

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  
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CaseID: 20443

Date: Friday May 26, 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: SiVEST SA (Pty) Ltd

### **PROPOSED EXPANSION OF THE LEEUMAX SOLAR PHOTOVOLTAIC (PV) ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR LEEUDORINGSTAD, NORTH WEST PROVINCE**

SiVEST SA (Pty) Ltd has been appointed by Upgrade Energy (Pty) Ltd to undertake the Environmental Authorisation (EA) Application for the proposed Leeumax Solar Photovoltaic (PV) plant and associated infrastructures on Portion 37 of the Farm Leeuwbosch approximately the Maquassi Hills Local Municipality, North West Province (NWP/EIA/96/2022).

The Final Basic Assessment Report (FBAR) has been submitted in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) and the NEMA Environmental Impact Assessment Regulations (As amended). The generation capacity of Solar PV Plant will be up to 15MW. The proposed development will comprise several arrays of PV panels, and associated infrastructure will include additional internal access roads, one switching substation, one permanent guard house and one temporary building zone. Leeumax Solar PV forms part of a larger cluster of projects and sits adjacent to the Leeuwbosch 1 and 2 Solar PV Facilities.

PGS Heritage (Pty) Ltd and Banzai Environmental (Pty) Ltd were 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).

*Fourie, W. 2022. Heritage Impact Assessment for Leeuwbosch PV3, 15MW and associated infrastructure on Portion 37 the farm Leeuwbosch 44, near Leeudoringstad, Maquassi Hills Local Municipality North West Province*

Six heritage sites were identified in the proposed development area, these include sites LD07, LD09, LD10, LD11 and LD12, a concentration of structures distributed in an area of 300x100 meters in the western section of the study area. The structures consist of stone packed foundations and small ash middens were identified close to each of the structures. The resources are graded as having medium local heritage significance, because the possibility of infant burials close to or in the remaining foundations cannot be excluded. It is

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recommended that further consultation with local communities on the previous inhabitants of these areas be initiated to determine the possibility of infant burials. In the event that such burial is confirmed a grave relocation process must be initiated. It is further recommended that an archaeologist monitor the earth moving activities during construction.

Site LD13 is a recent historic handling kraal which consists of a wind pump, cement water dam, feeding and water troughs, loading ramps and corner posts for a kraal. The site is dated to 1954 and it is given a medium local heritage significance and graded as IIIC. It is recommended that the site be documented by means of a layout drawing and photographic documentation after which a destruction permit must be applied for from the North West Provincial Heritage Authority prior to destruction.

Butler, E. 2022. PALAEOLOGICAL DESKTOP ASSESSMENT FOR LEEUW BOSCH PV 3 NEAR LEEUDORINGSTAD IN NORTH WEST PROVINCE

The proposed development is underlain by the Allanridge Formation (Ventersdorp Supergroup) which is of low palaeontological sensitivity. The proposed development is deemed appropriate and feasible and will not lead to detrimental impacts on the palaeontological heritage of the area and Chance Find Procedure must be implemented.

**Final Comment**

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EMP:

- 38(4)a – The SAHRA Development Application Unit (DAU) has no objections to the proposed development with regards to all heritage resources protected in terms of section 35 of the NHRA;
- 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 social consultation process must be undertaken to identify descendent communities of the historical settlement and to confirm if there are any unknown infant burials near and under the house foundations. A report of the results must be submitted to SAHRA for comments before construction commences;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures,

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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 (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/Nggabutho 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 regarding offences;
- 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 submitted to the SAHRIS application for record purposes;
  - The decision regarding the EA application must be submitted to the SAHRIS application 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

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/611625>  
(DEA, Ref: )

**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.