



Letter

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

Attention: Rahida Investments (Pty) Ltd

CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 2002, (ACT 28 OF 2002) FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN FOR PROSPECTING RIGHT IN RESPECT OF MANGANESE AND IRON ON REMAINDER AND REMAINDER OF PORTION 2 OF THE FARM PENSFONTEIN NO.449, SITUATED IN MAGISTERIAL DISTRICT OF HAY, NORTHERN CAPE.

Thank you for your indication that development is to take place in this area.

In your application received by SAHRA, it is indicated that "there is currently no graveyard, houses and sites of historical significance within 1km of the proposed prospecting area" however no maps, images or reports by heritage professionals are included in your application and no mention is made of archaeological or palaeontological resources.

In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years and structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority.

In terms of Section 38(8) of the NHRA, before any development proposed in terms of the MPRDA (2002) is approved, it is incumbent on the developer (or mine) to ensure that a **Heritage Impact Assessment** is done that satisfies Section 38(3) of the NHRA. Appropriate mitigation, which involves recording, sampling and dating sites that are to be destroyed, may be required depending on the nature and significance of the resources identified.

A heritage impact assessment is therefore required to assess the impacts of the proposed prospecting on heritage resources.

This report should be inclusive of an assessment of impacts to archaeological resources and an assessment of impacts to palaeontological resources by suitably qualified practitioners. This assessment of heritage resources must satisfy Section 38(3) of the NHRA.

The requested Archaeological Report that will identify the archaeological sites and assess their significance and make recommendations (as indicated in section 38(3) of the NHRA) about what mitigation may be required.

A Palaeontological study must be undertaken to assess whether or not the development will impact upon





significant palaeontological resources. Alternatively, a letter of exemption from a Palaeontologist is required to indicate that this is unnecessary. If the area is deemed sensitive or if significant heritage is identified, a full Palaeontological Report may be required.

The impacts of the proposed development on any other heritage resources such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and significant cultural landscapes or viewsapes must also be assessed.

SAHRA looks forward to receiving this heritage report and will provide comment before the project can commence.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Kathryn Smuts
Heritage Officer: Archaeology
South African Heritage Resources Agency

Colette Scheermeyer
SAHRA Head Archaeologist
South African Heritage Resources Agency

ADMIN:
(DMR, Ref: MC 30/5/1/1/3/2/1.0199 EM)

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.

