



## Letter

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

Attention: Ms Rachel Gloria Williams

Edit view 102 Mmutla Street  
Blikkiesdorp  
Kimberley  
8345

### Consultation in terms of section 40 of the Mineral and Petroleum Resources Development Act 2002, (Act 28 of 2002) for the approval of an environmental management plan for mining permit on a ceratin piece Erf 1 Douglas, situated in the Magisterial District of Douglas, Northern Cape Region.

We have received notification of your application for an environmental management plan in respect of mining permit for diamonds.

In terms of the National Heritage Resources Act (NHRA), 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 in terms of Section 38(8) of the National Heritage Resources Act. This must include the archaeological component as well as any other applicable heritage components. Appropriate mitigation, which may involve recording, sampling and dating sites that are to be destroyed, must be done as required.

SAHRA therefore requests that a full Heritage Impact Assessment is conducted.

Consequently, 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. This must be done before any prospecting drilling, trenching or mining takes place. 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 of the NHRA) 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.

A Palaeontological study must be undertaken to assess whether or not the development will impact upon palaeontological resources - or at least a letter from a Palaeontologist motivating for an exemption 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)).

Any other heritage resources that may be impacted such as built structures over 60 years old, sites of cultural





Enquiries: Jenna Lavin  
Edit view Tel: 021 462 4502  
Edit view Email: [jlavin@sahra.org.za](mailto:jlavin@sahra.org.za)  
CaseID: 3611

Date: Friday September 20, 2013

Page No: 2

significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewscapes must also be assessed and appropriate mitigation proposed.

We look forward to receiving these assessments from you before commenting further.

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

Yours faithfully

---

Jenna Lavin  
Heritage Officer  
South African Heritage Resources Agency

---

Colette Scheermeyer  
SAHRA Head Archaeologist  
South African Heritage Resources Agency

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/131681>  
Edit view (DMR, Ref: NO 30/5/1/3/2/10188 MP)



The South African Heritage Resources Agency

Street Address: 111 Harrington Street, Cape Town 8000 \* Postal Address: PO Box 4637, Cape Town 8000  
\* Tel: +27 21 462 4502 \* Fax: +27 21 462 4509 \* Web: <http://www.sahra.org.za>