

**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: 021 202 8660  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 21042

Date: Wednesday June 21, 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

**The Applicant, Kotulo Tsatsi Energy (Pty) Ltd, is proposing the construction of a photovoltaic (PV) solar energy facility (known as the Kotulo Tsatsi Energy PV3) located on a site located approximately 70km south-west of the town of Kenhardt and 60km north east of Brandvlei in the Northern Cape Province. The solar energy facility will comprise several arrays of PV panels and associated infrastructure and will have a contracted capacity of up to 200MW. The facility will be located within the farm Portion 2 of Farm Styns Vley 280. The PV facility is planned to be located adjacent to the authorised 100MW Kotulo Tsatsi PV2 facility, and within an area previously authorised for CSP project infrastructure. The project site 1 falls under the Hantam Local Municipality which is part of Namakwa District Municipality. The site is accessible via an existing gravel farm road (known as Soafskolk Road) which provides access to the farm off of the R27 which is located east of the project site.**

Savannah Environmental was appointed by Kotulo Tsatsi Energy (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed Kotulo Tsatsi Energy PV 3 Facility, near Brandvlei, Northern Cape Province (DFFE Ref: 14/12/16/3/3/2/2223).

A draft Environmental Impact Assessment Report has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. It must be noted that SAHRA was not consulted during the Scoping Phase of the application. The proposed development will include the construction of a solar PV array, cabling between the project components, access and internal roads, two substations and BESS hubs, 132 kV power line, operation and maintenance buildings and lay down area within a development footprint of 1350 ha.

CTS Heritage 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).

*Lavin, J. 2023. Heritage Impact Assessment in terms of section 38(8) of the NHRA for the proposed*

# PROPOSED DEVELOPMENT OF KOTULO TSATSI ENERGY PV 3 NEAR KENHARDT, NORTHERN CAPE

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## *development of Kotulo Tsatsi Energy PV 3 near Kenhardt, Northern Cape*

The HIA draws on results of specialist reports (Lavin, 2021 and Almond, 2015). The proposed development area is underlain by deeply weathered and calcretised bedrocks of the Dwyka and Ecca Groups. Two palaeontological sites are present in the proposed development area i.e. 90934 and 90935 rated as sites of Grade IIIC heritage significance, and no mitigation recommendations are provided.

The heritage survey conducted in 2021 was limited, as the development layout was not yet known. A total of 11 heritage resources were identified within the development footprint. These include Stone Age lithics and historical artefacts of negligible heritage significance.

Recommendations provided in the report include the following:

- All excavation activities are subject to the Paleontological Chance Finds Procedure;
- A Chance Finds Procedure is recommended to be implemented.

In an Interim Comment issued on the 10/05/2023, SAHRA requested that a letter be provided by a palaeontologist, confirming if the results of the 2015 PIA are still relevant for the current development application. Since the issuing of the Interim Comment, a letter from a palaeontologist has been submitted (22/05/2023).

*Almond, J. E. 2023. Palaeontological Heritage Comment: Proposed Kotulo Tsatsi PV 1 Solar Energy Facility on Portion 2 of Farm Styns Vley 280, Hantam Local Municipality, Northern Cape Province*

The specialist confirmed that the results of the 2015 PIA are relevant to the proposed development and no further mitigation measures are recommended.

### **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 EIA and EMPr:

- 38(4)a – The SAHRA Development Applications Unit (DAU) 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 (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 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 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 EIA 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/615978>

## 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.