
- Telefoon, faks en e-posadres
- Rede vir jou belangstelling
- Relevante inligting m.b.t. die identifisering van mense wat op die perseel begrawe is.

Kontakbesonderhede:

Mary Patrick (Argeologiese Konsultant)  
Tel(021) 685 1658 • Sel: 083 208 0648  
E-pos: [maryp@method1.co.za](mailto:maryp@method1.co.za)

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**ISAZISO ESIBHENGEZA ISICELO SENGCACISO MAYELANA NAMANGCWABA AKUDALA, E-ST MARK'S  
CHURCH, E-ATHLONE, ENTSHONA KAPA.**

Isaia yama-Anglican yaseKapa izakugrumba amangcwaba iphinde ingcwabe kumaNgcwaba aseBlack River (1875-1952), aku-Erf 33030 eKapa, naphakathi kweKlipfontein, iCresy neHelder Roads eAthlone.

Kuyi kwakho inkqubo yeengxoxo naluntu kuqala neye yafatha iintsuku ezingama-42 ngaryaka ka-2005, ngaphantsi kwemigaqo yeIsela saseKapa; uOrdinance No 12 ka-1980, ngokugrunjwa kwamangcwaba ami ngenxa kwemif kuzo kungwatywe iisela ezifunyanwayo kwisitha seenkumbulo esiyaqwenziwa kumhlaba wase-St Mark's Church, eAthlone. Akuzange kubekho bantu bonoMala nabaChaphazelekayo baya bavela ngalo xesha, ukuza kwenza ibango ngalo mangcwaba.

Ngokwemimisela yeNational Heritage Resources Act (1999), iKandela 36(5), amangcwaba angaphetu kweminyaka engama-60 ngabudala akhuselewe kwaye akanakutshatyalalwa, atshintshwa akanye asuswe kwindawo abekuyo ngaphantsi kothethathethwana naluntu kuqala. Ngokuphathelele koku, opha kubhengezwa imigaqo yeNational Heritage Resources Act emalunga nenkqubo yokulawula imihlaba yamangcwaba kunye namangcwaba.

Umenzi-sicelo, ngokwalo mba, iNala yama-Anglican yaseKapa, iyayanzelela ukuba izame ukufumana izala kunye iintsaba zalabantu abangwatywe kulo mlangcwaba, akanye nabani na akanye naluphi na uluntu alunolwazi ngalo mangcwaba, esebenzisa iike lathunziwana ngemlomo akanye ngemibhalwana. Ukuba wena, umbutho walcho abekuyo uluntu lwakho, ninqwelala kwenzwe uthethathethwana nani akanye ukufumana ingcaciso ngokuphathelele nalo nkqubo, nceda usinike ezi nkukakha zilandelayo kwintsuku ezingama-60 zeli xesha esibhengeza (5 kuJuni 2012 - 2 Ku-Agasti ka-2012).

- Igama lakho.
- Igama nedloli yombutho.
- Iiwuni, iifaki nedloli yemeyile.
- Iizathu zakuba namala kwakho.
- Nayiphi na ingcaciso ebhekiselele ekuchengeni abantu abangwatywe kwesi siza.

Inkukakha zoChagamshelwano: iMary Patrick (Umcebisi wezeMbal; ywZinto zakuDala)  
Iiwuni: 021 685 1658 • IiIiwuni: 0832080648  
Iimeyile: [maryp@method1.co.za](mailto:maryp@method1.co.za)





Archaeological Impact Assessment  
and Heritage Management

**Kenningswering om 'n versoek te adverteer vir inligting oor 'n Historiese Begraafplaas, St. Mark's Kerk, Athlone, Wes-Kaap.**

Die Anglikaanse Biskop van Kaapstad is van voorneme om die menslike oorskot van **Swartkruis-begraafplaas (1875-1952)** geleë op Erf 13030 Kaapstad, aangrensend aan Klipfontein, Cressy- en Helderweg in Athlone, op te grawe en te herbegraawe.

In terme van Ordineransie nr. 12 van 1980 van die Stad Kaapstad se regulasies wat daar voorsien in 2005 'n openbare konsultasieproses van 42 dae om die grafte op bouvermde erf op te grawe en om dan enige oorskot wat gevind mag word in 'n tuin van herinnering op die terrein van die St. Mark's Kerk, Athlone, te herbegraawe. Op daardie tydstip het geen partye wat belang staafty kan hê of daardour versoek mag word na vore gekom om die oorskot opgehoort nie.

In terme van Artikel 36 (3) van die Wet op Nasionale Erfenis Hulpbronne van 1999 word grafte wat ouer as 60 jaar is, beskerm en mag dit nie vernietig, verander of van hul oorspronklike posisie verkuif word, sonder openbare konsultasie vooraf nie. Voortsprokend Hieruit word die regulasies van die Nasionale Erfenis Hulpbronne rakende die prosedure vir die bestuur van begraafplase en grafte hierby geadeverteer.

Die applikant, in die geval die Anglikaanse Biskop van Kaapstad, is verplig om die afstammelinge en familielede van die persone wat in die begraafplaas begrawe is asook enige ander persone of gemeenskap, wat verwet in gevestigde mondelinge of geskrewe oerlewings, inligting rakende so 'n begraafplaas het, te probeer identifiseer. Indien jy of jou organisasie of gemeenskap oor hierdie proses gevaadping wil word of inligting daaroor wil ontvang, verskaf dan asb. die volgende besonderhede binne die advertensieperiode van **60 dae** (5 Junie - 2 Augustus 2012).

- \* Jou naam
- \* Naam en adres van organisasie
- \* Telefoon, faks en/ of e-posadres
- \* Rede vir jou belangstelling
- \* Relevantie inligting m.b.t. die identifisering van mense wat op die perseel begrawe is.

**Kontakbesonderhede:**

Mary Patrick (Argeologiese Konsultant)  
Tel: 021 685 1638  
Sel: 083 338 0648  
E-pos: mary@method1.co.za



Archaeological Impact Assessment  
and Heritage Management

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A previous 42 day public consultation process was undertaken in 2005, under the City of Cape Town's regulations; Ordinance No 12 of 1980, to identify the graves located on the above erf and re-inter any remains found in a garden of remembrance to be created in the grounds of St Mark's Church, Athlone. No interested and Affected Parties (I&APs) came forward to claim these burials at that time.

In terms of the National Heritage Resources Act (1999), Section 26(3), graves that are older than 60 years are protected and may not be destroyed, altered or moved from their original position, without prior public consultation. In this regard, the National Heritage Resources Act regulations concerning the procedure for managing burial grounds and graves are hereby advertised.

The applicant, in this case the Anglican Diocese of Cape Town, is obliged to attempt to identify the descendants and family members of the persons buried in the graveyard, or any other person or community who, through an established oral or written tradition, has information concerning such a graveyard. If you, or your organisation or community, wish to be consulted or receive information regarding this process, please provide us with the following details within the **60 day** advertising period (5th June - 2nd August 2012).

- \* Your name.
- \* Name and address of organisation.
- \* Telephone, fax and email address.
- \* Reason for your interest.
- \* Any relevant information towards identifying the persons buried on the site.

Contact Details: Mary Patrick (Archaeological Consultant)  
Tel: 021 685 1638  
Cell: 0832060648  
Email: mary@method1.co.za



Archaeological Impact Assessment  
and Heritage Management

**ISAZISO ENIBHONGEZA ISIKELO SENGQACISO MAYELANA NAMANGQWABA AKUDALA, E-ST MARK'S CHURCH, E-ATHLONE, ENTSONGA RAPA**

Inqila yama-Anglikan yaseKapa izakugrumba amangqwaba iphinde ingqwabe **kumaNgqwaba aseBlack River (1875-1952)** aku-Erf 13030 eKapa, naphakathi kweKlipfontein, iCressy neHelder Roads e-Athlone.

Kuye kwakho inqubo yangqozo nokuthe kuzala neye yethathe intozulu ezingama-42 ngonyaka ka-2005, ngaphantsi kwemigaqo yesiXhosa aseKapa, u-Ordinans No 12 ka-1980, ngobujurjuywa kwamangqwaba am ngentla lwe-erf laze kungqacinywe iisalela ecalunpan- wayo kwititya weenkumbulo eNgqawentlwa kumhlaba wase-St Mark's Church, e-Athlone. Akuzange kubekho bantu bamNdlu nabaChaphantsi kuyo baye banela ngala xoxha, ukuba kwenzeka ibango ngalo mlangqaba.

Ngokwemibhalo yeNational Heritage Resources Act (1999), i-Candelo 26(3), amangqwaba angqaphozo kweminyaka eminyaka-60 ngobudala akhulwile kwaye akankatshatshya kakhona, abahintshwe okanye asawwe kumndawo abakuyo ngqaphandle kothethethethwano nokuthe kuzala. Ngokuphethelile koku, ashe kubhengezwa inqubo yehlabathi National Heritage Resources Act emalunga namangqaba yokubonisa imibhalo yamangqwaba kunye namangqaba.

