

**Our Ref:**



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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CaseID: 8634

Date: Wednesday December 14, 2022  
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## **Final Comment**

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

Attention: Longyuan Mulilo De Aar 2 South (Pty) Ltd

### **Proposed Wind Energy Facility situated on the Eastern Plateau (south) near De Aar in the Northern Cape Province: Application for Amendment of Environmental Authorisation (DEA Ref No.: 12/12/20/2463/AM3)**

Holland & Associates Environmental Consultants has been appointed by Mulilo De Aar 2 South (Pty) Ltd to undertake an Environmental Authorisation (EA) Amendment application for the authorised Wind Energy Facility (WEF) situated in the eastern plateau (south) near De Aar, Northern Cape Province (DEA Ref: 12/12/20/2463/1/AM9).

A Draft Amendment Motivation Report has been submitted in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The amendment includes several updates to the project description, increase the width of roads to 6 m and upgrade to sections of existing roads, and an increase the size of foundations.

Marion Bamford Consulting and ACO Associates CC have been appointed to provide input into the EA Amendment application as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Bamford, M. 2022. Specialist Statement – Palaeontology Mulilo De Aar 2 South Wind Energy Facility: EA Amendment Application*

The specialist has confirmed that the impact rating and mitigation measures provided in the initial assessment are still valid and no new mitigation measures are required to be added to the EA or EMPr.

*Gribble, J. 2022. Mulilo De Aar 2 South Wind Energy Facility: Part 1 Environmental Authorisation Amendment Application: Heritage Specialist Impact Statement*

A walkdown was conducted as per previous recommendation. This walkdown identified four heritage resources that include surface scatters of Stone Age lithics of medium heritage significance, historical ash

# Proposed WEF situated on the Eastern Plateau (south) near De Aar: Application for Amendment of EA

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heap and historical werfs of low heritage significance.

Recommendations provided in the walkdown report include the following:

- The final layout plan avoids the three archaeological sites identified in the 2011 HIA. None of these sites will thus be impacted by the final layout plan and the requirement that they are archaeologically sampled can fall away;
- All identified stone-walled kraals must be avoided during construction. ACO has provided the locations of these kraals for inclusion in the Environmental Sensitivity Map for the final layout plan and the kraal complexes must be demarcated prior to construction and labelled as no go areas during construction;
- The 500 m buffers in place around the Kranskop and Vendussie Kuil farm werfs will remain although: The small overlap of the laydown area and access road with the Kranskop buffer is permitted; and the access road within the Vendussie Kuil buffer is permitted, but that instead of constructing a new road within a short distance of the farm complex, the section of the existing farm road within the buffer is upgraded to serve as the access road, thereby limiting the impacts of the WEF on the farm complex;
- 30 m buffer to be adhered to around G113 or the site must be mitigated;
- 60 m to be adhered to around G110 or the site must be mitigated;
- 20 m buffer to be adhered to around JG104 and JG134 or the sites must be mitigated.

The specialist states that the proposed EA amendments will result in a reduction in the physical WEF footprint and the impacts to heritage resources. Larger hardstands and wider roads may result in limited and minor impacts that can be mitigated.

## 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 Amendment Report and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit no objections to the proposed amendment to the development;
- 38(4)b – All previously provided conditions by the heritage specialists must be adhered to as stated in the letter issued on the SAHRIS Case application on 08/03/2016 (<http://sahra.org.za/sahris/node/358381>) with the exception of the walkdown requirement, as this has been completed;

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- 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/ Ngqabutho Madida 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 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 decision regarding the EA Amendment 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 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

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/339855>  
(DEA, Ref: 12/12/20/2463/AM3)

**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.