

Our Ref:



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 17774

Date: Wednesday September 14, 2022  
Page No: 1

## Final Comment

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

Attention: Pieter Francois Roux

**Noblesfontein Wind Farm was issued an Environmental Authorisation (EA) during 2012 (DFFE Ref: 12/12/20/1993/1 & 14/12/16/3/2/75) and has since been constructed. Coria (PFK) Investments 28 (Pty) Ltd operates a commercial wind energy facility, as well as the associated infrastructure (Substation and powerline) on a site near Victoria West within the Northern and Western Cape Province. The facility is to be called the Noblesfontein Wind Energy Facility of up to 44 turbines with a generating capacity of up to 123 MW over an area of approximately 22 ha (on farm portions: remaining extent of Farm Noblesfontein 227, Portion 3 of the Farm Noblesfontein 227, Portions 2, 3 and 4 of the Farm Ezelsfontein 235, remaining extent of the Farm Annex Noblesfontein 234, Portion 1 of the Farm Annex Noblesfontein 234 and Portion 1 of the Farm Rietkloofplaaten 239. With reference to the Section 24G process undertaken for the above facility relating to the changes associated with the internal road layout (Ref: 14/12/16/3/2/75), the current layout of the facility has been identified as a compliance matter and included in the latest Environmental Audit Report undertaken for this wind farm. The Department's Compliance and Enforcement Section has since responded to the Applicant with a Warning Letter. It is thus understood that the matter has been closed by Compliance and Enforcement. The layout of the above development has been updated to reflect the current layout of the wind farm and now requires an amendment of the EMPr to formalise this.**

Environmental Impact Management Services (EIMS) has been appointed by Coria (PFK) Investments 28 (Pty) Ltd to update the Environmental Management Programme for the authorised Noblesfontein Wind Energy Facility (12/12/20/1993/1) and the authorised 132KV powerline and substation (14/12/16/3/3/1/744). The updated EMPr is for the Operational Phase only.

The Noblesfontein Wind Energy Facility was authorised in 2011 and the powerline was authorised in 2013. SAHRIS Case ID 2005 (<https://sahris.sahra.org.za/cases/karoo-renewable-wind-energy-facility-northern-cape>) is connected to the original EA for the WEF and a current amendment application is under review on SAHRIS Case ID 16672

(  
<https://sahris.sahra.org.za/cases/proposed-amendment-existing-wind-energy-facility-nobelsfontein-northern-cape>). It is noted that there are outstanding studies as part of the original EA application as per the Interim



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Comment issued on Case ID 2005 on the 04/06/2013 and Case ID 16672 on the 23/07/2021.

No SAHRIS application is evident for the powerline development and therefore SAHRA has not had an opportunity to review and provide comments on any Heritage Impact Assessment conducted for the powerline development.

The Operational activities for the above development include the following:

- Operation of the wind turbines;
- Maintenance of the wind energy facility; and
- Site operation of maintenance for substation.

The only operational mitigation measures provided in the OEMPr include that the HIA recommendations should be implemented to limit any potential negative impacts on the sense of place with regards to visual impacts.

In an Interim Comment issued on the 21/01/2022, SAHRA requested that the EA, EMPr and HIA for the powerline development be submitted to the case for review. Since the issuing of the Interim Comment, the above documents have been submitted for review (22/02/2022).

The HIA is noted to have been submitted to Case ID 2005 and has been commented on previously. The 2013 EMPr does not include the conditions issued by SAHRA on 04/06/2013. Conditions 21 and 22 of the EA issued 2013 are noted.

In an Interim Comment issued on the 18/03/2022, SAHRA requested that the outstanding field-based PIA be submitted for review and the recommendations of the 2021 Heritage Screener on SAHRIS Case ID 16672 be completed; and any conditions relevant to the Noblesfontein WEF contained within the Interim Comment issued on 04/06/2013 for Case ID 2005 be included in the OEMPr. Since the issuing of the Interim Comment, a Response to the Comment has been submitted to the case (06/09/2022).

The letter noted that the previous case (Case ID 16672) referenced is linked to a separate application and is not relevant for the amendment application. The conditions provided in the Interim Comment for SAHRIS Case ID 2005 that would still be relevant include the following:

Our Ref:



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 17774

Date: Wednesday September 14, 2022  
Page No: 3

- The developer or archaeologist should apply to SAHRA for a destruction permit for sites S46 and GPS48 if needed or if it is requested by the environmental authorities;
- No construction activity is allowed within 100 m of the rock paintings, rock engravings and rock shelters where rock art material is preserved and sites with stone walls and kraals. If this distance cannot be maintained and development occurs within 100 m of any of these sites, a temporary fence must be erected around the site (in consultation with the archaeologist) and foremen and workmen educated about its significance;
- In no circumstance will development be allowed within 50 m from the stone walls and kraals and from rock art sites;
- The rock engravings situated at S47-ENG7 and S48-ENG8 are not affected during construction or operation but the developer will compile and submit a Heritage Management Plan to SAHRA for review if SAHRA considers it necessary;
- The graves located in the area are not affected by the site. If relocation for the exposed human remains were necessary due to any deviation of the original project, provisions stipulated in section 36 of the National Heritage Resources Act (Act No 25 of 1999) and related guidelines will be applicable.

## 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 OEMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed management actions pertaining to the impact to heritage resources in the OEMPr;
- 38(4)b – Further additional specific conditions are provided for the development as follows:
- A permit in terms of section 35 of the NHRA and Chapter II and Chapter IV of the June 2000 Regulations must be applied for from SAHRA in order to mitigate sites S46 and GPS48 should they be impacted by the development;
- A Heritage Management Plan must be compiled and submitted to SAHRA for review for the rock engravings sites S47-ENG7 and S48-ENG8;
- As the requested palaeontological field-assessment (as requested in the Interim Comment issued for SAHRIS Case ID 2005 on the 04/06/2013) was not conducted prior to the construction of the now completed development, future operational activities that have not been authorised as part of the EA and trigger s38(1) of the NHRA or have not occurred yet, must be assessed for impacts to

Our Ref:



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)

Date: Wednesday September 14, 2022

Page No: 4

CaseID: 17774

palaeontological resources prior to the activities commencing. This report must be submitted to SAHRA for comment and approval prior to these activities commencing;

- As per the Interim Comment issued for SAHRIS Case ID 2005 on the 04/06/2013, palaeontologist must inspect fresh excavations undertaken in the fossil-bearing Teekloof Formation. Inspection reports must be submitted to SAHRA;
- 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/ Ngqalabutho 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 of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
- With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above;
- 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 OEMPr 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:



an agency of the  
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: [info@sahra.org.za](mailto: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](http://www.sahra.org.za)

Enquiries: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 17774

Date: Wednesday September 14, 2022  
Page No: 5

---

Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

---

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

---

**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/590988>

**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.