Umeruzi woku, ngokwalo mba, Inqila yama-Anglikan yaseKapa, iyangqocelisa ukuthe qane ukufundisa inqila kunye umgaqo zabantu abomngqwabwye kuba mangqwaba, okanye nabani na okanye naluphi na uluntu olunokwazi ngalo mangqwaba, ababonisa iisalela lothungqawano ngentlomo okanye ngama khwama. Ukuba wena, umbutho wakho okanye uluntu lwakho, inqwanelo kweerxwwe ethethethethwano nani okanye ukufundisa ngqociso ngokuphethelile ngale nqubo, needsa uxinle esi nkokotsho okandelayo kwiintlobo ezingama-60 zele wetha kubhengezo (Skukuni - 2Ka-Agasti ka-2012).

- \* Igama lakho.
- \* Igama neelisi yombutho.
- \* Ihwama, i-faksi neelisi ye-imeyili.
- \* Izathu zokuba namda kwakho.
- \* Nayiphi namngqaciso abhekisela eluchongeni abantu abomngqwabwye kwazi siza.

Inqila kacho zoChaphantsi-hlabathi: (Mary Patrick)  
(Umxobisi waseNdlu) yeZinto zokuKapa)  
Ihlobo: 021 685 1638  
Iiifowuni: 0832060648  
Iimeyili: mary@method1.co.za

**Table 1: List of Interested & Affected Parties who registered during the 60 day Public Consultation Period**

**Black River Cemetery - Interested & Affected Parties Register  
5 June - 3 August 2012**

No	Name & Surname	Contact Number (s)	Reason for call
1	Adrian Lodewyk	021-7126103 0767913826	* ex St Mark`s member * grandparents buried at BR
2	Alleson John Oliver	021-6387079	* grandmother (Junita Petersen) buried at BR
3	Hoosain Adam	021-6923431 0826633191	* deaths early 1900`s * grandmother (Margaret February)
4	Edith Daniels	021-7610474 (work) 0721793549	* family members buried at BR * uncle (Dirk Adams), cousin (?)
5	Cynthia Koert	021-6969043 0824198795	* family members buried at BR
6	Dulcie Van Schoor	021-6374166	* grandfather (Charles Halford) buried at BR
7	Joseph Adams	021-6972479	* born next to cemetery 84 yrs ago * brother buried at BR
8	Qwen Templeton (married Hipner) 84 yrs old	021-6974225	* grandfather buried at BR in 1931
9	Hazel Buckley 98 yrs old	021-9053297	* grandfather buried at BR
10	Grace Thomas 76 yrs old	021-3724309	* sister (Ann Petersen) buried at BR, age 2 or 4 at burial
11	Shirley Kokes	0711988795	* 11 relatives buried at BR
	13 Mooi Street, Laydon, Delft		Christian Odendaal, Jim Odendaal
12	Lolita Bennett	0792229537 <a href="mailto:lolita@active.org.za">lolita@active.org.za</a>	* her grandmothers sister was buried at BR as an infant
13	Hayley Hess Roberts	021-4667200 0827327522	* from the District 6 Museum * has info regarding BR cemetery if interested
14	Debbie Abrahams	073 005 7542	* uncle & aunt, great grandfather, great grand aunts &

## Appendix 2: Focus Group 1 Summary of Voting

### Mr Michael Bester

Michael Bester Architects  
Unit 2 Greenwich Grove  
Duke Road  
Rondebosch

19<sup>th</sup> November 2012

Dear Michael,

### Re: Preliminary Results on the First Black River Cemetery Public Consultation

The following details are a summary of the results of the Public Consultation meeting held at St Mark's Church in Athlone on the **15th November 2012**. Twenty - Four community members attended and were asked to vote on a number of options presented to them regarding the management of the site. These results are set out in table 1.

Option	Yes	No	Abstain
Exhumation & re-memorialization	12	1	6
Exhumation & re- burial	0	0	0
Exhumation & cremation	14	0	5
Option 1: Town House	9	6	9
Option 2: Petrol Station	0	13	5
Option 3: Low Cost Housing	0	17	7

*Table 1: Results of Community Voting*

The results of the voting show that the majority of the community is in favour of exhumation and cremation. The least favoured option is exhumation and re-burial.

With regard voting on the three options presented by M Bester concerning the development of the land the majority of the community favour the Town House development and the least favoured is the Low Cost Housing option.

In order to move forward, and conclude the Public Consultation phase it was agreed that a second focus group meeting should take place at the end of November. I suggest that this meeting is scheduled for the 29<sup>th</sup> at the same venue.

Yours sincerely

***Mary Patrick***

**Table 3: Attendance Register First Public Meeting, 15 November 2012**

NAME	ADDRESS	TELEPHONE NUMBERS
Bridgette van Leeve	17 8 <sup>th</sup> Avenue Lotus River	071 8558351
Beryl Bowers	67 Canal Rd Wetton (beryl.ebowers@gmail.com)	083 249 1952
Hazel Julius	7 Cressy Rd Garlandale Est.Athlone	083 315 1909
Ritha Somar	25 Cressy Rd Garlandale Est Athlone	076 296 1284
Shirley Koks	53 Ifora Str Leiden 22222	071 198 8795
Christian Willemse	R4reiger Crescent Belhar	082 077 1320
Edith Daniels	53A Laingsburg Rd Heideveld	021 761 0474
Arlene van Beulen	24 Bilston Rd Crawford	021 696 9967
Shirley October	229 Lawrence Rd Crawford	021 697 2238
Ivor R. Van der Ross	Garlandale Residents Association	083 624 3584/6965223
Donald Johnston	2 6 <sup>th</sup> Avenue Rondebosch East	082 874 5122
Adrian Lodewyk	Camelot 16 First Ave Retreat	076 983 3826
Walter Petersen	35 Denchworth Rd Athlone	021 696 7058
Debbie Abrahams	17 Cressy Rd Garlandale Athlone	021 696 9843
Jean Wells	12a Lawson Rd Crawford	082 589 6687
Walter Niewenhuis	184 Lawrence Rd Crawford	083 662 4517
Lynne Kennedy	26 Miles Rd Ottery	082 429 8815
E Coert	8 2 <sup>nd</sup> Ave Belgravia St	082 4198795
Cynthia Coert	As above	082 4198795
Patricia de Koker	100 Kromboom Rd Rondebosch East	021 697 3147
Father Joshua Louw	St George's Church Calendular Silvertown	084 423 8558
Joseph Adams	N1 5 <sup>th</sup> Ave Rondebosch - East	021 697 2479
Errol Juries	4 First Ave Rondebosch- East	078 6731147
H Adam (couple)	36 Doring Rd Rylands	082 6633191

**Focus Group 1 Minutes:**

**BLACK RIVER CEMETERY**  
 St Mark's Church Hall, Athlone  
 19h30-21h00  
**Minutes of the meeting held**  
**15<sup>th</sup> November 2012**

- 1. Father Joshua opens the meeting with a prayer.**
- 2. Background information regarding the heritage management of cemeteries.**

Mary Patrick welcomes those people attending the meeting and explains about the Heritage Resource Act and the role of South African Resource Agency (SAHARA).

- 3. Archival research of the Black River Cemetery.**

Mary introduces Michael Bester who presents the research that has been undertaken about the history of the Black River Cemetery. It has been established that the land had been used prior to 1880 as a burial site - evidence of this can be traced back to 1867.

The Black River Cemetery definitely was operational over 90 years. There were four main churches in the area:

- St George's in Silvertown
- St James in Black Water
- St Mark's Parish - Athlone
- St Paul's in Rondebosch

The early records of burials in the area were kept at St Paul's Church, until 1925.

The Register of Names indicates about 1 400 people were buried there. There after parochial district ought to give references but, unfortunately the registers between 1925 and 1948 have not been located.

Michael has been going through the magazines for St Mark's.

Have 811 names but not sure if they actually are buried at Black River Cemetery.

Between 1946 and 1948, people from St. George's and St Marks - assuming that R 1200 people were buried - could have been buried at Black River Cemetery. But even in 1926 people were implying that Black River Cemetery was becoming too full.

In October 1918 with the Spanish "Flu epidemic, the cemetery was being used on an emergency basis - about 20 burials a day with a Minister, working on site.

It is believed that with a high infant mortality rate, many children and infants, often unnamed, were buried in the Black River Cemetery.

Black River Cemetery was very much part of the Church at Evensong and Easter - All Souls Day, and there is much oral history from people who remember the place.

The last burial to take place at the Cemetery was in 1952.

Now, the Cemetery is becoming a nightmare to maintain - its use has been fulfilled.

The grass needs cutting and the area is not adequately fenced off, or protected from vagrants and a bad element.

#### 4. Michael shows us the artists' impressions of the three proposals as examples of the kind of developments that may be considered in the future.

Michael presents a power point presentation to demonstrate what options may be considered.

#### 5. Discussion regarding how to manage the site in the future, and voting.

Question re size of cemetery?

5000sq - some people are astonished at how many people are buried here despite the plot seeming to be small.

Questions about where the tombstones are?

Not visible but many have fallen away and may be buried under a layer of grass or rubble.

The graves are not marked in alphabetical order.

