



Enquiries: Phillip Hine  
Tel: 021 462 4502  
Email: phine@sahra.org.za  
CaseID: 7647

Date: Monday July 27, 2015

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## Letter

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

Attention: Dave Payne  
Black Mountain Mining (PTY) LTD  
Private Bag X01,  
Aggeneys  
8893  
Northern Cape  
South Africa

**Application for a Prospecting Right (PR11296) in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002): PORTION 2 ROZYNBOSCH NO 41; REMAINING EXTENT AND PORTION 1 of WORTEL NO 42; PORTION 1 OF KOENABIB NO 43, ADMINISTRATIVE DISTRICT OF NAMAQUALAND. NORTHERN CAPE.**

We have received notification of your application for an environmental management plan for the above property.

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) 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 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. If the initial phase involves drilling SAHRA may accept postponement of the full Impact Assessment but may require a letter from a specialist. Again the full process must be undertaken before trenching and mining.



**Prospecting Rights Application REMAINDER & 1 WORTEL 42, PORTION 2  
ROZYNBOSCH 41, PORTION 1 KOENABIB 43**

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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.palaeontologicalsocitey.co.za](http://www.palaeontologicalsocitey.co.za)).

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.

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

Yours faithfully

Phillip Hine  
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/269470>  
(DMR - NC, Ref: 11296 PR)

**Terms & Conditions:**



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>

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ROZYNBOSCH 41, PORTION 1 KOENABIB 43**

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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.



The South African Heritage Resources Agency

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