



Letter

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

Attention: Corpclo 2240 Cc
P O Box 48477
Kommetjie
CAPE TOWN
7976

CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 2002, (ACT 28 OF 2002) IN RESPECT OF GEMSTONE FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN FOR A MINING PERMIT ON PORTION 1 OF THE FARM VENELS DAM NO.104, SITUATED IN THE MAGISTERIAL DISTRICT OF HAY, NORTHERN CAPE.

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.

Although it is stated in the EMP form that no heritage sites were identified on the property, no indication of a professional assessment is given. SAHRA therefore requests that a Heritage Impact Assessment is conducted.

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

The requested Archaeological Report must identify the archaeological sites to be impacted, assess their significance and make recommendations (as indicated in section 38(3) of the NHRA) about what mitigation may be required. See www.asapa.org.za for a list of accredited Archaeologists.

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. See www.palaeontologicalsociety.co.za for a list of accredited Palaeontologists.





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.

Please ensure that this heritage impact assessment is submitted to SAHRA. 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 30/5/1/3/2/10061 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.