Four of the graves were military burials:

- One of a soldier from the 1918 World War.
- Three are graves from soldiers from the Second World – 1945.

Commonwealth War Graves Commission looks after these graves and in 1935 asked permission to intern these four graves to re-bury. They were transferred to Klip Street Cemetery.

In 2005, the Church undertook a public participation exercise that lasted 21 days.

The legislation under which this process took place may no longer valid?

NB - Question is if exhumation is agreed upon then who will do it?

Archaeologist will be instructed to do trial excavations.

Then, decisions need to be made about re-burial.

There are many issues to be considered which is why Mary reiterates that this could be but the first of many meetings.

Mary hands over to Michael to discuss the three proposals and the long term management of the Black Water Cemetery.

If the site is to be developed, then exhumation will take place with a memorialisation elsewhere.

Michael emphasizes that these are merely indications of proposals and he has artists' impressions to demonstrate the proposals

1. High density, low cost housing option, with an internal courtyard and the view of the mountains, with the rest of Garlandale, wrapped around the image.
2. Petrol Filling Station with shelters for cars and a shop beyond the filling pumps and landscaped as depicted in the artist's impression.
3. Upmarket townhouse development with about 28 flats and a recreational area.

Adrian doesn't want to discuss the proposals at this meeting but rather to postpone the process.

Discuss the layout of burial site? One member acknowledges that she has family buried in the site.

Mary asks Ivy Koert directly if she would agree to an archaeologist, excavating the area and if she can help Mary draw a lay out of the cemetery.

Hazel wants to know if there is another option, if relatives are opposed to any form of development.

Hazel explains that her brother was buried there and that it has lots of sentimental for her> She was born there, on that property, where Garlandale is there now.

Lady in red - not too sentimental - she is quite happy that the graveyard be exhumed and re- memorialized.

Joseph Adams is insistent that he does not want the cemetery to be exhumed.

Debbie Abrahams explains that she is attending the meeting both as a family representative who has relatives buried at the site but also as a

resident and rate payer of Garlandale. Debbie has a great-aunt who lives in Canada and she has no issue with the cemetery being exhumed.

Lady in floral shirt says she lots of relatives (Her father's three sisters - one was twenty-one, the other two were infants). She doesn't like the idea of her family being dug up and Mary acknowledges how difficult and painful the process is, especially if it concerns your own family.

Mary gives an example of how when her own father passed away - there was a proposal about putting in a development on the land where her father's ashes are scattered and of her distress at the thought of this.

Mary points out how memory links us to a landscape and of how the stories of these memories is so important and valuable.

Ivy Coert who is 92 years old and has her father and her sisters are buried there. Ivy had brought Mary a photograph to show her of her and father standing at the burial site. Although Ivy has strong emotional ties to the Black Water Cemetery, she doesn't mind her family being exhumed.

Pastor Joshua says the Black Water Cemetery is a problem of the Church, trying to maintain the property over 40 years. He points out to the meeting that some of the responsibility on us regarding our choices and that this also carries a cost.

Whereas others think it isn't right to disturb and dig up relatives who have been buried 'to rest in peace'.

Ivy Coert asks if we know the value of the property?

Presently, the land is a financial burden for the Church and it is not a high priority right now for the Church - to spend money on the land is like throwing it into a big sink.

It is worth quite a bit to a developer, however. But what have been suggested are merely proposals at this stage.

Material cost for the Developer includes paying for a memorial following the exhumation cost - a heritage specialist/plaques/records/maintenance Developer may make about 4 million and would need to in order to justify the cost of the development.

Ivy asks Mary "What will be there to exhume?" Ivy thinks it may be ash? Mary explains that what remains are found depends on the quality of the soil and the level of bacteria that attacks the bone. With infants, it's unusual to find hard bone, often just an imprint.

From remains, pathology can be ascertained, almost like having a map of the individual, gender etc. In a profile of 3000 skeletons, half usually are children. Demographic profile of bone, details are presented.

Takes about 5 -6 months of field work if there are about 3000 skeletons found.

By ensuring a heritage specialist like Mary is on site, we know that the work will be undertaken with care and respect - re-collected in boxes, with each box being individually handled and it is a painstakingly careful process.

Adrian asks about the site having to be deconsecrated - that the land has access to Klipfontein Rd - school, buses.

Mary thought that the land had been deconsecrated in 2005, but Walter disagrees, strongly.

Father Joshua believes it depends on the decisions made previously?

Some members don't want to feel shut out like they won't be welcome to walk around the area as before, and that they will feel alienated from the cemetery.

Important re deconsecrating Mary will follow up with decisions re the plaques selected, what is wanted in terms of memorial.

Great aunts were buried in the cemetery before we were born.

Walter reminds us that this is the 1<sup>st</sup> meeting of many.

Beryl says that few young people even know it's a cemetery - just a Piece of vacant land - will have little impact. Concern for the Church as the Church is left with the responsibility for assisting the community to stop vagrancy, and the use of the land in this way.

Ivor van der Ross from the Garlandale Residents' Association explains that the cemetery has become a haven for the not so good guys, that it

attracts bad elements.

That kids that run away from school make use of the vacant property. They can hide away in the long grass.

Michael Bester says Errol has pledged to cut the grass twice or thrice a year.

Father Josh mentions the cost involved - Ivor hasn't been mandated to do anything despite the place becoming a health hazard and a haven for criminals.

Errol speaks about an interim solution - that the state and condition of the cemetery is a concern for the Church.

Parish Council's decision - attempt to care for cemetery

There is concern re the dignity of the graves. Time will be allocated to decide at how to memorialise the site. This will be done in conjunction with the Dioscian - concerned re loved ones

Fencing off the property may not ensure safety and will cost a lot of money - people find a way of damaging property. Also, hard to police if no one can see into the property.

Memorial must be done in a considered and dignified way.

### **VOTING**

Mary leads the voting by delineating the numerous options.

#### **1. Exhumation or Re-Memorial.**

Twelve people agree to exhumation.

One definite "No"

Seven abstain,

#### **2. If exhumation is agreed upon, will people want remains to be re-buried or cremated?**

Re-burial? No one raised their hand.

Or cremation? 14 people raised their hand.

Five people abstained from voting.

All options - re-zoning, totally different process involving residents of the area - running parallel to the process of exhumation.

Issues like traffic, "visual impact", town planning issues, more for residents.

This is more acceptable to those present. There is a question re whether there is a gap between the cemetery and the houses?

#### **3. Townhouse Option**

Yes - 9 people voted for this.

9 people abstained.

#### **4. Filling Station**

Yes? No one raised their hand.

No? 13 people raised their hand.

5 people abstain.

#### **5. Low cost Housing Option**

Yes? No one raised their hand.

No? 17 people vote No.

7 people abstain from voting.

#### **6. Way Forward**

Mary asks about the scheduling for the next meeting.

Ivor and Adrian suggest January 2013 for the next meeting?

Pastor Josh wants us to meet sooner?

Emotional process and shouldn't be left too long otherwise we may lose momentum.



It is decided to aim for the end of November - minutes will be available to read prior to the meeting.

22<sup>nd</sup> November is suggested for a date to reconvene.

**Black River Parkway Burial Ground - Development options**  
**Option 1**



Black River Parkway Burial Ground - Development options

**Option 1**



Black River Parkway Burial Ground - Development options

**Option 1**



Black River Parkway Burial Ground - Development options

**Option 2 - Petrol Station**



Black River Parkway Burial Ground - Development options  
**Option 2 - Petrol Station**



Black River Parkway Burial Ground - Development options

**Option 2 - Petrol Station**



Black River Parkway Burial Ground - Development options

**Option 3 - Low cost housing**





Black River Parkway Burial Ground - Development options

**Option 3 - Low cost housing**



Black River Parkway Burial Ground - Development options  
**Option 3 - Low cost housing**



## Focus Group Meeting 2: Summary of Voting

### Mr Michael Bester

Michael Bester Architects  
Unit 2 Greenwich Grove  
Duke Road  
Rondebosch

1 March 2013

Dear Michael,

### Re: Second Focus Group Meeting: Black River Cemetery Public Consultation

The following details are a summary of the results of the Public Consultation meeting held at St Mark's Church in Athlone on the **26 February 2013**. Thirty - Nine community members attended (15 members more than previously recorded) and were asked to vote on a number of options presented to them regarding the management of the site. These results are set out in table 1. Two members submitted their vote by telephone and these are calculated in the final voting numbers.

Option	Yes	No	Abstain
Exhumation re- burial & memorialization	0	34	0
Exhumation cremation & memorialization	36	0	0
Option 1: Town House	30	0	2
Option 2: Petrol Station	0	36	0
Option 3: Low Cost Housing	0	36	0

*Table 1: Results of Community Voting 1 March 2013*

The results of the voting show that the majority of the community is in favour of exhumation and cremation and the least favoured option is exhumation and re-burial.

With regard voting on the three options presented by M Bester concerning the development of the land the majority of the community favour the Town House development. Options 2 (Petrol Station) and option 3 (Low Cost Housing) show the same voting strategy, namely a majority **NO** vote.

