

**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  
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[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: 21767

Date: Tuesday August 01, 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: Leeuwspruit Solar 2 (Pty) Ltd

101 Block A Building, 7 West Quay Rd, Victoria & Alfred Waterfront, Cape Town, 8001

**Leeuwspruit Solar 2 (Pty) Ltd (the “Applicant”) has proposed the development of Leeuwspruit Solar 2 up to 300MW Solar Photovoltaic (PV) Project south of Kroonstad, in the Free State Province (the “Project”). The Project Area is located approximately 18km to the south of Kroonstad’s central business district (CBD) and falls within Ward 2 of the Moqhaka Local Municipality (MLM) and Fezile Dabi District Municipality (FDDM). The electricity generated by the Project will be transferred via 132 kV powerlines from the facility substation to a new 132/400 kV Main Transmission Substation (MTS) (note that the MTS is being assessed in a separate application for Environmental Authorisation)**

Leeuwspruit Solar 2 (PTY) LTD appointed Nemai Consulting (Pty) Ltd to undertake the Environmental Authorisation (EA) Application for the proposed development of the 300 MW Leeuwspruit Solar 2 Photovoltaic Project on the Portion 0 of the Farm Mooidraai 953, Portion 0 of the Farm Leeuwspruit 659, Portion 0 of the Farm Wolvekop 314, Portion 1 of the farm Leeuwspruit West 666 and the Remaining Extent of the farm Leeuwspruit West 666 south of Kroonstad, Free State Province (14/12/16/3/3/2/2305).

The Draft Environmental Impact Assessment Report (DEIAR) has been submitted in terms of the National Environmental Management Act (Act 107 of 1998, as amended) (NEMA) and the 2017 amended NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development area is approximately 445.5 and 440 ha for alternative one and two with the internal roads and the access roads of 6 m and 8 m wide.

Nitai Consulting and Banzai Environmental were appointed to provide heritage specialist input for the 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).

*Kitto, J. 2023. Heritage Impact Assessment; Proposed 300mw Leeuspruit Solar 2 Photovoltaic Project South Of Kroonstad, Free State Province*



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The survey identified a total of four heritage resources, two of which comprise demolished historical structures/remains (one being a probable homestead – Leeuw 05). One site is an informal graveyard containing approximately 15-20 stone-packed graves (Leeuw 04). One site (Leeuw 02) is located just outside the boundary of the project footprint (Alternative 1), and comprises several extant historical farm buildings, which are still occupied. The Alternative 2 layout has been designed to avoid all identified heritage sites.

#### Mitigation Recommendations

Heritage sites (Leeuw 05, Leeuw 04, Leeuw 02) identified within and adjacent to the general project footprint must be demarcated clearly at the at the 30m buffer;

The informal graves at site Leeuw 04 are protected by section 36 of the NHRA and must be demarcated clearly as A “no go” area. There is also a possibility that potential infant burials could be located at site Leeuw 05;

The Historical structures at Leeuw 02 (and homestead remains at Leeuw 05) are protected by section 34 of the NHRA and if any impact is anticipated, a permit is required from the FSPHRA before any of the structures or structure remains can be altered or demolished.

The gravesite should be fenced on the 30m buffer and demarcated clearly so that work and maintenance crews are aware of the site.

The community should be consulted to identify the family/ies related to the graves regarding visitation rights.

If, for any reason, it is not possible to avoid the grave site then a Phase 2 mitigation process will need to be undertaken. During this process, the family or relevant communities will have to be consulted regarding possible options for mitigation (retention with access or removal) of the graves, and to obtain their permission. In addition, application will have to be made to the FSHRA or SAHRA for the necessary permits.

Sub-sections (4) and (5) of section 36 of the NHRA regarding the possibility of removal of graves must be adhered to. The exhumation and removal of graves is strongly discouraged as graves are highly significant to many people and there are many traditional, cultural and personal sensitivities concerning the removal of graves.

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If any changes are made to the final design footprint prior to construction, monitoring of site clearance activities must be undertaken by a heritage specialist to identify any additional grave sites or graveyards

*Butler, E. 2023. Palaeontological Impact Assessment for the proposed Mopane Solar Energy Facilities near Carltonville, Gauteng and North West Provinces Mopane Solar PV 5*

The study area is underlain by Quaternary aeolian sand in the centre of the development and the Adelaide Subgroup (Beaufort Group, Karoo Supergroup) and underlain by Jurassic Dolerite in the a small portion to the east of the development. The area is covered by lush vegetation and no fossiliferous outcrops were identified during the site visit. The development may continue as the development footprint is not considered sensitive in terms of palaeontological resource. The attached Fossil Chance Find Protocol should be added to the EMPr.

## 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 Report and EMPr:

- 38(4)a – The SAHRA Development Application Unit (DAU) has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further conditions are recommended for the development as follows:
  - A Heritage Management Plan (HMP) must be developed for the long term monitoring and management of the identified graves;
  - Monitoring of the graves conducted during the construction phase must be detailed in a report that must be submitted to SAHRA upon completion of the construction phase;
- 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 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

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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 Unit (Sityhilelo Ngcatsha/Natasha Higgitt 021 202 8660), 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 of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists: 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 Report 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 development application case.

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

# Proposed 300 MW Leeuwspruit Solar 2 Photovoltaic Project south of Kroonstad, Free State Province

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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/619695>  
(DFFE, Ref: 14/12/16/3/3/2/2305 )

## 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.