

**Our Ref:**



an agency of the  
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
[www.sahra.org.za](http://www.sahra.org.za)

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CaseID: 10312

Date: Tuesday November 15, 2016  
Page No: 1

## **Response to NID (Notification of Intent to Develop)**

### **In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999)**

Attention: Willie Oosthuizen  
Wadala Mining and Consulting Pty Ltd

**The Colville application area consists of 3 areas of which on two areas Area A and Area B, where upon coarse kimberlite tailings resource containing a high proportion of processed kimberlite from historical underground mining at Kimberley Mine has been deposited. This Tailings Mineral Resource represents the residue from the re-treatment of the older Colville washing plant tailings.**

Thank you for notifying SAHRA of the proposed Mining Right Application on Erf 5024, Erf 4812, Erf 4815 & Erf 4811, near Kimberley, Northern Cape Province.

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. It is noted that the Colville Tailings to be reclaimed is over 80 years old.

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

In your application received by SAHRA there was no indication of an assessment of the archaeological resources. The quickest process to follow for the archaeological component would be to contract a specialist (see [www.asapa.org.za](http://www.asapa.org.za)) to provide a Phase 1 Archaeological Impact Assessment Report.

The Phase 1 Impact Assessment Report will identify the archaeological sites and assess their significance. It should also make recommendations (as indicated in section 38) about the process to be followed. For example, there may need to be a mitigation phase (Phase 2) where the specialist will collect or excavate material and date the site. At the end of the process the heritage authority may give permission for destruction of the sites. If the property is very small or disturbed and there is no significant site the specialist may choose to send a letter to the heritage authority to indicate that there is no necessity for any further assessment.

**Mining Right Application on Erf 5024, Erf 4812, Erf 4815 & Erf 4811 (Colville Tailings) Kimberley, Northern Cape**

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Where bedrock is to be affected, or where there are coastal sediments, or marine or river terraces and in potentially fossiliferous superficial deposits, a Palaeontological Desk Top 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 (see [www.palaeontologicalsociety.co.za](http://www.palaeontologicalsociety.co.za) for qualified paleontologists).

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.

The Scoping Report appendices must be submitted in order for an informed comment to be issued. Additionally, the location of the proposed development must be mapped on the GIS Layer section of the SAHRIS application.

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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Natasha Higgitt  
Heritage Officer  
South African Heritage Resources Agency

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John Gribble  
Manager: Maritime and Underwater Cultural Heritage Unit / Acting Manager: Archaeology, Palaeontology and

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Meteorites Unit  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/374728>