



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Sityhilelo Ngcatsha
Tel: 0212028663
Email: sngcatsha@sahra.org.za
CaseID: 16146

Date: Friday August 13, 2021
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Copper Sunset Sand (Pty) Ltd

Copper Sunset (Pty) Ltd holds an approved Mining Right to mine sand in Viljoensdrift in the Free State Province. Copper Sunset intends to expand the current Mining Right area to include an additional 2 821 hectares over multiple properties adjacent to the current operation to extend the Life of Mine. All equipment will be mobile but Copper Sunset will establish some temporary infrastructure within the proposed extension area.

Digby Wells and Associates (South Africa) (Pty) Ltd have been appointed by Copper Sunset (Pty) Ltd to undertake an Environmental Authorisation Application for the extension of an existing Mining Right for sand mining (FS30/5/1/1/2/164 MR), to incorporate the adjacent portions of the remaining extent of the Farm Bankfontein No. 9 (1642 ha) and a portion of the remaining extent of the Farm Zandfontein No. 259 (1179 ha), Sasolburg Magisterial District, Free State Province.

A Draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and Environmental Impact Assessment (EIA) Regulations 2014 for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA).

The sand will be mined in strips of 30 – 35 m in width and depth of 0.4 - 2 m using the strip-mining method and temporary haul road (20 m wide with a length of approximately 10 km) will be constructed. Excavations will be backfilling with stockpiled topsoil afterwards. There will be no permanent infrastructure constructed on site.

A Heritage Impact Assessment (HIA) will be undertaken and will form part of the EIA Phase. No archaeological material were identified during the pre-disturbance survey, but burial grounds were identified. The site is underlain partly by the Vryheid Formation, Karoo Supergroup. This unit is considered of very-high palaeontological sensitivity. The study areas have been disturbed through agricultural activities.

Hardwick, S. 2021. Notification of Intent to Develop: Environmental Authorisation Process for the Expansion of the Copper Sunset Mining Right Area



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

No archaeological resources, Burial grounds and graves, places, buildings, structures and equipment of cultural significance have been identified within the project area at this stage, however the development footprint will be assessed in the pending Impact Assessment phase. The Project area is underlain by geological strata of very high palaeosensitivity and this will also be assessed in the Impact Assessment phase.

In an interim comment dated 16/03/2021, SAHRA noted that the HIA inclusive of an AIA and field-based PIA would be undertaken as part of the EIA phase and requested that the draft EIA along with the HIA be submitted to the case on SAHRIS. The draft EIA and its appendices along with the HIA and PIA were submitted to the case on the 21/07/2021.

Hardwick, S. 2021. Heritage Impact Assessment: Environmental Authorisation Process for the Expansion of the Copper Sunset Mining Right Area

The study area has been disturbed by previous farming activities and infrastructure along with electrical infrastructure and formal and informal roads. Three heritage resources were discovered within the study area which include an old round of artillery which is of negligible significance and two burial grounds sites which are of very high significance. In the burial site BGG-001, there are 65 identified graves marked with sand heaps. There are both marked and unmarked graves, and the site is not fenced. Site BGG-002 contains 52 visible graves some of which are marked and some unmarked. This site is also not fenced and has been disturbed by erosion and animal activities.

Recommendations

- The burial grounds occur within the proposed mining footprint, therefore the project design must be amended to avoid the sites completely. A 100 m no-go buffer zone around each of the identified graves must be maintained;
- Where this option is implemented and the impact to these resources is avoided, Copper Sunset must develop and implement an HSMP or amend an existing HSMP to include these resources for in situ conservation; or
- Should the project redesign not be feasible, a Grave Relocation Process (GRP) may need to be considered; and
- The mitigation of potential direct impacts against previously unidentified heritage resources and where Copper Sunset has not done so already, Copper Sunset must develop and implement a CFP prior to the commencement of Project activities. This CFP must be approved by the HRAs prior to



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Sityhilelo Ngcatsha
Tel: 0212028663
Email: sngcatsha@sahra.org.za
CaseID: 16146

Date: Friday August 13, 2021
Page No: 3

implementation.

- The identified historical feature is sufficiently recorded, therefore no mitigation is required.

Bamford, M. 2021. Palaeontological Impact Assessment for the Copper Sunset sand mining operation near Viljoensdrif, northern Free State Province

The proposed sites is underlain by the shales and sandstones of the Vryheid Formation (Ecca Group, Karoo Supergroup) which is overlain by the aeolian sands and soils of the Quaternary that are unlikely to preserve fossils. The Vryheid Formation is known to preserve fossils of the Glossopteris flora and gymnosperms. Although no fossils were seen during the site visit, a Fossil Chance Find Protocol should be added to the EMPr. It is recommended that no further palaeontological site visit is required.

Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) has no objections to the authorised development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
 - The Heritage Site Management Plan (HSMP) must be submitted to the case on SAHRIS before the commencement of any mining activities.
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Sityhilelo Ngcatsha/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section

Our Ref: 16146



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Sityhilelo Ngcatsha
Tel: 0212028663
Email: sngcatsha@sahra.org.za
CaseID: 16146

Date: Friday August 13, 2021
Page No: 4

- 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51(1) of the NHRA;
 - 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
 - The Final EIA and EMPr must be updated to include conditions provided by SAHRA in this comment;
 - The Environmental Authorisation (EA) must be submitted to SAHRA for recorded purposes.

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

Yours faithfully

Sityhilelo Ngcatsha
Archaeology, Palaeontology, Meteorite Assistant
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Our Ref: 16146



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Sityhilelo Ngcatsha
Tel: 0212028663
Email: sngcatsha@sahra.org.za
CaseID: 16146

Date: Friday August 13, 2021
Page No: 5

Direct URL to case: <https://sahris.sahra.org.za/node/560411>
(DMR, Ref:)