



Final Decision

In terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999) and the KwaZulu-Natal Heritage Act (Act 4 of 2008)

Attention: Black Cubans Consulting (PTY) Ltd
Suite 4 The Quay Walk Building
Tuzi Gazi Waterfront
Richards Bay
3900

Heritage Scoping Report for the Proposed Coal Prospecting Rights on Farms Strasburg, Potsdam and Doornplaat, Indaka Municipality, Uthukela District, KwaZulu-Natal

The heritage scoping report submitted by eThembeni Cultural Heritage in support of the application relating to coal prospecting rights on the following three farms has been considered; Strasburg Farm 2391, Doornkraal 2392 and Potsdam Farm 2394; also known as unregistered Rem of SITHOLE No.17481, Rem of MTHEMBU No.17538 and Rem of INGWE No. 17480. The following recommendations were put forward by the heritage experts, Kate Smuts and Len Schalkwyk following the 19 to 20 June foot survey mainly in the vicinity and along accesses to the proposed drill pads.

- A suitably qualified and experienced palaeontologist should be allowed access to the core samples during prospecting to inspect them for the presence of possibly significant fossils.
- In the event of the location of unmarked graves and or any other heritage resources during the prospecting processes the protocols in Appendix 2 must be adhered to.
- Consequent to the proposed prospecting, should DMR issue a mining licence for the study area, a Phase Two survey of the actual mining footprint approved must be undertaken by a suitably accredited heritage practitioner; to determine the presence of any archaeological or other heritage resources within the proposed mining footprint, and whether any graves are located at abandoned homesteads outside of extant domestic precincts. The latter should run concurrently with a negotiated Relocation Action Plan (RAP) following the principles of Free Prior Informed Consent (FPIC), if a consequence of mining will require the compensated resettlement of families and their extant homesteads and agricultural fields.

The developer should note that the initial survey was targeting the drill points and access roads and therefore did not cover the entire mining footprint. Amafa will require further investigation after the mining footprint has been confirmed to ensure that the heritage resources in the area are not compromised. The developer's attention is also drawn to the KwaZulu Natal Heritage Resources Act that further protects various categories of graves besides those that are over 60 years protected under the National Heritage Act. All graves are significant for their social and religious value and should not be disturbed, damaged, exhumed or altered and relocated without a permit from the Provincial Heritage Authority, Amafa and permission of the affected families. Graves include headstones, grave contents and any other material associated with the burial ground. All heritage resources should not be disturbed, altered, excavated, collected, damaged without a permit, i.e





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CaseID: 12619

Date: Tuesday August 28, 2018

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permits are mandatory for any intrusive work on a heritage resource ,site, object, feature or material . The envisaged Phase 2 survey process will require full documentation of heritage resources and evaluation of impact as required in terms of Section 38(3) of the National Heritage Act.

Amafa has no objection to prospecting in the areas stipulated in the scoping survey.

You are also required to adhere to the below-mentioned standard conditions:

Conditions:

1. Amafa should be contacted if any heritage objects are identified during earthmoving activities and all development should cease until further notice.
2. No structures older than sixty years or parts thereof are allowed to be demolished altered or extended without a permit from Amafa.
3. Under no circumstances may any heritage material be destroyed or removed from site unless under direction of Amafa and a heritage specialist.
4. Should any remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, whether of recent origin or not, without the necessary permission from Amafa.
5. No activities are allowed within 50m of a site, which contains rock art.
6. Sources of all natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage legislation.

Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu Natal Heritage Resources Act could lead to legal action being instituted against the applicant.

This decision is **valid for a period of two years.**

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

Yours faithfully

Bernadet Pawandiwa
Senior Heritage Officer
Amafa/Heritage KwaZulu Natal



**Heritage Scoping Report for the Proposed Coal Prospecting Rights on Farms
Strasburg, Potsdam and Doornplaat, Indaka Municipality
Our Ref: SAH18/12619**



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James van Vuuren
Deputy Director: Support Services, Technical
Amafa/Heritage KwaZulu Natal

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/507793>

(, 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 Amafa immediately.
3. Amafa reserves the right to request additional information as required.



**Amafa AkwaZulu-Natali
Heritage KwaZulu-Natal
Erfenis KwaZulu-Natal**

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