In order to conclude the Public Consultation phase it was agreed that a **third** focus group meeting should take place in May 2013. The purpose of this meeting is present design options regarding the development of the columbarium. This will allow community members to vote on the design they wish to see implemented. Once this process is complete a permit application, which includes all the supporting minutes of the focus group meetings, and the design of the columbarium, will be submitted to the South African Heritage Resources Agency for approval.

Yours sincerely  
**Mary Patrick**

**Table 3: Attendance Register Second Focus Group Meeting, 26 February 2013**

NAME	ADDRESS & CONTACT DETAILS	COMMENTS
Virginia Stellenboom	021 696 7321	
Dolores Stellenboom	"	
Zelma Dennis	021 696 4929	
Evelyn Meyer	021 696 6355	
Gavin Dennis	079 501 6331	
Michael Goliath	076 297 4123	
Helene Goliath	076 876 8700	
Walter Nielwehuys???	083 662 4517	
Beryl Bowers	083 249 1952	
Grant Damoes	073 332 2965	
E. Coert	021 691 4632	
C. Coert	021 696 9043	
Father Chris Hartnick	072 673 9670	
Jean Wells	082 589 6687	
Bella Cornelius	021 697 3003	
Dawn Fisher	083 647 9887	
Tracey Hendricks	021 691 1494	
Mark Hendricks	082 332 0220	
Ken Elemry???	021 697 4245	
Gerald Hendricks	083 270 1051 / 021 697 2409	
Michael Bester	021 685 2913	
Elizabeth Bailey	083 623 9900	
Lynne Kennedy	082 439 8815	
Lorraine Mckinnon	021 696 3071	
Graham Collison	083 528 3727	
Donald Johnston	082 874 5122	
Ivor R. van der Ross	083 624 3584 / 021 696 5223	
Cheryl Roberts	079 510 6266/021 697 4105	
Adrian Lodewyk	076 791 3826	
Leslie Oxche	083 720 4180	
M Roberts??	082 783 1002	
Wilfred Watson	021 696 5464	
Debbie Abrahams	073 005 7542 / 021 696 9843	
K.Fortuin	071 603 8043	

E. Falk????	691 9699	
Bridgette van Leeve	021 705 7815	
Gwen Hiebner	27 Hendon Rd Crawford	
Anthony Adams	40 Tremation Street Athlone?	<b>082 535 3144</b>
Lyle Meiring	49 Camberwell Road, Crawford	079 183 4090
Benjamin Salie	26 Sirius Road Surrey Estate	072 901 4622
Leigh Haselau	2 Gaywood Kingston Rd Rosebank	0732 986 4733
Mary Patrick	Cape Archaeological Survey cc	021 685 1658

## Focus Group Meeting 2: Minutes of Meeting

**BLACK RIVER CEMETERY**  
 St Mark's Church Hall, Athlone  
 19h30-21h15  
**Minutes of the meeting held**  
**26<sup>th</sup> February 2013**

### 1. Welcome, introductions and attendance register.

Mary welcomes everyone to the meeting and reminds people to sign the register.

Errol Davies sends his apologies.

### 2. Feedback from 15<sup>th</sup> November meeting.

Mary gives feedback following the meeting on the 15<sup>th</sup> November 2012 and a summary of the voting from the community. She has a copy of this summary that is circulated among the community members.

Gerald Hendricks - ex-Church Warden interrupts Mary at this point, he said that in the past options were given but none were accepted. The Church was not prepared to sell the land. The decision to exhume had already been taken and the builders were ready to go in. However, Gerald as the then Church Warden wrote to everyone to seek public opinion but there was no positive response.

Mary explains that the law has changed now and there has been a response. The public participation process was run from the 5<sup>th</sup> June until the 3<sup>rd</sup> August 2012 and 14 people registered as interested and affected parties. Mary believes that the public participation process has been run properly under the Heritage Act and in accordance with the new legislation.

Michael attempts to answer the questions raised by Gerald earlier. The Diocese of Cape Town has taken a more active role but he cannot speak to what happened about ten years ago.

The Church Warden agrees with Michael that the law has changed since he was involved.

### 3. Presentation of sketch development options 1-3

Michael presents these images but explains that these are images and not actual fully realized architectural designs.

The 1<sup>st</sup> image is of a cluster town house development or gated community - the images depicted show the view of the well maintained development offering security - comprising of flats and town houses as seen from the Klipfontein Road side.

The 2<sup>nd</sup> set of images is of the proposed petrol station, operating on a busy road.

The 3<sup>rd</sup> set of images is of a low cost housing project, affordable, offering a higher density form of development, depicting a fairly utilitarian interior shot of the low cost housing complex.

Michael reiterates that this is just a proposal - it has not been discussed with any developers as such but the community can make decisions at this early, crucial stage.

#### **In terms of voting**

9 people voted for the small townhouse cluster development.

For the petrol station proposal 13 people voted against such a development. No one is in favour of this.

In terms of the low cost housing option, 17 people voted against it, with 7 abstaining.

Michael is asked if a survey has been done re putting up a petrol station? The answer to this is No.

No survey has been conducted.

Also he is asked if the Garlandale residents have been approached about the low cost housing development? Again the answer is no - at this stage, not. The processes run separately as Michael explains - this is the heritage process.

Residents/ratepayers are notified about developments and can object or approve at this point.

#### **4. The appointment of a heritage architect?**

No one has been appointed as the heritage architect as yet.

#### **5. The answering of the twelve questions raised and circulated.**

##### **5.1 Has an exhaustive list of persons buried in the cemetery been made?**

Yes, Michael answers this question. An exhaustive, extensive list has been compiled. All the burial records have been researched. Since 1867 until 1925 very thorough records were kept. Now the information is a bit patchy so community members may be able to help out now. But about 2000 names, for sure. Mary estimates that about another 1000 burials may not have been recorded.

Originally the lists were compiled chronologically but now we will try to organize lists alphabetically. We can check with the people who have called since the public participation process began to verify if these burials have been recorded. There will be four focus meetings in total.

##### **5.2 How many known "graves" are in the cemetery?**

Mary answers this - she believes that there are at least 3000 people buried on the site and estimates that the land is about 5000 sq2. Mary thinks that given the time period of the burials about 400 of the early graves would have been infants/children. There also is evidence of people being buried two in a shaft.

##### **5.3 Is any recognition given for persons not identified in the available records/information?**

Yes, everybody will be dealt with in the same way/ put up words to acknowledge in the memorialisation that not all names will be known. UNESCO guidelines set out that recognition will be taken into account.

##### **5.4 Has any consideration been given to any special requirements for exhumation if the family of persons buried at the cemetery have converted to any other faith?**

The burial site in question was to be used for the parishioners in the Anglican Church. This included St Mark's, St James', St George's & St Paul's - an Anglican burial ground for Anglicans - however, during the Spanish 'Flu epidemic in 1918, exceptions would have been made. Records give no details re changes in faith. How will you identify them? The question is more about the relatives that are surviving now, if they wish their relatives to be re-buried in another way? Michael believes that this will require quite a serious consultation involving the higher echelons of the Church. Mary reiterates that IAPs have a right to express their view and the Heritage agencies will listen.

**5.5 Exhumation is linked to the development of the site. What will the approximate cost of exhumation, and would cost have to be paid once the exhumation is completed, even though the site may at the point not to be fully developed or proceeds from a sale received?**

One million rand is the estimated cost done under specialized conditions by a professional archaeologist. Then there is the reality of what the Church can afford to pay? The developer has to pay this cost, but the exhumation is done under the direction of the Church. It will cost about R350 000 just for the memorialisation alone. It is estimated that about 1, 5 million is required just to prepare the site but would offer this option to the developer. The developer has to bear the cost.

**5.6 Would family requests for re-interment at a family gravesite at another at another cemetery be considered at the developer's expense?**

The answer is yes.

**5.7 Have all rezoning possibilities for the site been established?**

No. We have taken the advice of a town & regional planner, not an employee of the City Council but a private consultant, Louise? Public transport is an important consideration - certain density is required for valid public transport - zoning is an anomaly.

**5.8 Can it be stated unequivocally that family with forebears buried in the cemetery will not qualify for any financial benefit from the sale or development of the site?**

Yes, families will not benefit financially. There are schemes where you 'buy' a grave site but unless you have title deed you have no title. In other words, you can no longer put R.I.P on your grave stone because it's unlikely you will!!!! A more humorous aside!

**5.9 The site is regarded as a heritage site. What does this impose on future development?**

If community refuses to give permission then development cannot go ahead. The question is of what value is a grave site to the Heritage agencies? Mary answers this by explaining that the older the site, the greater the interest. Archaeologists can construct a demographic profile, type of pathologies and about the social conditions under which people lived/ about general populations.

**5.10 Has the possibility of surrendering the site to the adjacent school been eliminated?**

Well, no, to be honest - haven't even looked at this possibility but because it is a state school, this will involve the state and this may be cumbersome.

