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Heritage Resources Management Process for the Copper Sunset Sand (Pty) Ltd Regulation 31 Application

Notification of Intent to Develop

Project Number:

COP4899

Prepared for:

Exxaro Coal Mpumalanga (Pty) Ltd

October 2017

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Name	Responsibility	Signature	Date
Justin du Piesanie Manager: HRM ASAPA Member 270	Compilation		October 2017

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1 Introduction

Copper Sunset Sand (Pty) Ltd (hereinafter Copper Sunset) is the present holder of an approved Mining Right (*FS 30/5/1/2/2/164 MR*) with Environmental Authorisation (EA) (*FS 30/5/1/2/3/2/1 (164) EM*) in respect of their Bankfontein Farm operation in the Free State Province. Subsequent to the original approval of the aforementioned Mining Right and EA, Copper Sunset applied for two separate extensions. These comprised extension on the properties Zandfontein 259 RE, Bankfontein No. 9 RE and a portion of Rietfontein 152 in 2015 and an additional portion of Rietfontein 152 in 2016. Both these applications were granted under EA Reference FS 30/5/1/2/3/2/1 (164) EM.

Copper Sunset has since been granted approval by the Mine Health and Safety Principal Inspector of Mines to mine within the 100 m restriction zones from certain roads, electric pylons and other infrastructure and accordingly wish to extend the Mining Right Area to include these additional portions of land on the Farm Rietfontein No.152. As such, Copper Sunset are required to complete an Application under Regulation 31 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) Environmental Impact Assessment (EIA) Regulations, 2014 (GN R 982) (as Amended by GN R 326 of 7 April 2017).

1.1 Project background

Copper Sunset previously appointed Digby Wells Environmental (hereinafter Digby Wells) as the independent Environmental Assessment Practitioner (EAP) for the aforementioned extensions. In support of this, a specialist Heritage Resources Management (HRM) process was completed for both previous extension applications, the results of which were submitted to the South African Heritage Resources Agency (SAHRA) and Free State Provincial Heritage Resources Authority (Heritage Free State [HFS]) via the South African Heritage Resources Information System (SAHRIS)¹².

¹ Case ID 8826 available at <http://www.sahra.org.za/sahris/cases/copper-sunset-environmental-authorisation-application>

² Case ID 9714 available at <http://www.sahra.org.za/sahris/cases/copper-sunset-environmental-authorisation-application-rietfontein-152>

