



Letter

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

Attention: Mr Onewang Ralph Mabilo

7881 Bayashe Street
Redirile
KIMBERLEY
8301

CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 2002, (ACT 28 OF 2002) IN RESPECT OF DIAMONDS FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN FOR A MINING PERMIT ON PORTION OF THE FARM BARKLY WEST COMMONAGE NO.687, SITUATED IN THE MAGISTERIAL DISTRICT OF BARKLY WEST, NORTHERN CAPE REGION.

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

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. This must include the archaeological component (Phase 1) and 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.

Case Decision

Although it is stated in the EMP that only 75m² will be disturbed by mining activities, no indication is given of whether new roads will be required to access these excavations. Should no new roads be necessary, or should any developments be less than 300m, a heritage study will not be required for this proposal. Should new roads longer than 300m be necessary, SAHRA will require that a 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) 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.





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 study must be undertaken to assess whether or not the proposed activities 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 for a list of accredited Palaeontologists).

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 viewscapes 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

Kathryn Smuts
Heritage Officer: Archaeology
South African Heritage Resources Agency

Colette Scheermeyer
SAHRA Head Archaeologist
South African Heritage Resources Agency

ADMIN:
(DMR, Ref: NC 30/5/1/3/2/10057 EM)





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.

