

Our Ref:



an agency of the
Department of Arts and Culture

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CaseID: 20338

Date: Friday June 30, 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: Kudu Solar Facility 3 (Pty) Ltd

Kudu Solar Facility 1 (Pty) Ltd to Kudu Solar Facility 12 (Pty) Ltd is proposing to develop 12 Solar Photovoltaic (PV) power generation facilities and associated Electrical Grid Infrastructure (EGI), north-east of the town of De Aar, in the Renosterberg Local Municipality and Pixley Ka Seme District Municipality, in the Northern Cape Province. Scoping and Environmental Impact Assessment (EIA) Processes are currently being undertaken for the 12 Solar PV facilities. Separate Basic Assessment (BA) and/or EGI Standard Registration processes will be commissioned separately, once finalised, for the EGI projects. This case is for the proposed Kudu Solar Facility 3, and the Applicant is Kudu Solar Facility 3 (Pty) Ltd.

The Council for Scientific and Industrial Research (CSIR) has been appointed by ABO Wind renewable energies (Pty) Ltd to undertake an Environmental Authorisation Application for the proposed Kudu Solar Facility 3 and associated infrastructure, near De Aar, Northern Cape Province.

A Draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed activities will include the construction of solar panels, auxiliary buildings, inverter/transformer stations, on-site substation complex, battery energy storage system (BESS), underground cables, access roads, internal roads, fencing, storm water channels, panel cleaning and maintenance area, laydown areas with an overall application area of 72 ha.

Natura Viva CC and ASHA Consulting (Pty) Ltd were appointed to provide heritage specialist input as part of the EA process as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Almond, J. E. 2022. Site Sensitivity Verification Report: Proposed Development of the Kudu Solar Photovoltaic Facilities and Associated Infrastructure near Philipstown and De Aar, Pixley Ka Seme District, Northern Cape Province.

A report that combines the assessment of all 12 Kudu Solar Projects has been submitted.



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The proposed development footprint is underlain by the Waterford Formation, the Tierberg Formation and are overlain by the Late Caenozoic calccrete hardpans, alluvial deposits, surface gravels and soils of low sensitivity. A Chance Finds Procedure is recommended to be implemented.

Orton, J. 2022. Heritage Specialist Scoping Report Inputs: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic Facility (Kudu Solar Facility 3) and associated infrastructure, near De Aar, Northern Cape Province

No heritage resources were identified within the Kudu Solar Facility 3. Two ephemeral scatters of Stone Age lithics of very low sensitivity were identified on the outskirts of the development boundary. A Chance Finds Procedure is recommended, and the recommendations of the Visual Impact Assessment must be followed.

In an Interim Comment issued on the 25/01/2023, SAHRA requested that the HIA be revised and an addendum to the PIA must be submitted with specific results for the Kudu Solar 3 project. Since the issuing of the Interim Comment, an HIA and PIA have been submitted (04/06/2023).

Almond, J. E. 2023. Site Sensitivity Verification Report (In Terms of Part A of the Assessment Protocols Published in GN 320 on 20 March 2020). Proposed Development of the Kudu Solar Photovoltaic Facilities and Associated Infrastructure near Philipstown and De Aar, Pixley Ka Seme District, Northern Cape Province

No fossils were identified within the proposed development area. A Chance Finds Procedure is recommended to be followed.

Orton, J. 2023. Heritage Specialist Study: Scoping and Environmental Impact Assessment (EIA) Processes for the Proposed Development of a Solar Photovoltaic Facility (Kudu Solar Facility 3) and associated infrastructure, near De Aar, Northern Cape Province

The report has been revised to include a tracklog of the completed survey.

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 EIA and EMP:

- 38(4)a – The SAHRA Development Applications Unit has no objections to the proposed development;

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- 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 DAU (Natasha Higgitt 021 202 8660/ nhiggitt@sahra.org.za) must be alerted as per section 35(3) of the NHRA. Non-compliance with this 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)c(ii) – If unmarked human burials are uncovered, the SAHRA DAU (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 offence 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 EIA 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

Natasha Higgitt
Manager: Development Applications Unit

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South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/611026>
(DFFE, Ref: 14/12/16/3/3/2/2246)

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.