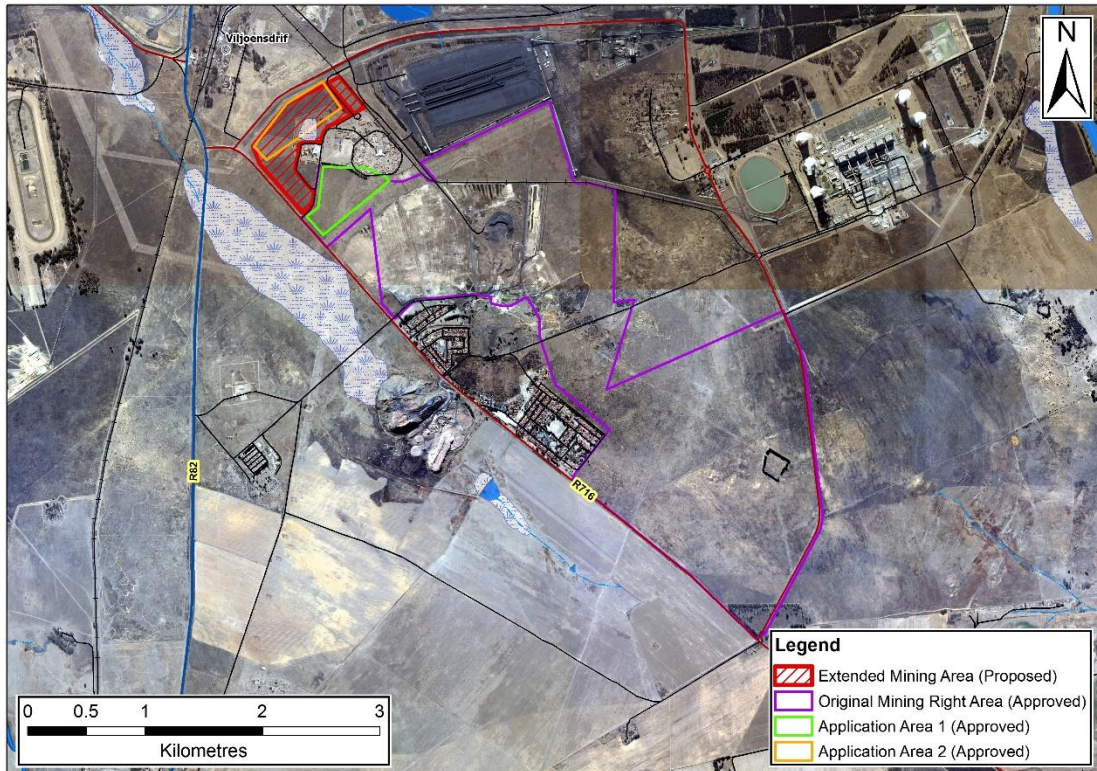


Figure 1-1: Copper Sunset Mining Right area, approved and proposed expansions

2 Project location

The current Copper Sunset operations is located some 4.2 km from the Vaal River and 7.5 km south of the town Vereeniging. The location details of the Project are presented in Table 2-1.

Table 2-1: Project location details

Province	Free State Province
Magisterial District / Local Authority	Sasolburg Magisterial District
District Municipality	Fezile Dabi District Municipality
Local Municipality	Metsimaholo Local Municipality
Nearest Town	Vereeniging / Vanderbijlpark / Sharpeville
Property Name and Number	Remaining Extent of the Farm Rietfontein No. 152
1: 50 000 Map Sheet	2627DB Vereeniging

GPS Co-ordinates	-26.744956
(relative centre point of study area)	27.933139

Table 2: Landowner details

Name	Property	Contact	Notified
Anglo Operations Proprietary Limited	Rietfontein 152 RE	TBC	N/A

3 Assessment processes

The following impact assessment processes are currently being conducted for the proposed project.

Table 3: Current assessment processes

Legislation (e.g. NEMA, MPRDA, etc.)	Current phase of assessment process (e.g. Scoping, EIA, etc.)	Authorities who has / will receive information	Capacity of Authorities
Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA)	Application	Department of Mineral Resources (DMR)	Competent Authority
NEMA	Application	DMR	Licensing Authority
National Water Act, 1998 (Act No. 36 of 1998) (NWA)	Application	Department of Water and Sanitation (DWS)	Commenting
National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA)	NID	SAHRA	Commenting
	NID	HFS	Commenting

These assessments are required in terms of legislated and / or regulated activities outlined in Sections 3.1 to 3.3 below.

3.1 EIA Regulations listed activities

The proposed development will include the following activities listed in the EIA Regulations, which generally require impact assessments.

Table 4: Identified listed activities

NEMA Activity No.	NHRA Trigger	Description	Expected duration/phase
Activity 27 of GN R 983	38(1)(c)(i)	The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for: <ul style="list-style-type: none"> ■ the undertaking of a linear activity; or ■ Maintenance purposes undertaken in accordance with a maintenance management plan. 	Operational
Activity 17 of GN R 984	38(8)	Any Activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)	Operational

3.2 NHRA Section 38(1) activities

The proposed development will include the following activities listed in Section 38(1) of the NHRA, which generally require heritage assessments to be undertaken.