**5.11 Should exhumation and re-internment not happen, what financial or other responsibility would family members have for beautifying and maintaining the site?**

This is an important question. Reality is that the Church does not have the money to pay for this. The site is a long way from the actual Church so not under the Church's direct supervision - as people have moved away and moved on, there are no longer emotional ties. It will cost about R500 000 to beautify it and a lot more money to maintain it. Cannot oblige anyone to do it but Church simply cannot afford it. It has served its purpose but it cannot be used as a burial site anymore.

**5.12 Can any costs for the cemetery such as fencing, site clearing, squatting-prevention be levied on family members and be enforceable in law?**

No. There are City regulations about what may be used for paupers' graves - so could bury more people there but after about twenty years this too falls away. Long term maintenance is an important consideration.



Questions have been answered except for one.

Michael asks the Chairperson from the Garlandale Ratepayers what the feedback has been from them ?

The main concern is about who is accountable for the maintenance of this land?

St Mark's has agreed to clean up the area 2x a year. St Mark's has this responsibility out of respect for its neighbours.

## **6. Discussion and voting**

Mary summarizes where we are to date as we are still in a stage of consultation - the 1<sup>st</sup> part was from 5<sup>th</sup> June until 3<sup>rd</sup> August 2012 - the consultation process - 24 people came forward and responded  
This is the 2<sup>nd</sup> meeting and there may be four focus meetings in total.  
To the option of whether exhumation, cremation and re-memorialisation in option the voting went as follows: 34 voted in favour of this option.  
To the other options the vote was NO - no one raised their hands.  
One lady from Garlandale is concerned about the process  
She is reassured that there are two processes:

1. The heritage process
2. The development process: zoning/schemes/allocation

Once this has been established - the voting continues re the development options being presented

The town house cluster makes sense - close to public transport

Otherwise area is very congested.

29 people vote for the town house proposal

2 people abstain

With regard to the petrol station proposal, the overwhelming majority is No

35 people vote NO

With regard to the low cost housing option the overwhelming majority is NO with 36 now voting no.

No one abstains from this vote.

## **7. The way forward**

Presentation of the columbarium design: this has not happened because the Parish must appoint a heritage architect first.

The Board of Trustees - Diocese been asked to appoint a heritage architect  
They will meet again in 2 months time - in May 2013 but a Round Robin is requested to speed up the process - more heritage architects need to be approached - the Parish has received two quotes thus far - 1 from Michael Bester and the other from Andre Oentz

Difficult to decide between these 2 quotations

The quotations have been submitted to the Archbishop.

The lady from Garlandale says that despite all her concerns she commends Mary and Michael on the patient and respectful she feels has been extended the community.

## **8. Closure**

Father closes with a prayer and the meeting ends at 21h15.

### Focus Group Meeting 3: Summary of Voting

**Mr Michael Bester**

Michael Bester Architects  
Unit 2 Greenwich Grove  
Duke Road  
Rondebosch,  
7700

6 June 2013

Dear Michael,

**Re: Results on the Black River Cemetery Public Consultation (Focus Group Meeting 3) regarding the design of a Columbarium.**

The following details are a summary of the results of the Public Consultation meeting held at St Mark's Church, Athlone, on the **3 June 2013**. Thirty-one community members attended and were asked to vote on two options presented to them regarding memorialisation of the site. These results are set out in table 1.

Option	Yes	No	Abstain
<b>Option A: Columbarium (free standing)</b>	0	0	0
<b>Option B: Alternative Columbarium (semi-submerged chamber)</b>	24	0	0

*Table 1: Results of Community Voting for the Proposed Columbarium - 3 June 2013*

The results of the voting show that the majority of the community is in favour of option **B** the alternative columbarium designed as a semi-submerged chamber. The least favoured option is option **A** the free standing columbarium.

The focus group meeting on the 3 June 2013 concludes the public meetings. The results from all three meetings, including minutes, attendance registers and the design sketches for the columbarium will form part of a written permit application and submission to the South African Heritage Resources Agency (SAHRA). The permit application will be submitted to each province which has a burial unit. If there are no objections to the proposal SAHRA will grant a permit for the exhumation of the Black River burials.

Please note that the permit to do the exhumation is granted to the archaeologist and not the landowner. Should you have any queries regarding this process please give me a call at your earliest convenience.

Yours sincerely

**Mary Patrick**

Table 4: Attendance Register Focus Group 3 , 3 June 2013

	Name	Contact Details
1	EVELYN MEYER	072 100 4462
2	EVELYN COERT	021 697 4632
3	FELICIA COERT	021 696 5254
4	RORY COERT	021 696 5254
5	GERALD HENDRICKS	021 697 2409
6	MR WATSON	021 696 5456
7	184 Lawrence Rd????	083 662 4517
8	A. LODEWYK	076 791 3826
9	S. OCTOBER	021 697 2238
10	C.LAKAY	084 330 1833
11	K. FORTUIN	071 603 8043
12	I.R. v/d ROSS	083 624 3584
13	H. ARENZ	083 751 8661
14	W. PETERSEN	073 234 1905
15	ANDRE PENTZ	072 520 2640
16	LEIGH HASELAU	072 986 4733
17	MARY PATRICK	083 208 0648
18	MICHAEL BESTER	021 685 2913
19	LESLIE OXCHE	021 696 1689
20	ERROL JURIES	078 673 1147
21	L. McKINNON	021 696 3071
22	A. ADAMS	021 696 5427 (PM) 082 535 3141 (day)
23	M. GOLIATH	076 297 4123
24	B.van LEEVE	071 855 8351
25	A. Van BEULER	084 206 0263
26	L. KENNEDY	082 429 8815
27	D. JOHNSTON	082 874 5122
28	J. WELLS	082 589 6687
29	M. HENDRICKS	082 330 0220
30	T.HENDRICKS	082 332 0220
31	M. ROBERTS	082 783 1002

**BLACK RIVER CEMETERY**  
 St Mark's Church Hall, Athlone  
 19h30-20h48  
**Minutes of the meeting held**  
**3<sup>rd</sup> June 2013**

**1. Welcome, introductions and attendance register. M Patrick/L Haselau**

Father Hendricks opens in prayer. Mary welcomes everyone to the meeting and reminds people to sign the register. Mary introduces Andre Pentz - Historical Architect who will present Columbarium designs.

**2. Summary results on previous voting, options 1 -3. M Patrick**

Mary presents the voting results from the previous meetings - 15<sup>th</sup> November 2012 & 25<sup>th</sup> February 2013 and summarizes the public participation process to date. Mary refers to the 60 day public participation process whereby advertisements are placed in the press & in the Church inviting people to come forward. The 1<sup>st</sup> meeting was held on the 15<sup>th</sup> November, 2012 where various options were presented and the community regarding exhumation and re memorilaization. The community voted for exhumation and cremation. The 2<sup>nd</sup> meeting was held on the 25<sup>th</sup> February 2013 and the options regarding the development of land were presented. Mary presents a copy of the Register as compiled and documented by Michael Bester. Mary asks Andre Pentz to make his presentation.

**3. Presentation of Black River Parkway Columbarium. A Pentz**

Andre presents his diagrams and sketch plans and discusses each option in detail - a columbarium to house remains, in a closed up/ sealed off venue.

**1. Proposal "A"**

Build a structure in line with the transept of the Church, avoiding the sewer line that runs diagonally across the plot. Incorporate headstones into the wall of the new site. There will be concrete shelves accommodating the wooden urns and the structure will be the size of a single garage: 3m by 6m. There will be a tiled roof like the Church. The wall facing the parking area will have the names of all those buried as per the Register. The structure will be a secure building with a concrete slab ceiling and will be plastered and painted like the Church building - trees will be planted in the parking area to give the site more life and provide shade in the parking area.

**2. Alternative Proposal - "B"**

This will be similar in design the only difference being that 2/3 of the structure will be below ground and 1/3 above. The structure will be the size of a single garage - arched avenue/ concrete walls - concrete shelving to house the wooden caskets. On the roof, which will be located at ground level, the names of individuals exhumed from the graveyard will be memorialized. There will be steps going down and the structure will not be taller than the wall on the boundary. If one is looking east from the parking area it will look like a tomb.

Proposal "A" will be like a "mini-church and proposal "B" like a "mini-tomb". Andre is asked 2 questions from the floor: there will be ventilation - small ventilation holes covered with fine wire gauze - will provide cross-ventilation. It will be a permanent structure but once closed and sealed people will not have access. Mr Gerald Hendricks points out that at St Peter's in Rondebosch, there is a columbarium, an obelisk-shaped, vault-like structure with the names of the people buried on the wall. But Andre explains that it will be difficult to accommodate over 3000 names on an

obelisk-type structure. Better to have a flat surface onto which to memorialize the names. An observation from the floor is that a smaller structure may be preferable. Michael Bester from the Church Council explains that they don't know for sure how many people are buried at the cemetery because there was about a 15-year gap where no names were recorded. Whatever is found, whether named or identified they will have to be accommodated. Another question concerns the cost and Andre explains that both structures are the same size, therefore much the same cost although proposal "B" will cost slightly more because of being below ground. Another question asks about the possibility of expanding the Church and how this would impact on the building? Michael explains that the Parish will have to make a decision regarding this and Andre also tries to explain that the only way one can expand the Church building itself will be to add on aisles on the side. The building will be 6 ½ m by 3 ½ m. The size is calculated on the expected number of urns/caskets/wooden boxes. Mr Gerald Hendricks comments on the Church expansion idea and says there simply are no longer the numbers attending the Church to warrant the expansion.

