



Letter

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

Attention: Batla Resources Pty Ltd
 P O Box 251
 BARKLY WES
 8375

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 DIAMOND ALLUVIAL ON A PORTION OF ERF 2004 (PORTION OF ERF 2003) WINDSORTON, SITUATED IN THE MAGISTERIAL DISTRICT OF BARKLY WEST, NORTHERN CAPE REGION.

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

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.

An Archaeological Impact Assessment dated 18 January 2009 was submitted with your application. This report, however, does not cover the property applied for but a neighbouring property. This report indicates that although Acheulean and Oldowan archaeological material is known from the area, most of this material is in a disturbed context and, as such, is not deemed significant. No further information is therefore required regarding the archaeological heritage of the property.

The area proposed for prospecting, however, has not yet been assessed in terms of palaeontology. The property falls within the Dwyka and Ecca Groups of the Karroo Supergroup known for trace fossils, vascular plants (such as petrified wood), mesosaurid reptiles and microfossils.

A Palaeontological study must therefore 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 viewscapes 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

Jenna Lavin
Heritage Officer
South African Heritage Resources Agency

Colette Scheermeyer
SAHRA Head Archaeologist
South African Heritage Resources Agency

ADMIN:
(DMR, Ref: NC 30/5/1/1/3/2/1/1787 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.

