

## Letter

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

Attention: Edgarele Netshiozwi  
Mukope Group (Pty) Ltd  
Edit view 208 Klikenberg Gardens  
400 Visagie Street  
Pretoria  
0002

**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 PROSPECTING RIGHT ON REMAINING EXTENT OF PLAAS 565, REMAINING EXTENT, PORTIONS 1 AND 2 OF PLAAS 563, REMAINING EXTENT OF PLAAS 562, REMAINING EXTENT AND PORTION 1 OF PLAAS 52, REMAINING EXTENT OF PLAAS 42, REMAINING EXTENT AND PORTION 1 OF PLAAS 41, REMAINING EXTENT OF PLAAS 40, REMAINING EXTENT OF PLAAS 39, REMAINING EXTENT OF THE FARM HARTEBEESTDAL 564, REMAINING EXTENT AND PORTION 1 OF THE FARM HOPEFIELD ESTATE 552, REMAINING EXTENT, PORTIONS 1,2 AND 3 OF THE FARM KOGELBEEN 44, REMAINING EXTENT OF THE FARM LA PROVENCE 51, REMAINING EXTENT AND PORTION 1 OF THE FARM MESNARD 38 AND REMAINING EXTENT OF THE FARM ROOIPAN 43, SITUATED IN THE MAGISTERIAL DISTRICT OF POSTMASBURG, NORTHERN CAPE REGION. APPLICANT: Mukope Group (Pty) Ltd**

Your revised EMP received 11 February 2014 refers;

SAHRA acknowledges the changes made in the revised EMP as per our letter dated 6 February 2014. However, SAHRA notes some concerns.

On page 9, it is indicated that "No sites of archaeological or cultural interest were identified". This is incorrect as no assessment of impact to heritage resources has yet been made. Please amend this to reflect that no assessment has yet been completed and that heritage resources will be identified in the impact assessment to be completed before drilling commences.

On page 20, certain "standards on the protection of national heritage resources" are described. Please note that this section is incorrect and requires amendment. Heritage resources such as structures older than 60 years, archaeological resources, palaeontological resources, meteorites as well as burial grounds and graves are generally protected in terms of the National Heritage Resources Act (Act 25 of 1999), and not only National Heritage Sites. As such, any impact to these resources requires a permit from the relevant heritage authority.

In addition, it is not the responsibility of the miner to determine if a heritage resources will be impacted by the proposed activity, rather it is the responsibility of the heritage authority to ensure that no sites of heritage

significance are impacted by the proposed activity. The heritage authority does this by means of a heritage impact assessment as per Section 38 of the National Heritage Resources Act (Act 25 of 1999).

SAHRA is therefore unable to grant the requested exemption from conducting the necessary heritage studies prior to authorisation from the DMR.

Please submit a revised EMP to SAHRA for assessment that deals with the concerns expressed above.

SAHRA looks forward to receiving this revised assessment before issuing a Final Comment on this matter.

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/152162>  
Edit view (DMR, Ref: NC30/5/1/1/2/11003 PR)