#### 4. Discussion and Voting - M Patrick

Comment on 2 proposals:

One person prefers proposal "A" - more space to include names - double the space to memorialize the names - so will provide 4 walls.

Will either proposal be able to provide sufficient space for all the people? Either one will provide the required space.

There is a question about the paying of rates. Complicated matter regarding the 'rating' of the Church. The Church is not paying rates at present; building the columbarium won't mean that the Church has to pay rates?

Question re the maintenance of the structure?

No structure is entirely maintenance free but the building with concrete walls & shelving is robust.

Church will be responsible for insuring this building.

The venue must be open and accessible to anyone who wishes to visit the columbarium.

Someone will need to keep an eye on the building from a security point of view.

Gerald asks about whether other people's remains may be added - the answer is no - once the building has been interred it will be closed permanently & the wall built up. It will have its own identity with its separate story. However, it will remain open until all remains have been exhumed from the Cemetery site at Black River. A question is asked about when the last burials took place. In the 1960's - late 1950's, according to Michael. Question re other faiths - family must decide prior to memorialisation if they want remains to be interred somewhere else. Always been a Church cemetery so presumably only Christians were buried there. All people buried at Black Water used to be strictly from the Anglican Church with the exception of during the 'flu epidemic in 1918 when the rule had to be relaxed.

At a subsequent date, a relative may have been asked to be buried with their other relatives buried there during the 'flu epidemic. There may be infants buried there that weren't baptized but there is no evidence that people from other faiths are buried at Black Water Cemetery.

There is a question around how far the building can be from the boundary wall? The City of Cape Town council tries to ensure that a building is at least 1m from a boundary so people will be able to walk around the building. If proposal "B" is selected then names can be put on the sides, as well.

A question is asked if proposal "A" selected what will prevent vagrants from sleeping there. The answer is that there is a fence and a wall so it is unlikely anyone can jump over.

Mary leads the voting.

**Proposal "A"**

No hands raised - no votes.

No one abstains from voting.

**Proposal "B"**

24 votes.

No one abstains.

**5. Way Forward/SAHRA Permit application. M Patrick**

A record of the process will be compiled in a permit application that will be lodged with the South African Heritage Resource Agency (SAHRA). Andre will submit proposal "B" and obtain Council permission/approval for the building. Written permission is required from City of Cape Town, the South African Heritage Resource Agency and Heritage Western Cape (HWC) so all three bodies have to concur.

The permit application will go to Pretoria and be circulated through all the offices nationally - the permit application will include Minutes from these meetings and will become a public document. Permission may only be granted if there are no objections to the proposal.

The 2<sup>nd</sup> part of the process is that more notices will be placed in the press, People's Post, community newspapers, etc to inform people that the land will become available for development and to invite people to come forward should they consider themselves interested & affected party (IAP).

Mary asks if anyone objects to her speaking to the press. No objections. Once an archaeologist is appointed a map/layout of the area will be produced based on what can be remembered - usually people are buried in lots - in rows - often infants are buried together with women in one place and men in another? Information may become available regarding the ages of the people buried & the kind of illness that affected them and this information is useful for anthropologists. Mary asks the community present if anyone objects to this kind of information being circulated. No one objects. Gerald asks if relatives may be present at the exhumation. Headstones and grave goods may be collected by the family. Grave goods may also be interred with the caskets/urns and put into the tomb. Whatever is recovered is numbered and stored.

Michael talks about the people buried at the Black River Cemetery in the late 18h00's. From 1927 onwards - 2 lists of names are reconstructed from magazine entries.

From 1946 there is a list of names but no certainty if they are buried at this cemetery or not? Questions will have to be put to the families. From June 1941 until April 1946 no records have been located. Some people were exhumed already and re-buried in the Commonwealth plot in Grassy Park (?) after the 2<sup>nd</sup> World War.

In 1948 some of the burials came from St George's. In order to establish who definitely is not buried there Michael will have to have guidance from relatives. Before 1927, the list indicates where people are buried. From 1946 the dates of burial are recorded but not the dates of death. The lists are listed alphabetically plus the year - name & age - dates don't say much. In the 1930's people's occupation was listed or their initials but no name. N.N = no name - babies, usually.

In regard to memorialisation, a biblical passage may be used, like "They made their mark, but are identified" for those people who remain unnamed. Gerald thinks that all the people on the list should be included. A vote is taken as to whether all the names from the list will be included and 26 people agree that all names should be memorialized even if there is uncertainty. No one opposes this proposal.

There is a question about whether the exhumation will be supervised. Mary assures that exhumations are strictly supervised by the main authorities involved; SAHRA & HWC - no permit to exhume will be granted if not approved by the heritage authorities.

Andre's submission also has to be approved by the City of Cape Town & HWC. Members of the Church Council and other stakeholders also will be watching the process closely. In terms of the National Heritage Act a concerted must be made to find the next-of-kin. Mary believes that we can prove our commitment to do this - holding three public meetings, over time, advertising in the press and inviting other communities to be part of the process.

However, the process cannot go on forever - once the columbarium has been built and the remains interred there that will be it. However, if once the tomb is built and sealed and a relative should come forward to say they missed all the meetings their relatives' names will be added to the memorial.

The question is asked as to who will cover the costs of this exhumation/cremation and memorialisation. It will be a heavy cost for the Church so the developer will be asked to cover all these costs, and this will be part of the negotiation regarding the sale of the land. This includes the cost of the columbarium.

The Church will be appointed as a trustee - the developer will foot the bill. The Parish will be responsible for maintaining all records since 1867. Mary explains that one person has come forward from the public participation process and has been in consultation with Susan Bryce from the City of Cape Town, giving permission for the relative to be exhumed but NOT be cremated. This person will be seeking to buy a plot to re-bury the relative's remains. It will be challenging for all concerned to identify exactly where the relative is buried in the Black Water Cemetery.

#### **6. Closure**

Mary thanks everyone for coming to this evening's meeting in the cold, and for all the discussion generated & overall participation. She calls on people with a memory for the cemetery to assist her in recalling where people may be buried. People welcome to stay after meeting closes to discuss this. Mary and Leigh remind people to sign the register before they leave if they haven't already done so.

Father Hendricks closes the meeting with a prayer. No further meetings are scheduled.

Minutes prepared by Leigh Haselau  
9<sup>th</sup> June 2013

**Appendix 3: Design Options for the Columbarium at St Marks in Athlone**



PHOTOGRAPHS OF THE CHURCH AND SURROUNDINGS

Figure 6: Site of the proposed columbarium, St Marks in Athlone (Ref: Andre Pentz May 2013).



