



an agency of the
Department of Arts and Culture

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CaseID: 16582

Date: Friday August 27, 2021

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Final Comment

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

Attention: Mr Walter Murray

Unit 5 Lancaster Park, Electron lane, Lanseria Corporate Estate, Lanseria, 1739

Proposed Opencast Platinum Mine, located on Portions 3 and 7 of farm Vygenhoek F10 JT as situated within the boundaries of Ward 5 in the Thaba Chweu Municipality within the Ehlanzeni District Municipality, Mpumalanga.

Environmental Management Assistance (Pty) Ltd have been appointed to undertake an environmental assessment as part of the Basic Assessment process in support of an Environmental Authorisation (EA) in terms of the National Environment Management Act, Act 107 of 1998 (NEMA) for activities that trigger the NEMA EIA 2014 Regulations. As well as an Environmental Management Plan as per the requirements of the Minerals and Petroleum Resources Development Act, No 28 of 2002 (MPRDA)(As amended).

Nomamix (Pty) Ltd is proposing to establish and operate a platinum ore mine using an opencast mining method, located on Portions 3 and 7 of the farm Vygenhoek 10 JT situated in the Thaba Chweu Municipality, Mpumalanga. The mine right application area is 720.63 ha of which 68 ha will be the development footprint and 6, 675 km for linear developments. Construction will consist of Run of mine (RoM) stockpile area; Processing plant (crushing, screening, washing and drying operations); Product stockpiles; Administration office facilities (security building, administration and staff offices, reception area, ablution facilities); Production facilities; Access roads; and Clean and dirty water management infrastructure.

A Basic Assessment Report and a Heritage Impact Assessment (HIA) report by Heritage Contracts and Archaeological Consulting cc was submitted to the South African Heritage Resources Agency (SAHRA) for commenting in terms of section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Van der Walt, J. February 2021. Heritage Impact Assessment for the proposed Vygenhoek Mine, Mpumalanga Province.

The author undertook a field assessment of the proposed mine right area focusing on the development footprint area including points of known heritage site, and identified in total 50 heritage features. The sites recorded range from the Middle Stone Age (MSA) to the Iron Age and historical/recent periods, highlighting the



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cultural significance of the area. Most of the stonewalled sites, recent historical features, and graveyards form part of the Choma Village, which is representative of an extended historical village that is still in use.

The mine right area encompasses the Choma Village and surrounding intangible heritage features that the Choma village, and Choma royal family find significant. Social consultation with various stakeholders aided in noting the presence of heritage and grave sites however, field identification was not held. It was resolved that a field survey of sites significant to the community will be held once the mine layout is finalised.

The layout assessed during the field survey will have a medium to high impact on heritage resources and will require extensive mitigation. Because of environmental and cultural sensitivities an alternative layout was proposed that results in a much lower impact to heritage resources. From a heritage perspective the alternative is acceptable if the recommendations made in this report are adhered to based on approval from SAHRA.

The author recommends the following:

- The mine layout must be adjusted to exclude the Choma Village Sites (HCAC 6, HCAC 20, HCAC 24, HCAC 25, HCAC 21/ DW035, DW034, DW036, DW037). A Heritage Management Plan must be developed and the sites must be monitored during construction.
- The mine layout must be adjusted to exclude the stone walled features (Historical/ Recent) - (HCAC 1, HCAC 10/ DW039, HCAC 14, HCAC 15, HCAC 16, HCAC 26, HCAC 27, DW024, DW029). If it is not possible, then they must be mitigated, photographed and mapped. These sites must be monitored during construction.
- The mine layout must be adjusted to exclude archaeological site (DW004) as well as archaeological site (DW004 and DW006). If it is not possible, then they must be mitigated, photographed and mapped. These sites must be monitored during construction.
- The archaeological findspots (HCAC 22/ DW033, HCAC 23) have been sufficiently recorded in the report and do not require any additional mitigation work.
- The mine layout must be adjusted to exclude stone walled features HCAC 1, HCAC 13, HCAC 16, HCAC 27, HCAC 28, DW013, DW014 , DW018, DW020, DW022. If it is not possible, then they must be mitigated, photographed and mapped. These sites must be monitored during construction.
- The mine layout must be adjusted to exclude burial sites (HCAC 7, HCAC 8, HCAC 11, HCAC 12, DW025) and access to the family must be ensured. The newly identified potential grave must be assessed further to identify if it is a grave and also to adjust the haul road to retain the site *in situ*.