Table 5: NHRA Section 38 triggers

		NHRA Section 38 (1) Activities / Triggers	Summary description (e.g. 500 m conveyor belt, open cast pit, etc.)
<input type="checkbox"/>	a	Any linear development or barrier >300 m	-
<input type="checkbox"/>	b	Any bridge or similar structure >50 m	-
<input checked="" type="checkbox"/>	c	Any development or activity that will change the character of a site:	-
	<input checked="" type="checkbox"/>	i ≥5 000m ² in extent	The expansion area is roughly 20 ha.
	<input type="checkbox"/>	ii Involving ≥3 existing erven/ subdivisions	-
	<input type="checkbox"/>	iii Involving ≥3 or more erven/ divisions consolidated within past 5 years.	-
<input type="checkbox"/>	d	Rezoning of a site ≥10 000m ² in extent.	-

		NHRA Section 38 (1) Activities / Triggers	Summary description (e.g. 500 m conveyor belt, open cast pit, etc.)
<input checked="" type="checkbox"/>	e	Other triggers, e.g.: in terms of other legislation, (i.e.: National Environment Management Act, etc.)	MPRDA; and NEMA.

3.3 Identified / known heritage resources and potential impacts

Certain categories of heritage resources, if identified / existing, generally require heritage assessments to be conducted before any development may take place. These categories may also be formally or generally protected in terms of the NHRA. Table 6 presents heritage identified in the region surrounding the Matla Coal Mine MRA.

Table 6: Identified heritage resources in terms of Section 3 of the NHRA

	Section	Description
<input type="checkbox"/>	3(2)(a)	Places, buildings, structures and equipment of cultural significance
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(b)	Places to which oral traditions are attached or which are associated with living
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(c)	Historical settlements and townscapes
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(d)	Landscapes and natural features of cultural significance
		Description of resource: None identified
		Potential impact: None
<input checked="" type="checkbox"/>	3(2)(e)	Geological resources of scientific or cultural importance

	Section	Description
		Description of resource: Lithostratigraphy with a very-high palaeontological sensitivity. The expansion area is underlain by the <i>Vryheid Formation</i> .
		Potential impact: None.
<input type="checkbox"/>	3(2)(f)	Archaeology and/or palaeontology (Including archaeological sites and material, fossils, rock art, battlefields & wrecks)
		Description of resource: None identified
		Potential impact: None.
<input type="checkbox"/>	3(2)(g)	Graves and burial grounds (e.g. ancestral graves, graves of victims of conflict, historical graves & cemeteries)
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(h)	Other human remains
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(i)	Sites of significance relating to the history of slavery in South Africa
		Description of resource: None identified
		Potential impact: None
<input type="checkbox"/>	3(2)(j)	Movable objects
		Description of resource: None identified
		Potential impact: None

