



## Interim Comment

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

Attention: Ms Brenda Vermaak  
Manhattan Corporation  
P O Box 750  
BENONI  
1500

### **CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT OF 2002, (ACT 28 OF 2002) FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN FOR PROSPECTING IN RESPECT OF DIAMONDS (ALLUVIAL AND KIMBERLITE) ON PORTION 1 AND REMAINDER OF THE FARM KLEIN TORQUAY NO.249, SITUATED IN THE MAGISTERIAL DISTRICT OF HERBERT.**

We have received notification of your application for an environmental management plan in respect of prospecting rights for diamonds on Klein Torquay Farm No.249.

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. This means that before such sites are disturbed by development it is incumbent on the developer (or mine) to ensure that a Heritage Impact Assessment is done. This must include the archaeological component (Phase 1) and any other applicable heritage components. Appropriate (Phase 2) mitigation, which involves recording, sampling and dating sites that are to be destroyed, must be done as required.

In your application received by SAHRA, it is indicated that there will be an assessment of the heritage resources; this should be inclusive of an Archaeological and Palaeontological Impact Assessment.

The Phase 1 Archaeological Impact Assessment Report 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.

SAHRA looks forward to receiving these heritage reports and will provide comment on them before the project can commence.



Our Ref: 9/2/038/0001

Enquiries: Kathryn Smuts  
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CaseID: 2586

Date: Tuesday June 11, 2013

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

Yours faithfully

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Kathryn Smuts  
Heritage Officer: Archaeology  
South African Heritage Resources Agency

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Colette Scheermeyer  
SAHRA Head Archaeologist  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/121472>  
(DMR, Ref: NC 30/5/1/1/2/1344 PR)



The South African Heritage Resources Agency

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