



Final Comment

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)

Attention: Mbila Resources

Msebe will be constructed over a period of 6 months and will operate for approximately 20 years, mining at a rate of 600 000 tons per year and employing up to 145 people. Msebe is to be developed over a portion of Portion 9, Reserve 12, no. 15832 HU, within the Nongoma Local Municipality and the greater Zululand District Municipality, KwaZulu-Natal Province.

We acknowledge receipt of your invitation for comment with regards to the proposed development. The survey of the development area revealed presence of heritage resources in the general area or vicinity of the area of proposed development. The paleontological field survey by Rose Prevec exposed **13 fossil sites** while the Heritage Impact Assessment Report by Dr. AC van Vollenhoven noted presence of three Burial Grounds. The Burial Ground is described in the report as follows :

- Site 1 – Graveyard with **at least 14 graves** all stone packed with no headstones (60 year category as per NHRA).
- Site 2 – Graveyard with **102 graves** stone packed or have cement borders and some recent (2008) while some are over 60 years by virtue of absence of headstone information and lastly,
- Site 3 – Graveyard with **1 isolated Grave** over 60 years.

The following mitigation procedures should be adhered with:

- A Cultural Heritage Management Plan (CHMP) should be developed by an Amafa accredited Heritage Practitioner to ensure that both the Burial Ground and Paleontological Sites are well protected from damage or disturbance. The Cultural Heritage Management Plan should be developed in consultation with the interested and affected parties or next of kin. It should be lodged with Amafa for approval before commencement of development activities.
- No graves should be damaged, disturbed ,altered, exhumed or removed without a permit from Amafa and approval of next-of kin or community in which the graves are located. As a general rule no development is allowed within 25m of any heritage resources.
- A section of the fossil area should be isolated for Grade 3 proclamation.
- Phase II mitigation of sites P3, P4, P5a& b, P15, P16, P17, MW1, MW2, MW3 and MW4 as per Table





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2. is required.

- Regular on-site monitoring, as outlined in the report is also required, between blast cycles when face wall and floor of pit are exposed; by the ECO to be trained by the consultant.
- The ECO or supervisory personnel must lodge monthly reports to the consultant and to Amafa.
- Bi- annual monitoring report by a qualified paleontologist is required.

Development may only proceed after approval of CHMP by Amafa. You are also required to adhere to the below-mentioned standard conditions:

Conditions:

1. Amafa should be contacted if any heritage objects are identified during earthmoving activities and all development should cease until further notice.
2. No structures older than sixty years or parts thereof are allowed to be demolished altered or extended without a permit from Amafa.
3. No activities are allowed within 50m of a site, which contains rock art.

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

Yours faithfully

Bernadet Pawandiwa
Senior Heritage Officer
Amafa/Heritage KwaZulu Natal

Annie van de Venter Radford
Deputy Director: Research, Professional Services and Compliance
Amafa/Heritage KwaZulu Natal

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/161309>





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(DMR, Ref: KZN 30/5/1/2/2/10042 MR)

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 Amafa immediately.
3. Amafa reserves the right to request additional information as required.



**Amafa AkwaZulu-Natali
Heritage KwaZulu-Natal
Erfenis KwaZulu-Natal**

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