

**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: Sityhilelo Ngcatsha  
Tel: 0212028663  
Email: [sngcatsha@sahra.org.za](mailto:sngcatsha@sahra.org.za)  
CaseID: 20285

Date: Thursday June 22, 2023  
Page No: 1

## **Final Comment**

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

Attention: Eugene Marais  
South Africa Mainstream Power Development (Pty) Ltd

**Lelihoek Solar Facility (Pty) Ltd is proposing to construct a 100MW commercial Photovoltaic (PV) solar power generation facility called Lelihoek which is located within 12 km from Dealesville in the Tokologo Local Municipality which is located in the Lejweleputswa District Municipality.**

SLR Consulting (South Africa) (Pty) Ltd has been appointed by Lelihoek Solar Facility (Pty) Ltd to update the Environmental Management Programme (EMPr) for the authorised 100MW Lelihoek Photovoltaic (PV) Solar Facility on the Farms Constantia 751 and Lelihoek 748 near Dealesville in the Tokologo Local Municipality, Free State Province (DFFE Reference: 14/12/16/3/3/2/728 )(as amended).

An application was submitted on SAHRIS on the 13/10/2014 to which a Final Comment dated 29/05/2017 was issued (Case ID: 6559 <https://sahris.sahra.org.za/node/398869>) which requested that excavations into Eccia Group be avoided where possible, and a site visit to be conducted prior to the construction phase of the projects in order to pinpoint localized spring and pan dune deposits that may be located within the development footprints.

The Final Environmental Management Programme (EMPr) has been submitted in terms of the National Environmental Management Act, 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) 2014 Regulations. The EMPr notes that all the aspects adopted during the EA period for the Lelihoek Solar facility project are considered along with the final layouts, walkthroughs and surveys undertaken prior to the commencement of construction on the project as per the conditions of the EA.

ASHA Consulting (Pty) Ltd and Banzai Environmental (Pty) Ltd has been appointed to provide heritage specialist input 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).

*Orton, J. 2022. Preconstruction Archaeological Survey Of The Mainstream Kentani Suite Pv Projects (Lelihoek), Dealesville, Free State*

Stone Age occurrences of no significant archaeological have been identified within the proposed development

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area along with historical archaeological resources which have been avoided. It is recommended that the project be allowed to continue.

*Butler, E. 2022. Palaeontological Walkdown: Leliehoek PV Project*

The development area is entirely underlain by Quaternary superficial deposits mantling the Jurassic dolerite. No fossils were identified during the walk down. There is however a possibility that fossils may be uncovered during development and the attached Fossil Chance Finds Procedure must be implemented immediately.

A terrestrial ecology off-set implementation plan has been developed, however, there are no changes to the layout or the location of the properties involved.

## 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 Final EMP must be amended to include the Final Comment:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development ;
- 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 APM Unit (Sityhilelo Ngcatsha/Natasha Higgitt 021 202 8660) 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 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 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;

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- 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 EMPr must be uploaded onto SAHRIS 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

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Sityhilelo Ngcatsha  
Archaeology, Palaeontology, Meteorite Assistant  
South African Heritage Resources Agency

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

## ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/610147>  
(DFFE, Ref: DFFE: 14/12/16/3/3/2/728)

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