4 Illustrative Material

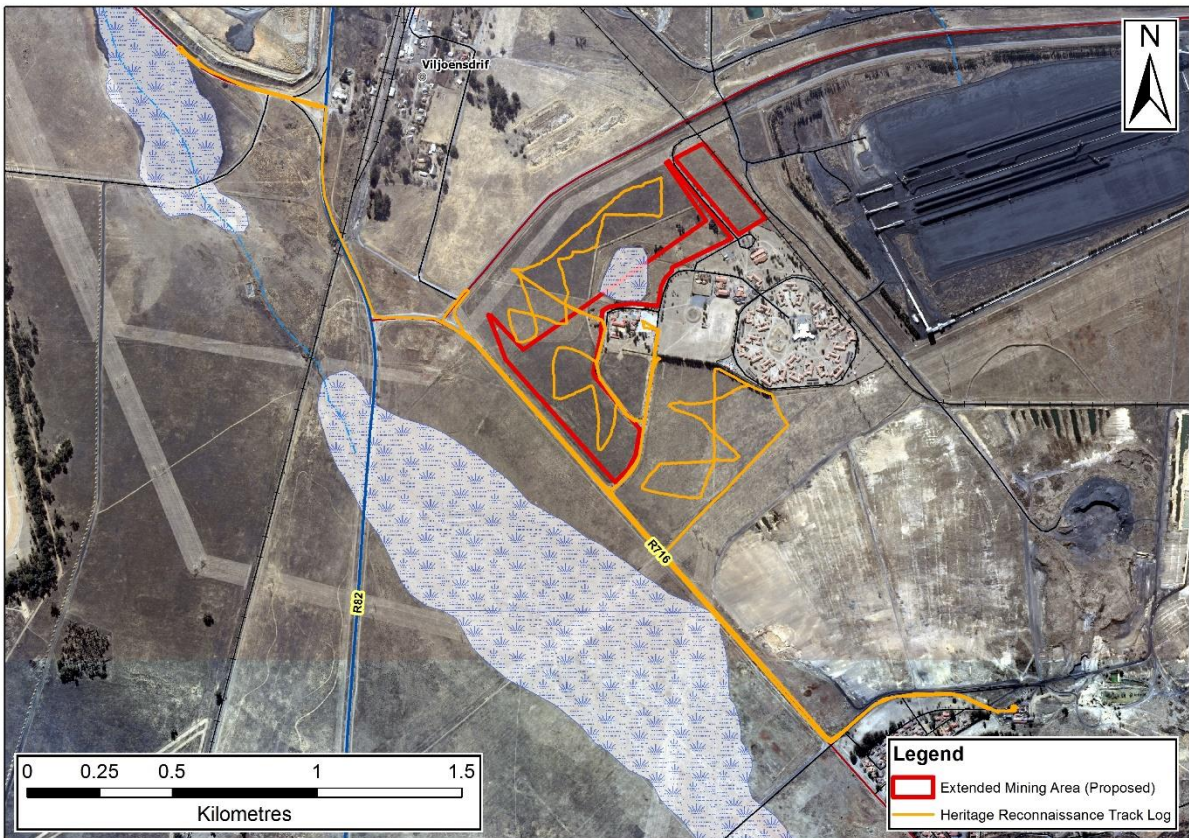


Figure 4-1: Application area and pre-disturbance survey tracks

5 Recommendation

A summary and motivation of the specialist recommendations is provided in Table 7:

Table 7: Specialist heritage recommendations

Is a Heritage Impact Assessment required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>If NO, provide motivation:</p> <p>Based on the understanding of the previously defined cultural landscape, no potential impacts to heritage resources are envisaged for the expansion of the Copper Sunset mining operations. Therefore, the recommendations encapsulated within the previously completed assessments and requirements issued by SAHRA remain applicable. Briefly, these include:</p> <ol style="list-style-type: none"> Should any objects of archaeology or palaeontological remains be found during construction activities, work must immediately stop in that area and the Environmental Control Officer (ECO) must be informed; 		

2. The ECO must inform SAHRA and contact an archaeologist and/or palaeontologist, depending on the nature of the find, to assess the importance and rescue them if necessary (with the relevant SAHRA permit). No work may be resumed in this area without the permission from the ECO and SAHRA;
3. If the newly discovered heritage resource is considered significant a Phase 2 assessment may be required. A permit from the responsible heritage authority will be needed;
4. A Chance Finds Procedure must be developed for the Project to ensure that standard protocols and steps are followed should any heritage and/or fossil resources be uncovered during all phases of the Project. These procedures should outline the steps and reporting structure to be followed in the instance that heritage resources are found. This must be included in the Environmental Awareness Plan; and
5. The final EIA and appendices must be submitted to SAHRA upon submission to DEA. Should the Project be granted EA, SAHRA must be notified and all relevant documents submitted to the case file.

If YES, provide suggested components that may be required or undertaken during HIA.

<input type="checkbox"/>	Archaeology	<input type="checkbox"/>	Architecture
<input type="checkbox"/>	Built Environment	<input type="checkbox"/>	Burial Grounds and Graves
<input type="checkbox"/>	Palaeontology	<input type="checkbox"/>	Public Participation
<input type="checkbox"/>	Townscapes	<input type="checkbox"/>	Visual Impact
<input type="checkbox"/>	Other:		

Recommendation made by:

Name: Justin du Piesanie

Capacity: Manager: HRM