



Letter

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

Attention: Thembekile Mining (Pty) Ltd
P O Box 5981
POLOKWANE
0750

CONSULTATION IN REGARD OF APPLICATION FOR A PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT28 OF 2002) FOR IRON AND MANGANESE IN RESPECT OF THE REMAINING EXTENT OF THE FARM 541 WITHIN THE MAGISTERIAL DISTRICT OF HAY.

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.

In your application received by SAHRA, no assessment of the impact of the proposed mining on heritage resources is provided.

SAHRA therefore requires that a Heritage Impact Assessment report be completed and submitted to SAHRA for assessment. 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 must identify all archaeological resources 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

Jenna Lavin
Heritage Officer
South African Heritage Resources Agency

Colette Scheermeyer
SAHRA Head Archaeologist
South African Heritage Resources Agency

ADMIN:
(DMR, Ref: NC 30/5/1/1/2/10542 PR)