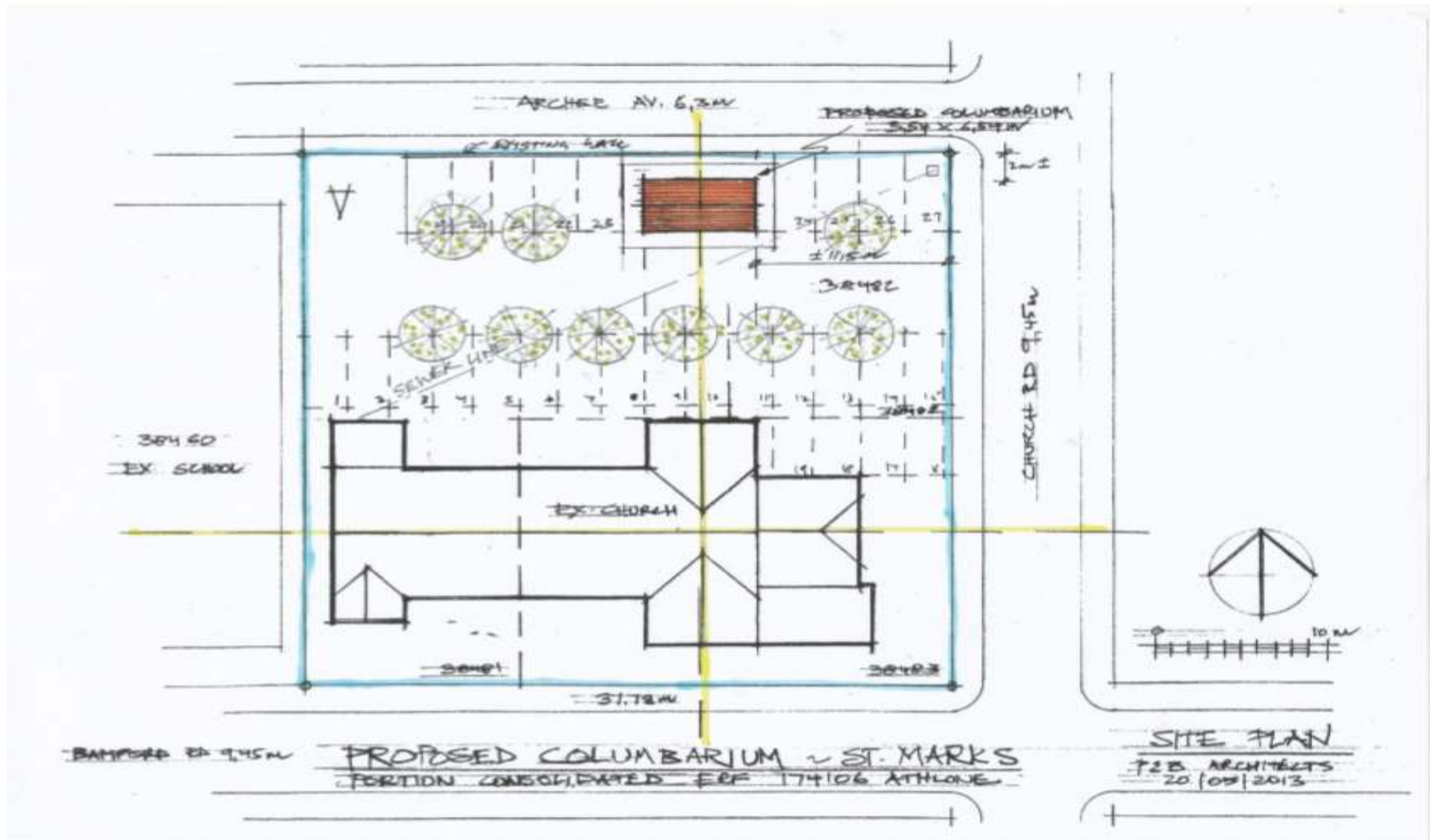


Figure 7: Option A Proposed Free Standing Columbarium at St Marks in relation to the existing church (Ref Andre Penz 2013).

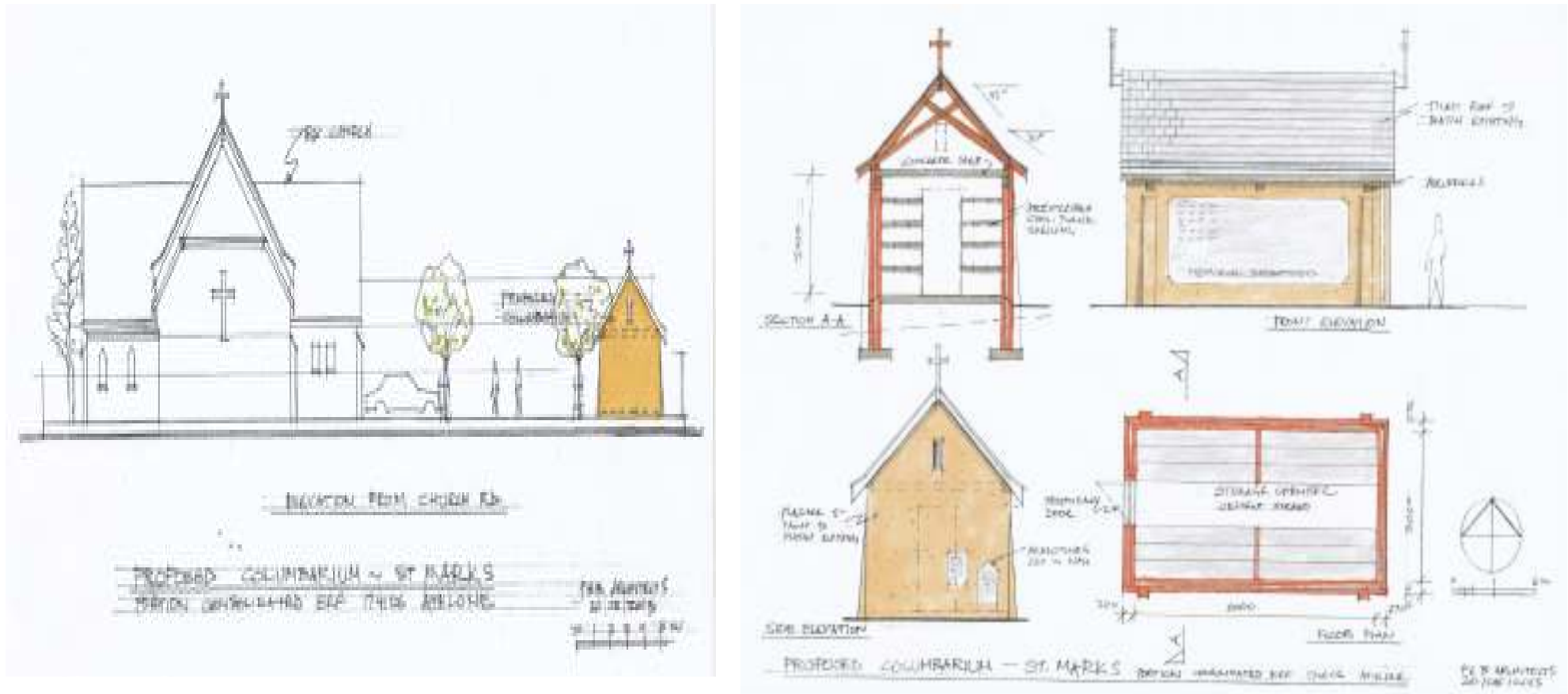


Figure 8: Option A Proposed free standing Columbarium at St Marks (Ref Andre Penz 2013).

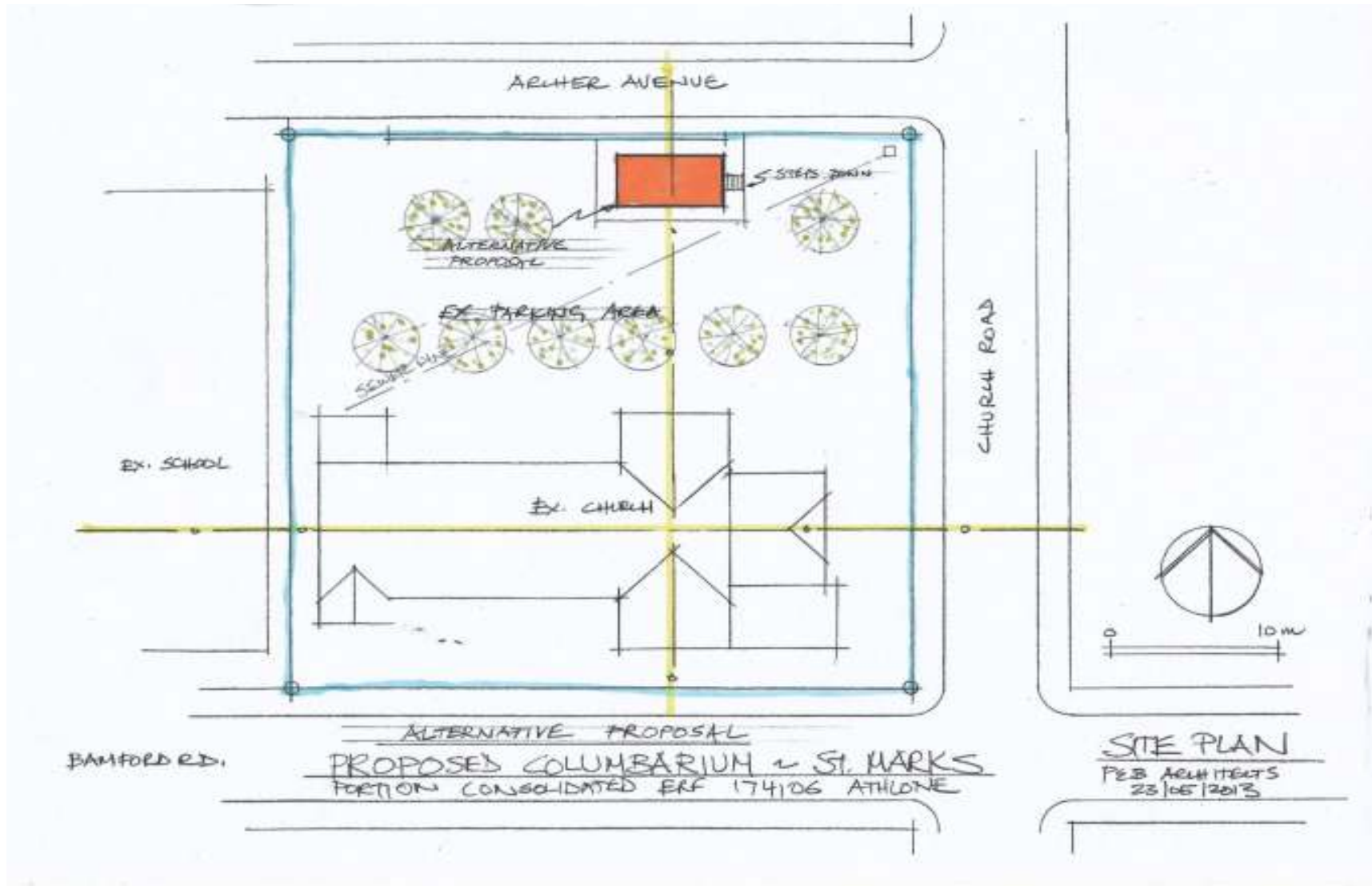


Figure 8 A: Option B Design details of the Columbarium (semi-submerged chamber) at St Marks (Ref Andre Penz 2013).

