



an agency of the  
Department of Arts and Culture

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CaseID: 20567

Date: Friday May 26, 2023

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## Final Comment

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

Attention: Mr Shaun Macgregor  
Ecoleges Environmental Consultants  
PO Box 9005  
NELSPRUIT  
1200

### **The development of a ground-mounted 1.8MWp solar PV plant within the Element Six facility in Daggafontein, Springs, Ekurhuleni District Municipality, Gauteng Province.**

Ecoleges Environmental Consultants (Africa) (Pty) Ltd has been appointed by Soventix SA (Pty) Ltd to undertake a Basic Assessment process in support of an Environmental Authorisation (EA) in terms of the National Environment Management Act, Act 107 of 1998 (NEMA), for activities that trigger the NEMA EIA 2014 Regulations, for the construction of a solar power plant consisting of solar array panels, and BESS. The PV facility will be 2.2 ha in extent within the existing Element Six facility, located on Portion 20 of Daggafontein 125 JT, in the City of Ekurhuleni Metropolitan Municipality, Gauteng Province.

The Basic Assessment Report (BAR), a letter of exemption from undertaking a heritage assessment, and a Palaeontological Impact Assessment (PIA) report have been submitted to SAHRA in terms of section 38(8) of the National Heritage Resources Act, 25 of 1999 for commenting.

*Pelser, A. January 2023. RE: Motivation for Exemption from a full Phase I Heritage Impact Assessment - Proposed development by Soventix SA of a 1.8MWp solar PV for Element Six, Nuffield, Springs, City of Ekurhuleni, Gauteng Province.*

The proposed development is located in an industrial setting and there is no surface heritage resources of significance identified within the proposed study area. The previous land use will have impacted on any heritage resources visible on the surface. The overall impact to heritage resources is assessed as low and does not outweigh the social benefits of the proposed development.

The author requests an exemption from further heritage studies on condition that should any buried archaeological resources or human remains or burials be uncovered during the course of development



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activities, work must cease in the vicinity of these finds. The South African Heritage Resources Agency (SAHRA) must be contacted immediately in order to determine an appropriate way forward.

*Fourie, H. March 2023. Proposed Development of a 1.8 MWp Solar PV Facility at the Element Six Facility, Springs, Ekurhuleni Metropolitan Municipality, Gauteng Province City of Ekurhuleni Metropolitan Municipality, Gauteng Province. Farm: Erf 266 Nuffield, Portion 20 Daggafontein 125-JT. Palaeontological Impact Assessment: Field Study.*

The author undertook a field assessment of the proposed development area and did not identify any exposed fossiliferous rock outcrops. The study area is underlain by sandstone, shale and grit of the Vryheid Formation, Ecca Group, Karoo Supergroup, which is of Very High Palaeontological Significance. The overall potential impact to palaeontological resources is assessed to be of low significance. The author recommends the following:

The development may go ahead with caution.

The ECO must survey for fossils before and or after clearing, ground-breaking, drilling or excavating.

The EMPr will cover the conservation of heritage and palaeontological material that may be exposed during construction activities. For a chance fossil find, the protocol is to immediately cease all construction activities, construct a 30 m no-go barrier, and contact SAHRA for further investigation.

The chances finds procedure, in appendix 2 of the PIA report, to be implemented during the construction phase.

## 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:

38(4)a – The SAHRA Development Applications Unit (DAU) and the Burial Grounds and Graves (BGG) Unit has no objections to the proposed development;

38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. There are no further additional specific conditions.

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 (Nokukhanya Khumalo/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA.



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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 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 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;

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 BAR 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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Nokukhanya Khumalo  
Heritage Officer  
South African Heritage Resources Agency

**Our Ref: 20567**



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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/612273>

**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.