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CaseID: 15642

Date: Tuesday March 09, 2021  
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## Final Comment

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

Attention: Hyperion Solar Development (Pty) Ltd

**Hyperion Solar Development (Pty) Ltd proposing the development of a hybrid generation facility consisting of a dispatchable, dual fuel (liquid or gas) thermal generation plant that will work in combination with the authorised Hyperion PV Solar Energy Facility (SEF) complex. The power generated by the thermal facility and authorised Hyperion PV facility complex will connect via an overhead 132kV power line to the existing Eskom Kalbas substation. The thermal generation plant will include the following infrastructure**

Savannah Environmental (Pty) Ltd has been appointed by Hyperion Solar Development (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed 75MW Thermal Dual Fuel Facility and associated infrastructure for the authorised Hyperion 1 & 2 Solar OV facilities, near Kathu, Northern Cape Province.

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed infrastructure will include gas turbines or reciprocating engines, access roads, truck entrance and parking facility, regasification plant and fuel preparation plant, dry cooling system, fuel off-loading facility, fuel storage facility, water demineralisation plant, substation, cabling, operation and maintenance building, fencing, warehouse and workshops covering an area of 5ha. The proposed Thermal Dual Fuel Facility will be located within the authorised Hyperion PV Solar Energy Facility.

SAHRIS Case ID 12966 has reference (<https://sahris.sahra.org.za/cases/hyperion-solar-development-2>). In a Final Comment issued on the 06/05/2019, SAHRA noted no objections to the proposed development and provided specific conditions for the development.

ASHA Consulting (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. 2020. Heritage Impact Assessment: Proposed Thermal Power Dual Fuel Generator on Farm 432/REM and Access Road on Farm 464/1, North of Kathu, Kuruman Magisterial District, Northern Cape.*



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It is noted that no physical survey was conducted as part of this HIA, however, the area where the proposed facility is to be located was surveyed as part of the original EA application. No heritage resources were previously identified within the proposed facility footprint.

Recommendations provided in the report include the following:

- The subsurface palaeontological record can never be fully understood, and the EIA Phase report will need to make recommendations for monitoring and/or mitigation to be carried out in advance of or during construction work;
- The EIA Phase report will need to make recommendations for mitigation to be carried out in advance of construction work. This will likely entail monitoring of excavations and excavating column samples from a few strategic locations. It should be noted that the potential does exist for a larger excavation to be required if highly significant archaeological resources are discovered;
- The EIA Phase report will need to make recommendations for mitigation or avoidance of graves visible on the surface and indicate how to proceed in the event that a grave is discovered during excavation.

In an Interim Comment issued on the 16/11/2020, SAHRA requested that the EIA phase report HIA must include a field-based survey be conducted for the proposed access road. The EIA phase HIA must include a Palaeontological Desktop Study as the proposed development footprint is located within an area of moderate sensitivity as per the SAHRIS PalaeoSensitivity map.

Since the issuing of the Interim Comment, a field-based HIA and Desktop PIA have been submitted on the 12/02/2021 (Appendix H of the draft EIA).

*Almond, J. A. 2021. Palaeontological Heritage: Letter of Exemption from Further Specialist Studies. Proposed Thermal Power Dual Fuel Generator on Farm 432/Rem and Access Road on 432/Rem, 457/1, 457/2 And 457/Rem, near Kathu, Kuruman Magisterial District, Northern Cape.*

The proposed development area is underlain by Late Caenozoic aeolian sands and Precambrian lavas of the Ongeluk Formation that are of low to very low sensitivity. A Chance Fossil Finds Procedure is recommended to be implemented and is provided in the report.

*Orton, J. 2021. Heritage Impact Assessment: Proposed Thermal Power Dual Fuel Generator on Farm 432/Rem and Access Road on 432/Rem, 457/1, 457/2 And 457/Rem, north of Kathu, Kuruman Magisterial*



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## *District, Northern Cape.*

It is noted that the report is based off field-work conducted in 2018. A total of 11 heritage resources were identified along the proposed road servitude and generator site which include surface scatters of Stone Age lithics of low significance and two historical houses of low significance.

Recommendations provided in the report include the following:

- An archaeologist should be appointed to conduct test excavations and sampling of the archaeology in areas where in situ gravel may be intersected by foundations, trenches and the access road. If geotechnical work is done in time, the results of such work could inform the archaeological fieldwork. This work should aim primarily to understand the distribution of archaeology on the landscape through sampling many small areas, although if any dense archaeology is encountered it may be necessary to expand excavations; and
- If any fossils, archaeological material or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist or palaeontologist. Such heritage is the property of the State and may require excavation and curation in an approved institution.

## **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 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. Further additional specific conditions are provided for the development as follows:
- The conditions provided in the Final Comment for SAHRIS Case ID 12966 are valid and must be adhered to (<https://sahris.sahra.org.za/node/522889>), with specific reference to the bufferzone around the Vlermuisleegte;
- Permits in terms of section 35(4) of the NHRA and Chapter II and IV of the NHRA Regulations must be

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applied for the recommended test excavations and sampling of the archaeological sites in areas where in situ gravel will be intersected by foundations, cable trenches and/or access roads. This permit must be applied for well in advance prior to construction;

- 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 (Natasha Higgitt/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 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 above;
- 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 uploaded to the SAHRIS application 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  
Heritage Officer  
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/542131>  
(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.