



an agency of the  
Department of Arts and Culture

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CaseID: 7956

Date: Thursday October 07, 2021  
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## Final Comment

### In terms of Section 38(4) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Nyala Photovoltaic (Pty) Ltd

#### **10MW Harmony Nyala PV Solar Facility on the Farm Rietpan RE/17 and the Farm Fregul 443, in the Matjhabeng Local Municipality and the Lejweleputswa District Municipality, Odendaalsrus, Free State Province.**

On the 24/08/2021, a request was made to amend the Final Comment issued on 26/06/2021 to include the update to property description. It is noted that the power line will have a maximum capacity of 33kV and it does not trigger a listed activity in terms of the EIA Regulations promulgated under NEMA, and as a result, Fregul 443 is not included in the list of affected properties within the amended EA.

The project entails the construction of a small-scale photovoltaic (PV) facility Eland and associated infrastructure on the Remaining Extent of Farm Rietpan 17 and Fregul 443 (formerly named Rheederpark 443) near Odendaalsrus, Free State Province (DFFE Reference:14/12/16/3/3/1/1472). This PV facility is part of a larger project "Harmony" of three PV facilities in total.

An Archaeological Impact Assessment (AIA) and Palaeontological Impact Assessment (PIA) were submitted to the original application and commented on by SAHRA.

*van Der Walt, J. June 2015. Archaeological Impact Assessment For The Proposed Harmony Gold Nyala Pv Facility In Welkom Free State Province.*

The author undertook a desktop and field study on the proposed preferred area to assess the archaeological components. He identified no surface indicators of archaeological heritage resources. Due to the late inclusion of the alternative location, the author undertook superficial observations and a desktop study only for this area and concludes that any surface indicators of heritage sites could have been destroyed due to agricultural activities. He recommends that should it be decided to use the alternative area, a field assessment should be conducted for this area.

*Bamford, July 2015. Palaeontological Impact Assessment For Three Proposed Photovoltaic Solar Facilities For Harmony Gold Mining Company, Odendaalsrus, Free State Province.*



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The author summarises that the area of the proposed PV facility occurs within layers of the Permian Volksrust Formation, the potentially fossiliferous coals of which are of poor quality and lie too deep to be affected by the proposed development.

The updated EMPr, a heritage walk-down report for the final layout and supplementary letter as well as a letter confirming the developer's name change to Nyala Photovoltaic (Pty) Ltd were submitted to the application.

*Van Der Walt, J. 2020. Heritage Walk-Down For The Proposed Nyala Solar Pv Facility Near Welkom, Free State Province.*

No heritage features or sites of significance were identified in the highly disturbed area. Though no surface indicators of graves were recorded, a cemetery is indicated on topographic maps dating to 1997 adjacent (south west) to the inverter area. This area is therefore considered highly sensitive and was investigated by Subscan through Ground Penetrating Radar (GPR) (Le Roux 2020). The results of the study concluded that none of the 12 locations tested indicated any disturbances and therefore that no graves are present in the area.

#### Recommendations:

1. The possibility of a cemetery of which the surface dressings have been demolished exists and this area adjacent to the proposed inverter is considered to be a highly sensitive area, unless it can be proven that no graves exist. It is recommended that this area should be avoided with a 50 m buffer zone.
2. If avoidance of the possible burial area is not possible, it is recommended that the subsurface occurrence of graves is confirmed through the use of Ground Penetrating Radar. Based on these results, further recommendations will apply.
3. A chance find procedure must be incorporated for the project.

An updated PIA that was conducted by Lavin & Bamford in 2020 was subsequently submitted as requested by SAHRA.

*Lavin & Bamford. 2020 Desktop Palaeontological Specialist Study - Proposed Development Of Nyala Solar PV Step-Up Facilities And Substation, Near Welkom, Free State Province.*

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The proposed area is underlain by Quaternary aeolian sands and palaeontological sensitive coal deposits of the Volksrust Formation. Due to the low depth of the proposed infrastructure it is unlikely that significant palaeontological material will be affected. A Chance Finds Procedure must be implemented.

#### Final Comment

As there are no changes to the development application, the conditions of the previously issued Final comment are still valid ([576522 | SAHRA](#)).

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://sahris.sahra.org.za/node/289369>  
(DEA, Ref: 14/12/16/3/3/1/1472)

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