

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
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Enquiries: Natasha Higgitt
Tel: 021 462 4502
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CaseID: 14841

Date: Monday March 09, 2020
Page No: 1

Final Comment

In terms of Section 38(4), 38(8), 36(3) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Black Mountain Mining (PTY) LTD

1 Penge Road
Aggeneys
8893

Black Mountain Mining (Pty) Ltd (the Applicant) has submitted an application for a Prospecting Right in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) (MPRDA) and an Application for Environmental Authorization in terms of Chapter 4 of GNR 982 promulgated under the National Environmental Management Act (Act 107 of 1998) (NEMA) to prospect for ferrous & base metals (Copper Ore, Iron Ore, Zinc Ore, Lead Ore, Manganese Ore, Nickel and Molybdenum) and all associated metals and minerals , precious metals (Gold Ore, Silver Ore) and all associated metals and minerals.

Environmental Impact Management Services have been appointed by Black Mountain Mining to conduct an Environmental Authorisation Application in support of a Prospecting Rights (PR) Application for proposed prospecting activities on several properties near Aggeneys, Northern Cape Province (NC30/5/1/1/2/12396PR).

A Basic Assessment Report (BAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2014 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed prospecting right application area will cover approximately 66 042 ha and will include 10 boreholes and 5 km of access routes.

Banzai Consulting (Pty) Ltd and PGS Heritage (Pty) Ltd were appointed to provide heritage input into the BAR process as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) as required by section 24(4)b(iii) of NEMA.

Butler, E. 2019. Palaeontological Desktop Assessment for the Five Proposed Black Mountain Mining Prospecting Right Applications, without Bulk Sampling, in the Northern Cape.

*This comment will only summarize the results of the Vaalhoek PR area.



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The proposed development area is underlain at depth by the unfossiliferous Bushmanland Group, which is overlain mainly by the Dwyka Group with small isolated outcrops of Karoo Dolerite, Vaalhoek Granite, Grappies Rocks and a small area of the Prins Albert Formation in the eastern corner of the development. Trace fossils such as trackways, are known to be present in the Dwyka Group sediments. Fossils known to be present in the Prins Albert Formation include plant fossils, insects, and trace fossils. No fossils are present within the igneous rocks of the Karoo Dolerite and Vaalhoek Granite. No significant impact to palaeontological resources is assumed. A Chance Fossil Finds Procedure is recommended to be implemented and is provided in the report.

Kitto, J. 2019. Heritage Impact Assessment: Groot Kolk Prospecting Right Application for Black Mountain Mining.

The desktop assessment identified areas of heritage sensitivity and possible types of specific heritage resources. Specific heritage resources identified include burial grounds of high heritage significance. The prospecting rights area may also contain surface scatters of Stone Age lithics and rock art sites.

Recommendations provided in the report include the following:

- Burial grounds and graves must be demarcated, and a 50m buffer must be adhered to;
- Historical structures must be avoided with a 30 m no go buffer zone. If any other heritage resources are identified SAHRA should be contacted and a qualified archaeologist appointed to evaluate the structures and make an appropriate recommendation on mitigation;
- When physical prospecting is planned, an archaeologist must first visit and assess the areas of impact and make any recommendations on any finds made;
- A Chance Finds Protocol must be implemented by the Environmental Control Officer (ECO).

Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMP:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;

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- 38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Additional further specific conditions are provided for the development as follows:
- Each planned borehole and access road route for the prospecting area must be assessed by a qualified archaeologist prior to the commencement of the construction phase. Reports of the details of the assessment must be submitted to SAHRA for comment prior to the construction phase. No construction may commence without comments from SAHRA in this instance;
- SAHRA Burial Grounds and Graves Unit supports recommendation provided in the HIA stating, that some of the heritage sites noted are depicted on the historical topographic maps may or may no longer exist due to past disturbances and that there may be graves and burial grounds not depicted on the historic maps which will be identified only by the subsequent field study;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials or human remains are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
 - The Final BAR and EMPr must be submitted to SAHRA for record purposes;
 - The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case 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

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/534284>
(, Ref:)

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.