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As mentioned above, an alternative mine layout is proposed to avoid the known heritage sites however, the archaeologist has not had the opportunity to go on site and assess it for potential impacts to heritage resources.

The HIA makes reference to earlier heritage specialist studies undertaken for Everest North Mining development in 2013, which overlaps exactly the current mine right application area. A case was created in 2013 as case ID 745. The SAHRA had issued a comment in 2013 stating:

The route of the proposed haul road and associated infrastructure must be adjusted to bypass the identified significant heritage resources (DW001, DW002, DW003, DW005 and DW006).

- The proposed location of the opencast pit area must be adjusted to avoid damage to heritage resources including the cemetery (C004), DW 038, DW039 and DW050.
- The burial grounds located at DW043, DW044 and DW048 must be preserved *in situ* and a Management Plan must be drafted for their conservation.
- The mine plan must be adjusted to exclude the Choma Village Complex from the mining area and a Management Plan must be drafted for its conservation.
- During the construction phase and the mining phase of the proposed development, all burial grounds and graves must be fenced a minimum of 5m away from the grave and a buffer zone of 15m from the fence must be enforced. The mine should also ensure that appropriate measures be implemented to safeguard graves and graveyards from rock fall of blasting activities, such as the implementation of satisfactory buffer zones.
- Further consultation with I&AP's is required in order to determine the precise location of the identified intangible resources. Consensus must be reached between the mine and I&AP's regarding the future of these intangible heritage resources.
- The recommended Fossil Finds Procedure included in the above HIA must be implemented.

Final Comment

The SAHRA Archaeology, Palaeontology, and Meteorites (APM) Unit notes and accepts the submission of the draft EIAR and HIA report, and accepts and endorses the recommendations provided by the Heritage Specialist. SAHRA has no objections to the proposed development on the following conditions:

- The conditions of the Comment issued by SAHRA on case ID 745 still stand and have been listed above.
- A final walk down of the mine right area with the local community must be undertaken by a suitably qualified archaeologist once the mine layout is finalised. A report of the walk down must be submitted to the case.
- Before construction commences, a social impact assessment inclusive of detailed social consultation



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with the Choma Royal family, the village elders and families that will be affected by the mine. The SIA must be undertaken by an anthropologist and a heritage specialist. The assessment must focus on potential impacts the mine will have to the way of life of the locals. It must also assess potential impacts to sites linked to intangible heritage, and sacred spaces. These sites must not be impacted and the results of the assessment must be included in a Heritage Management Plan for long term conservation of these sites.

- An archaeologist must be appointed to map, and fully document the stone walled features and structures within the mine right area prior to construction.
- Any archaeological sites that will be impacted by the mine even after layout adjustments must be mitigated by a suitably qualified archaeologist. The appointed archaeologist must obtain a section 35 permit in terms of chapter IV of the NHRA Regulations and the NHRA (Act 25 of 1999).
- A Chance Finds Fossil Procedures must be developed by a palaeontologist for the area of low sensitivity, and the procedure must be included in the EMPr.
- The appointed archaeologist must draft a Heritage Management Plan for the long term conservation of all heritage resources in the mine.
- To reiterate again, the Choma Village must be excluded from all mining related activities.

If there are any new heritages resources are discovered during construction and operation phases of the proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer.

If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer. Mitigation will only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). You may contact SAHRA APM Unit for further details: (Nokukhanya Khumalo/Phillip Hine 021 202 8654).

The Burial Grounds and Graves (BGG) Unit accepts the recommendations provided in the HIA report. A social consultation process in terms of Chapter XI of the NHRA Regulations, must be carried out to identify the descendants of the burials and to obtain permission to fence in the potential burial identified.

The Heritage Management Plan must also include conservation measures for sites HCAC 7, HCAC 8, HCAC 11, HCAC 12, DW025.

If the mine is unable to retain the grave in situ the permission must be obtained from the families of the deceased, if they agree to the relocation of their graves then a section 36 of the NHRA permit application must be logged on SAHRIS.

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If any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Thingahangwi Tshivase/Mimi Seetelo 012 320 8490).

The Final EIAR and its appendices must be submitted to the case and once a Record of Decision from the competent authority is issued, it must also be submitted to the case.

This comment must be forwarded directly to the competent authority and proof of submission must be uploaded to this case.

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

Yours faithfully

Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/575262>

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(DMR-MP, Ref: MP 30/5/2/2/10289 MR)

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.