



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town
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Enquiries: Natasha Higgitt
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CaseID: 20010

Date: Wednesday June 28, 2023
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Sarah Winter Heritage Practitioner

P. O. Box 281
Muizenberg
7950

Proposed bulk services situated on the Founders Estates National Heritage Site

Chand Environmental Consultants has been appointed by Boschendal (Pty) Ltd to undertake an Environmental Authorisation (EA) Application for the installation of new service infrastructure and expand on existing infrastructure on Farm 1685, Portions of Farm 1674 and Farm 1730 on Boschendal Estate, near Pniel, Western Cape Province.

A pre-application Draft Basic Assessment Report (DBAR) has been submitted. The EA process in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations has not yet formally commenced. The proposed development will include new bulk foul sewer line, bulk water pipelines and rising main, stormwater infrastructure and fibre internet ducts, the expansion of existing electricity and irrigation lines, formalisation of existing farm roads, development of new sections of formal roadway. The construction of a new reservoir and new sewer pump station, and the installation of a new external bulk water pipeline and upgrade of existing sewer pipeline outside of the Boschendal Estate.

Sarah Winter Heritage Consultant was appointed to conduct the heritage specialist input as part of the EA process in terms of section 24(4)iii(b) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Winter, S et al. 2022. Boschendal Founders Estate National Heritage Site: Section 27 NHRA application for Bulk Services

The Heritage Statement states that the proposed bulk services are largely in accordance with the landscape guidelines and three areas of sensitivity were identified i.e. area around the ore-processing mill precinct related to Silvermine, the area around Goede Hoop and the area around Nieuwedorp.



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Page No: 2

Recommendations provided in the report include the following:

- Rehabilitation of civils works to be done by a landscape contractor overseen by a landscape architect and for this to be included in the EMP;
- Archaeological monitoring of any excavation work within the vicinity of the ore-processing mill precinct, Goede Hoop and Nieuwedorp as per the recommendations set out in E.2 of the report;
- Submission of a close out report to SAHRA within 30 days of practical completion of the work.

In an Interim Comment issued on the 24/04/2023, SAHRA noted that the application is in fact in terms of section 38(8) of the NHRA. An assessment of the impact to heritage resources is therefore required to be conducted as per section 38(3) of the NHRA. SAHRA noted the submitted report includes information that complies with section 38(3)a, b, c, f and g of the NHRA.

SAHRA requested that an assessment of the impact to heritage resources be undertaken that complies with section 38(3) of the NHRA with reference to outstanding information as per section 38(3)d and e of the NHRA be undertaken as part of the EA process in terms of section 24(4)b(iii) of NEMA. The requested section 27(18) permit will be processed as part of section 38(3)g of the NHRA with regards to plans for mitigation.

Since the issuing of the Interim Comment, a revised report has been submitted that addresses section 38(3) d and e of the NHRA.

Winter, S et al. 2023. Boschendal Founders Estate National Heritage Site: Section 27 NHRA application for Bulk Services (also fulfilment of requirements of section 38(3) and 38(8) of the NHRA).

The report notes that the socio-economic benefits of the proposed project include the release of serviced portions of the Founders Estate to be sold by Boschendal (Pty) Ltd. As the impact to heritage resources is very low, there is no need to offset impacts to heritage resources.

Several conservation bodies were consulted regarding the proposed development. The Stellenbosch Interest Group noted that the development proposal was supported.

Final Comment

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMP:



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Page No: 3

- 38(4)a – The SAHRA has no objections to the proposed development;
- 38(4)b – The recommendations of the specialist are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- Monitoring reports as part of the recommended monitoring as per section E 2.2 of the report must be submitted on a monthly basis to SAHRA;
- Permit number 4088 is relevant for this application and is only valid if the EA is granted;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA (Natasha Higgitt 021 202 8660/ nhiggitt@sahra.org.za) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA (Natasha Higgitt 021 202 8660/ nhiggitt@sahra.org.za) must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
- The Final BAR must be submitted to the SAHRIS application for record purposes;
- The decision regarding the EA application must be submitted to the SAHRIS application for record purposes.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Our Ref:



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Page No: 4

Natasha Higgitt
Manager: Development Applications Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/608557>

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.