



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: 18066

Date: Thursday May 19, 2022  
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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: Phofu Solar Power Plant

**The activities entail the development of photovoltaic solar facility and associated infrastructure on Portion 3 of the Farm Tweepunt No. 14, Registration Division Viljoenskroon, Free State Province situated within the Moqhaka Local Municipality area of jurisdiction. The town of Vierfontein is located approximately 6 km west of the proposed development. The project entails the generation of up to 150MW electrical power through photovoltaic (PV) panels. The total footprint of the project will approximately be 294 hectares (including supporting infrastructure on site).**

Phofu Solar Power Plant (RF) (Pty) Ltd appointed Environamics Environmental Consultants to undertake the Environmental Authorisation (EA) Application for the proposed development of a photovoltaic solar facility and associated infrastructure on Portion 3 of the Farm Tweepunt No. 14 in Viljoenskroon, within the Moqhaka Local Municipality, Free State Province.

The Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA No. 107 of 1998) and the NEMA EIA Regulations (as amended). The project entails the generation of up to 129MW electrical power through photovoltaic (PV) panels. The total footprint of the project including the associated infrastructure will be approximately be 214 hectares. The grid connection infrastructure includes a 132kV power line with a 100 to 600m wide grid corridor.

SAHRA issued an interim comment dated 07/03/2022 which requested the submission of the HIA inclusive of an Archeological Impact Assessment (AIA) and Palaeontological Impact Assessment (PIA). The studies were subsequently submitted on the 06/05/2022.

J A van Schalkwyk Heritage Consultant and Banzai Environmental were appointed to provide heritage specialist input as part of the EIA process as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

*van Schalkwyk, J. A. 2022. Phase 1 Cultural Heritage Impact Assessment: The Proposed Phofu Solar Power Plant Near Viloenskroon, Free State Province.*



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No sites, features or objects of cultural significance were identified during the survey and no mitigation measures are proposed.

*Butler, E. 2022. Palaeontological Impact Assessment For The Proposed Phofu Solar Power Plant (SPP) Near Viljoenskroon, Free State Province.*

The study area is underlain by Quaternary superficial deposits which are known for fossil assemblages of low diversity that occur over wide ranges. A field survey was undertaken which did not identify any fossiliferous outcrops. It is recommended that the proposed development be authorised as the whole extent of the development footprint is not considered sensitive in terms of Palaeontological Heritage.

## 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 BAR and EMP:

- 38(4)a – The SAHRA Archaeology, Palaeontology, Meteorites (APM) and the Burial Grounds and Graves (BGG) Units have no objections to the authorised 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/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/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 with regards to 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

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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 BAR and EMPr must be to the case on SAHRIS;
- The decision regarding the Environmental Authorisation (EA) must be submitted to the case on SAHRIS for recorded 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://sahrissahra.org.za/node/593497>