

**Our Ref:**



an agency of the  
Department of Arts and Culture

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Enquiries: Natasha Higgitt  
Tel: 021 202 8660  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 20500

Date: Tuesday August 01, 2023  
Page No: 1

## **Final Comment**

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

Attention: Savannah Environmental (Pty) Ltd

PO Box 148  
Sunninghill  
2157

**Transalloys (Pty) Ltd propose to develop the Transalloys Solar PV Facility and its associated electrical infrastructure adjacent to their smelter complex on Clewer Road 1034, Witbank in the Emalahleni Local Municipality. The project is located in the greater Nkangala District Municipality of Mpumalanga province approximately 34km west of Middleberg and 37km east of Bronkhorstspuit and within the REDZ9 in Emalahleni and the International Corridor. A technically suitable project site of ~235ha has been identified by Transalloys (Pty) Ltd for the establishment of the PV facility. The proposed facility will have a contracted capacity of up to 50MW and will include the following infrastructure: Solar PV array comprising PV modules and mounting structures (monofacial or bifacial and a single axis tracking system) Inverters and transformers Cabling between the project components On-site facility substation and power lines between the solar PV facility and the plant. Site offices, Security office, operations and control, and maintenance and storage laydown areas Access roads, internal distribution roads The PV facility is proposed in order to meet Transalloys' current electricity demands and future expansion requirements. The plant will be a captive generating plant whereby generated electricity will be fed directly into the smelter complex for direct consumption. The development of the power plant project would effectively mean that Transalloys would become independent of the Eskom electricity grid, thereby creating additional capacity within the Eskom grid for use by other electricity users.**

Savannah Environmental (Pty) Ltd has been appointed by Transalloys (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed Tansalloys PV Energy Facility on portions 34 and 34 of the farm Elandsfontein 309JS and Portion 20 and 24 of the farm Schoongezicht 398JS, adjacent an existing smelter complex, near Middelburg, Mpumalanga Province.

A draft Basic Assessment Report (DBAR) 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 a solar array, inverters and onsite Transformers,



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cabling between the project components, underground 33KV power line, sites control buildings, operation and control buildings, maintenance and storage, lay down areas, access and internal roads with a development footprint of up to 67.9 ha.

CTS Heritage 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).

*Lavin, J. 2022. Heritage Screener: Transalloys Photovoltaic (PV) Solar Energy Facility, Emalahleni Local Municipality, Nkangala District Municipality, Mpumalanga province, South Africa*

The heritage screener draws on the results of several previously conducted assessments. The proposed development footprint is underlain by the Eccca Group sediments that may contain fossil plant remains. No in-situ fossils were identified as part of the site visit in 2014, however a loose rock containing *Glossopteris* leaf fragments was identified just outside of the current development area and left at the offices of Transalloys for safe keeping.

A total of four heritage resources were previously identified within the proposed development area. These include structures of low heritage significance. Three heritage resources were identified just outside of the proposed development area that include one burial ground and two initiation sites of high heritage significance.

In an Interim Comment issued on the 10/05/2023, SAHRA requested that an updated development specific HIA that complies with section 38(3) of the NHRA be conducted for the proposed development. This must include heritage specific consultation with regards to the impacts to the initiation sites and burial grounds. Since the issuing of the Interim Comment, a desktop HIA has been submitted along with a response to the Interim Comment.

*Lavin, J. 2023. Desktop Heritage Impact Assessment in terms of Section 38(8) of the NHRA for the Proposed development of the Transalloys Photovoltaic (PV) Solar Energy Facility, Emalahleni Local Municipality, Nkangala District Municipality, Mpumalanga province, South Africa.*

The report draws on surveys conducted in 2014 and 2019. A total of four heritage resources are located within the proposed development boundary. These include structures of Grade IIIC heritage significance.

Recommendations provided in the report include the following:

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- The Heritage Management Plan proposed by Van Vollenhoven in 2014 be drafted to cover the ongoing conservation and management of the burial ground identified as well as the initiation sites for the duration of the Construction and Operational Phases;
- Chance Fossil Finds and general Chance Finds procedures have been recommended to be implemented.

The response to SAHRA comment notes that community leaders have been assured that the proposed development would not impact on their burial grounds and initiation sites.

### **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 EMP:

- 38(4)a – The SAHRA Development Applications Unit (DAU) has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- The recommended HMP must be submitted to SAHRA for review and comment prior to construction;
- 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](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 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](mailto: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 of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
- 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

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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

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/611841>

**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.