

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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Tel: 021 202 8660  
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CaseID: 20214

Date: Friday June 09, 2023  
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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: Ms Kristen Shaw  
Terramanzi Group (Pty) Ltd

### The Proposed Development of Dominion 3 Solar Park and Associated Infrastructure Located Near Klerksdorp, North West Province, South Africa

Terramanzi Group (Pty) Ltd has been appointed by Red Rocket (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed Dominion 3 Solar Park and associated infrastructure on portion 11, 31 and 32 of Remainder of Farm Wolverand 425, near Klerksdorp, North West Province (DFFE Ref: 14/12/16/3/3/1/2669).

A draft Basic Assessment Report has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development will include the construction of solar panel arrays, back to back substation, Battery Energy Storage System (BESS), access roads, Operations and Maintenance Buildings with an application area of 240 ha.

Banzai Environmental (Pty) Ltd and PGS Heritage (Pty) Ltd was appointed to provide heritage specialist input into the EA process as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*Butler, E. 2022. Palaeontological Desktop Assessment for the proposed Dominion 3 solar park near Klerksdorp within the North-West Province*

The proposed development area is underlain by the non-fossiliferous Allanridge and the Rietgat Formations. Stromatolites may be located within the Rietgat Formation. A Chance Fossil Finds Protocol is recommended to be implemented.

*Fourie, W. 2022. Heritage Impact Assessment for the proposed Dominion 3 Solar Park on the remaining extent of Portion 18 of the farm Wolwerand 425 IR, City of Matlosana, North West Province*

A total of 12 heritage resources were identified within the proposed development area. These include built



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structure of low heritage significance, built structures and two burial grounds of high heritage significance.

Recommendations provided in the report include the following:

- All burial grounds and graves should be retained and avoided with a buffer zone of 50m as per SAHRA guidelines. If this is not possible, the graves could be relocated after completion of a detailed grave relocation process, that includes a thorough stakeholder engagement component, adhering to the requirements of s36 of the NHRA and its regulations as well as the National Health Act and its regulations;
- Avoid the identified structures with a 30-meter no-go buffer;
- If this is not possible a stakeholder engagement process must be initiated to investigate the possible presence of infant and still born burials for the identified sites;
- If the presence of such burial is confirmed a comprehensive grave relocation process must be implemented and managed by a competent and experienced grave relocation professional;
- A Chance Finds Procedure is recommended to be implemented.

The EMPR contains additional recommendations such as “Development of a heritage management plan if the burial ground is to be preserved in place.”

## 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 has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists and in the EMPr are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- The recommended HMP for the burial grounds must be submitted to SAHRA for approval prior to the construction phase;
- 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](mailto: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

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51(1)e of the NHRA and item 5 of the Schedule;

- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA DAU (Natasha Higgitt 021 202 8660), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offence 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 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 above in the case header.

Yours faithfully

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

# The proposed development of the Dominion 3 Solar Park

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## ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/609620>  
(DWAF, Ref: 14/12/16/3/3/1/2669)

## 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.