

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  
P.O. Box 4637 | Cape Town | 8001  
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Tel: 0212028663  
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CaseID: 21209

Date: Tuesday July 04, 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: Genesis Eco-Energy Developments (Pty) Ltd

**Genesis Eco-Energy Developments (Pty) Ltd (the Applicant) has proposed the development of the Parys up to 200MW Solar PV and BESS Hybrid Project near the town of Parys, within the Ngwathe Local Municipality and Fezile Dabi District Municipality in the Free State Province. The proposed PV Site is located on the Remainder of the Farm Leeuwkuil 76. The associated infrastructure includes access roads, overhead power line, on-site substation and on-site buildings and structures (amongst others). The electricity generated by the proposed Project will be injected into the existing Eskom 132 kV distribution system.**

Genesis Eco-Energy Developments (Pty) Ltd appointed Nemai Green to undertake the Environmental Authorisation Application for the proposed development of the Parys up to Solar PV Project and BESS near the town of Parys in the remaining extent and Portion 4 of the Farm Leeuwkuil 76 in the Free State Province (DFFE REFERENCE NO.: 14/12/16/3/3/2/2201).

The updated Draft Environmental Impact Assessment (DEIA) 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 development will have an extent of 1234 ha hectares and a generating capacity of up to 200MW. The overall length of the proposed 132 kV power lines between the on-site substation and the grid connection point is approximately 0.57km.

Banzai Environmental (PTY) Ltd and J A van Schalkwyk 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).

*van Schalkwyk, J. 2022. Phase 1 Cultural Heritage Impact Assessment: Proposed Parys total of 200MW Solar PV with BESS Hybrid Project near Parys, in the Free State Province.*

The hill Leeuwkop (Site 7.2.1) which contains circular stone walls sites was identified within the development area along with a farmhouse (Site 7.3.1) which is located outside of the development area. An burial site (Site 7.3.2) which contains at least 30 graves along with a number of homesteads (7.3.3.1 - 7.3.3.4) that were

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probably occupied by former farm labourers were identified on site. Not all of the homesteads will be impacted upon by the development.

## Recommendations

- A buffer of at least 50m must be maintained from the stone walling sites around site 7.2.1 during the development.
- A fence must be constructed around the burial site and a buffer of at least 20m must be maintained around the fence of the burial site. Relocation of the burial site must be considered if it is impossible to avoid the site. A permit must be applied for from the SAHRA.
- A watching brief must be instituted by an archaeologist for development around the homesteads.

*Butler, E. 2022. Palaeontological Desktop Assessment: Proposed Parys Up to 200MW Solar Photovoltaic and Battery Energy Storage System Hybrid Project near Parys, in the Free State Province.*

The development area is underlain mostly by the Inlandsee Leucogranofels (ZI) and the remaining portion underlain by Outer Granite. The study area is of no palaeontological sensitivity, therefore the development will not lead to detrimental impacts on palaeontological resources in the area.

## 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:

- A Heritage Management Plan with access protocols for the graves must be developed and submitted to SAHRA prior to the construction phase;
- If this is not possible to avoid impacting on the identified burial site, the graves could be relocated after

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completion of a detailed grave relocation process, that includes a thorough stakeholder engagement component, adhering to the requirements of s36 of the NHRA and its regulations as well as the National Health Act and its regulations;

- A watching brief report must be submitted to SAHRA upon completion of the recommended monitoring by the archaeologist;

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/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 offence 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 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 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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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/616816>  
(DFFE, Ref: 14/12/16/3/3/2/2201)

**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.