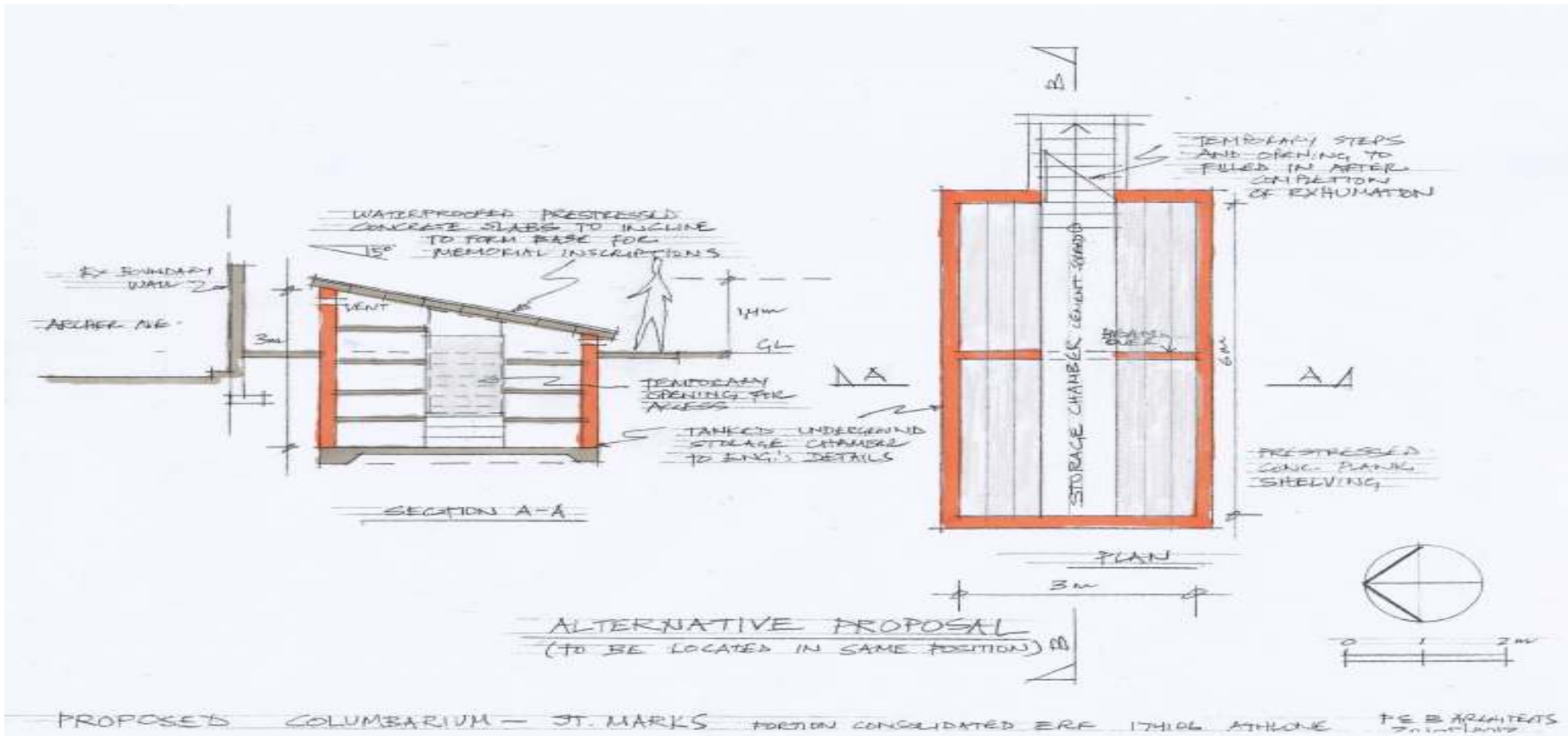


Figure 9: Option B Design details of the Columbarium (semi-submerged chamber) at St Marks (Ref Andre Penz 2013).

## Appendix 4: Department of Health Authorization



INSPECTORATE OF ANATOMY  
PROVINCIAL HEALTH OFFICER  
[Ryclayton@capewest.gov.za](mailto:Ryclayton@capewest.gov.za)  
Tel: +27 21 928 1503  
Fax: +27 21 928 1560  
Fransie Van Zyl Drive Tygerberg 7505

REFERENCE:  
ENQUIRIES: MRS. N. PARKER

17<sup>th</sup> January 2014

Mary Patrick  
Director and  
Cape Archaeological Survey  
Unit 2, Greenwich Grove  
Duke Road  
7700

**REQUEST FOR EXHUMATION: BLACK RIVER PRIVATE GRAVEYARD IN KLIPFONTEIN ROAD,  
ATHLONE.**

**Dear Ms Patrick**

The Western Cape Government, Department of Health, specifically the Inspectorate of Anatomy has no objection to the proposed exhumation of an estimated 3000 sets of human remains from a private grave site in Athlone.

The Inspectorate of Anatomy further stipulates that all relevant legislation should be observed during exhumations and specific attention must be paid to the provisions of the National Health Act.

This letter of approval does not exempt any parties involved in the exhumation from any other relevant legislation or from the instruction of any other authoritative bodies.

One of the critical requirements for exhumation is that the Inspectorate of Anatomy be notified of the proposed date of exhumation.

Kind regards

A handwritten signature in black ink, appearing to read 'Ryan Clayton', written over a light blue horizontal line.

Mr Ryan Clayton  
Provincial Health Officer  
Provincial Inspector of Anatomy  
Provincial Inspector of Blood Transfusion Services  
Provincial Transplant Coordinator

U2, Fransie Van Zyl Drive Tygerberg  
Tel: +27 21 928 1503 Fax: +27 21 928 1560

[www.capegate.gov.za](http://www.capegate.gov.za)

## Appendix 5: Letter of Appointed Undertaker



## MICHAEL BESTER ARCHITECTS CC

Unit 2, Greenwich Grove, Duke Road, Rondebosch. P. O. Box 46, Rondebosch 7701  
 telephone : +27 21 685 2913. e-mail : mbesterarch@mweb.co.za

(by email to [lindhorst@constantiaberg.net](mailto:lindhorst@constantiaberg.net))

13<sup>th</sup> November 2013

Constantiaberg Funeral Home CC  
 85 Kenilworth Road  
 Kenilworth  
 Cape Town

Attention: Mr Alan Lindhorst

Dear Mr Lindhorst

**PROPOSED REDEVELOPMENT of the OLD BLACK RIVER BURIAL GROUND, ATHLONE: 116(10)  
 CONFIRMATION OF APPOINTMENT: UNDERTAKING SERVICES RELATED TO EXHUMATION**

I refer to your emailed fee proposal for structural engineering services, dated 4<sup>th</sup> November 2013 and addressed to the archaeologist on the above project, Cape Archaeological Survey CC.

On behalf of and on the instructions of my client, the Board of Trustees of the Diocese of Cape Town of the Anglican Church of Southern Africa (which is the owner of the Black River Cemetery and the St Mark's Church properties), I am pleased to confirm both its acceptance of your fee proposal and your appointment for this work.

In accordance with resolutions taken by the Board, this firm will act as its principal representative and Project Manager in all matters associated with this project, which it will do in consultation with the archaeologist and the trustees copied hereon. Your appointment is furthermore subject to the following:

1. Your appointment is to be made in terms of your abovementioned fee proposal, but it is to be noted that no date for commencement of exhumation works has yet been established;
2. The client wishes to reserve its right to source coffins for the exhumed remains from other sources, in which case it is understood (from our telephonic conversation of a few days ago) that the fees quoted by you for this purpose will not be eliminated altogether but be reduced to a nominal handling fee. Please confirm this amount as soon as conveniently possible.
3. As advised, an application for an exhumation permit is currently being prepared by the archaeologist, and Ms Patrick will shortly be in contact with you for the purpose of obtaining your signature and other documents related to this.

I also confirm that once the exhumation permit is obtained, it is the client's intention to commence negotiations with the third-parties which may be interested in acquiring the Cemetery property. Exhumation will certainly not commence until after a satisfactory agreement between the Board and the successful third-party is finalised and a long-lease duly registered.

In the meantime, I look forward to working with you on an interesting and challenging project!

Yours sincerely

Michael Bester

Pr.Arch, Pr.CPM, AAArb.  
 for Michael Bester Architects CC

c.c: Diocesan Board of Trustees: the Rt. Revd. G. Counsell, Ven'bles J. Louw and H. Arends, Mr. B. Kahn  
 St Mark's Church, Athlone: Rector & Churchwardens  
 Cape Archaeological Survey CC: Ms M. Patrick

Corporate Member of the South African Institute of Architects  
 CC no. 1996/044890/23  
 Member: M.A.M. Bester, Pr.Arch, Pr.CPM, Dipl.Th, PGC.Arb, AAArb.

