



## Letter

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

Attention: Finsch Diamond Mine (Pty) Ltd  
 P O BOX 71007  
 BRYANSTON  
 2021

### **Proposed prospecting of diamonds (alluvial and kimberlite) in terms of Section 16 of the Mineral and Petroleum Resources Development Act 28 of 2002 on Farms 87 and 88, Barkly West, Northern Cape.**

We have received notification of your application for the development of the proposed prospecting operation for diamonds (alluvial and kimberlite) in terms of Section 16 of the Mineral and Petroleum Resources Development Act 28 of 2002 on Farms 87 and 88, Barkly West, Northern Cape.

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, structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority. Before such sites are disturbed by development, such as a road exceeding 300m in length, it is incumbent on the developer to ensure that a Heritage Impact Assessment is done in terms of Section 38(8) of the NHRA. This report must assess the impact of the proposed development on heritage resources and must provide possible mitigation measures, which may involve recording, sampling and dating sites that are to be destroyed.

In the information supplied to SAHRA, very little detail is provided about the context of the proposed development and any potential impact to heritage resources. In the submitted Draft EMP, it is indicated that "To date, no desktop heritage resource information could be sourced for the affected farm portions. It should be noted that a Heritage Impact Assessment was not undertaken as part of this study."

SAHRA therefore requires more information in the form of a Heritage Impact Assessment that satisfies SAHRAs minimum standards and Section 38(3) of the NHRA before being able to comment further.

The Heritage Impact Assessment must include an assessment of impacts to archaeological resources that will identify the archaeological sites and assess their significance and make recommendations (as indicated in section 38) about the process to be followed. A Palaeontological study must be undertaken to assess whether or not the development will impact upon palaeontological resources - or at least a letter of exemption from a Palaeontologist is needed to indicate that this is unnecessary. If the area is deemed sensitive, a full Phase 1 Palaeontological Impact Assessment will be required and if necessary a Phase 2 rescue operation might be necessary.

Any other heritage resources that may be impacted 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 cultural landscapes or viewsapes must also be assessed in this report.



Our Ref: 9/2/008/0001

Enquiries: Jenna Lavin  
Edit view Tel: 021 462 4502  
Edit view Email: jlavin@sahra.org.za  
CaseID: 3786

Date: Tuesday October 08, 2013

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SAHRA looks forward to receiving these heritage reports and will provide comment on them 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:**

Direct URL to case: <http://www.sahra.org.za/node/134010>  
Edit view (DMR, Ref: NC 30/5/1/1/1/10965PR)

**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.



The South African Heritage Resources Agency

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