

18 June 2013

Jenna Lavin  
South African Heritage Resources Agency (SAHRA)  
111 Harrington Street  
Cape Town  
8001

**LETTER OF RECOMMENDATION FOR EXEMPTION FROM A HERITAGE IMPACT ASSESSMENT FOR CONSBREY A ON THE FARM MORGENSTER 204 IS IN THE MPUMALANGA PROVINCE**

Dear Jenna Lavin,

On behalf of our client, Msobo Coal (Pty) Ltd (Msobo Coal), please find herewith a letter of recommendation for exemption of a Heritage Impact Assessment (HIA) for the Consbrey A Project. Msobo Coal has commissioned Digby Wells Environmental (Digby Wells) to conduct environmental and social studies in support of a Mining Right Application (MRA) in accordance with the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA). Msobo Coal proposes to conduct opencast mining on the farms Opgoedenhoop 205 IS, De Wittekrans 218 IS, Bosmanskrans 217 IS, Dwarstrek 216 IS, Hartbeesfontein 259 IS, Bankfontein 215 IS and Smutsoog 214 IS in the Magisterial District of Ermelo (hereafter referred to as 'Consbrey', DMR Reference: MP30/5/1/1/2/10062MR). Additional underground mining on the farm Morgenster 204 IS (hereafter referred to as 'Consbrey A', DMR Reference: MP30/5/1/1/2/10060MR) has also been proposed.

A Heritage Statement in support of a Notice of Intent to Develop (NID) for the Consbrey Colliery was submitted to the South African Heritage Resources Authority (SAHRA) on 8 April 2013 (Case ID: 1722). The recommendations within the comments received (REF No: 9/2/222/9) included a HIA inclusive on an assessment of impacts to archaeological resources and an assessment of impacts to palaeontological resources. 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, grave of victims of conflict, and significant cultural landscapes or viewsapes must also be assessed.

A HIA Report has been compiled based on these recommendations and will form a component of the EIA and EMP for Consbrey Colliery. This Letter of Recommendation for Exemption from a HIA for Consbrey A has been attached to the HIA Report for Consbrey and will be included in the EIA and EMP for Consbrey A.

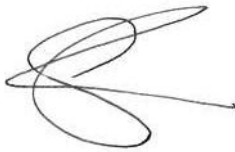
As discussed in the HIA Report, the Consbrey Colliery Project Area (within which Consbrey A is located) is located in a culturally sensitive landscape in which tangible and intangible remnants of the past are still present. The most prominent heritage features identified are palaeontological fossils, rock art sites and historical *werfs* with documented links to Bushmen

and the Anglo-Boer War. Additional fossils may also exist beneath the surface but their existence can only be verified through monitoring excavations.

As there will be no surface infrastructure on Consbrey A it greatly minimises direct impacts on potential heritage resources and the recommendations for mitigation of the cumulative impacts on potential heritage resources as part of the HIA will be in place. It is therefore recommended that exemption from all HIA components be granted for Consbrey A.

We look forward to receiving your timeous comments as required under Section 38(4) of the NHRA.

Regards,



Shahzaadee Karodia  
*Archaeology Consultant*