

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: Natasha Higgitt  
Tel: 021 462 4502  
Email: [nhiggitt@sahra.org.za](mailto:nhiggitt@sahra.org.za)  
CaseID: 16073

Date: Friday August 13, 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: RE Capital 3C (Pty) Ltd

202, No 9 Quarry Hill  
Tamboerskloof  
Cape Town  
8001

**The applicant intends amending the Environmental Authorisation for the RE Capital 3C Solar Development to include a Battery Energy Storage Facility (BESS). This BESS is proposed to fall entirely within the authorised footprint of the Development.**

Cape EAPrac Environmental Assessment Practitioners have been appointed by RE Capital 3C (Pty) Ltd to conduct an Environmental Authorisation (EA) Amendment Application for the authorised RE Capital 3 C Solar Development near Dyasons Klip Settlement, Northern Cape Province (DFFE Ref: 14/12/16/3/3/2/538/2).

A draft Amendment Assessment Report has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA EIA Regulations. The proposed amendments include a new battery energy storage system (BESS) within the authorised layout.

SAHRIS Case ID 5717 is linked to this amendment (<https://sahris.sahra.org.za/cases/re-capital-3c-solar-development>). In a Final Comment issued on the 20/06/2014, SAHRA noted no objections to the proposed development and provided conditions for the development.

Natura Viva CC and the McGregor Museum was appointed to provide heritage specialist input as part of the EA Amendment process as required by section 24(4)b(iii) of NEMA, and in terms of section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 38(8) of the NHRA.

*Almond, J. E. 2020. Palaeontological Heritage Resources Comment: Proposed Battery Energy Storage System for the Authorised Re Capital3c Solar Development on the Remaining Extent of Farm Dyasons Klip 454 Upington, Siyanda District Municipality, Northern Cape.*

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The specialist has confirmed that the inclusion of the BESS will not change the nature or significance of any impacts assessed in the original PIA study. There are no additional management outcome or mitigation measures required.

*Morris, D. 2021. Proposed Amendments to the Environmental Authorisation for the Re Capital 3c Solar Development*

The specialists confirmed that the proposed BESS will not impact any previously identified heritage resources and the project may proceed without further mitigation.

## 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) 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 Final Comment issued on the 20/06/2014 for SAHRIS Case ID 5717 (<https://sahris.sahra.org.za/node/166792>) is still valid and must be adhered to;
- 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 section 51(1) of the NHRA for offenses;
- 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

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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

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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

**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/556376>  
(DEA, Ref: 14/12/16/3/3/2/538/2)

# Amendment of RE Capital 3C Solar to include BESS

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## 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.