



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za  
South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
www.sahra.org.za

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: nhiggitt@sahra.org.za  
CaseID: 14431

Date: Tuesday November 19, 2019  
Page No: 1

## Final Comment

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

Attention: JC Straus Eiendomme PTY Ltd

**The proposed development is to establish an agricultural area for the cultivation of vineyards a small balancing dam and pipelines on Portion 238 and 335 of Farm Bethesda 38.**

PBPS T/A Environmental and Water Consultants have been appointed by JC Strauss Eiendomme (Pty) Ltd and Johan Strauss Familie Trust to conduct an Environmental Authorisation (EA) Application for the proposed agricultural development and associated infrastructure on portions 238 and 335 of farm Bethesda 38, Louisvale, Northern Cape Province.

A draft Basic Assessment Report (dBAR) has been submitted in terms of the National Environmental Management Act, no 107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed agricultural area will cover 13.4 ha for vineyards and include infrastructure such as a small balancing dam (1 500 m<sup>2</sup>) and a water pipeline (838 m).

Natura Viva cc and ACRM has been appointed to provide heritage specialist input as part of the BAR process as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Almond, J. E. 2016. Recommended Exemption from further palaeontological studies: Proposed Louisvale Agricultural Development on farm Bethesda 38 near Upington, Northern Cape.*

The proposed project area is underlain by Namaqua-Natal Province which contain the Jannelsepan Formation (Areachap Group) that does not contain fossils. These rocks are overlain by superficial sediments that include rock rubble and surface gravels that do not contain fossils. A Chance Finds Procedure is recommended to be followed.

*Kaplan, J. 2019. Archaeological Impact Assessment: Proposed cultivation of vineyards on the farm Bethesda 238/38 and 335/38 Louisvale, Upington, Northern Cape Province.*

Over 80 surface occurrences of mostly Later Stone Age (LSA) lithics with five Middle Stone Age (MSA) lithics



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were identified within the proposed project area. All of the identified heritage resources were rated as resources of low heritage significance. No other heritage resources were identified. A Chance Finds Procedure is recommended.

### Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and 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 EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;
- 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 APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) 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 Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), 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;
- 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 and EMPr must be submitted to SAHRA for record purposes;
  - The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

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



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above in the case header.

Yours faithfully

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Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

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Phillip Hine  
Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/529900>  
(DENC, Ref: )

**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.