

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
P.O. Box 4637 | Cape Town | 8001
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CaseID: 16047

Date: Thursday July 08, 2021

Page No: 1

Final Comment

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

Attention: Delta Solar Power Plant (Pty) Ltd.

It is proposed that battery energy storage systems (BESS) be included as part of the Delta Solar Power Project (SPP). This report motivates the proposed amendment of the environmental authorisation (EA) as part of the Delta SPP near Bloemhof, North-West Province (DEA Ref: 14/12/16/3/3/2/669). The Environmental Impact Assessment (EIA) process for the Delta Photovoltaic SPP was lodged in 26 March 2014 and the Environmental Authorisation (EA) was granted on 25 May 2015.

Environamics has been appointed by Delta Solar Power Plant (Pty) Ltd in terms of regulation 29 of the 2014 Environmental Impact Assessment regulation to motivate for the amendment of an Environmental Authorisation (EA) for the authorised development of the Deltar Solar Power Plant energy facility in Bloemhof, North West Province.

The project has been authorised by the Department of Environment, Forestry and Fisheries in terms of the National Environmental Management Act, no 107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The EA is for the development of a of a 84MW Solar Energy Facility and associated infrastructure, referred to as Delta Solar Power Plant.

A draft Motivation Report has been submitted in terms of the National Environmental Management Act, no 107 of 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed amendment will include the installation of a battery energy storage system (BESS) within the authorised laydown footprint.

A previous SAHRIS Case ID 5718 as referenced here <https://sahris.sahra.org.za/cases/delta-solar-pv>. In the Final Comment issued on 7/08/2015, SAHRA noted no objections to the original EA application and provided conditions for the development.

Van Schalkwyk, J. in a letter dated 7 Sepetember 2020 sent to SAHRA's APM Units asserts that the findings and recommendations of the previous AIA are still applicable and that the proposed amendments will not impact nor threaten any sites, features or objects of cultural Significance.

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Page No: 2

In an Interim Comment issued on 23/02/2021 SAHRA's APM Unit acknowledged receipt of the application to amend the Environmental Authorisation to include a BESS for the Delta Solar Power Plant and requested that the applicant provide a letter (by a qualified paleontologist) of exemption and/or affirmation that the proposed amendment would not impact negatively on palaeontological resources as per section 38(2)a of the NHRA (25 of 1999). Such a letter has since been submitted to the application.

Almond, J.E. in a letter dated 10 March 2021 sent to SAHRA's APM Units writes that "we hereby confirm that the proposed amendments are unlikely to result in any significant additional regarding palaeontological heritage resources, or to increase the level or nature of the anticipated impacts, with respects to those considered when the original application was made for EA":

- It is recommended, however, that a condition be added to the EA which states that a field-based specialist palaeontological heritage assessment must be conducted following the approval of the EA amendment and before construction starts in order to accurately assess any potential impacts and to propose site specific mitigation measures, should these be required.

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 Amendment Report and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) 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:
- A field-based assessment of the potential impact of the proposed amendment to palaeontological resources must be conducted prior to construction;
- No construction may occur without a successful review of the field-based assessment report and comments from SAHRA;
- 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 APM Unit (Elijah D. Katsetse/Phillip Hine 021 462 5402) 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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Page No: 3

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/Mimi Seetelo 012 320 8490), 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(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 Amendment Report and EMPr must be submitted to SAHRA for record purposes;
 - The decision regarding the EA Amendment 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

Elijah Dumisani Katsetse
Heritage Officer
South African Heritage Resources Agency

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Page No: 4

Phillip Hine

Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/555312>

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.