

Our Ref:



an agency of the  
Department of Arts and Culture

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Date: Tuesday September 28, 2021  
Page No: 1

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## **Interim Comment**

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

Attention: Miss yvonne gutoona

### **Upgrade of the approved Environmental Management Programme for diamond, Diamond (General), Diamond (Alluvial), Diamond (In Kimberlite), Pebble Stones mining activities for all mining rights on The Beach, Surf Zones and Sea Concessions in the magisterial district of Vanrhynsdorp, Western Cape Region.**

The South African Heritage Resources Agency (SAHRA) would like to thank you for submitting a Draft Scoping Report (DSR) under section 38(8) of the National Heritage Resources Act, No 25 of 1999 (NHRA) for the Moonstone Diamond Marketing Upgrade of the approved Environmental Management Programme of De Punt Et al, off the West Coast, South Africa.

The application pertains to the proposed upgrade of the approved Environmental Management Programme for diamond and pebble stone mining activities along the beach, surf zones, and sea concessions stretching from Doringbaai in the south to the mouth of the Sout River in the north, situated in the Western Cape, all below the high-water mark.

SAHRA supports the statement on page 53 of the DSR that a Heritage and Palaeontology assessment will be conducted. The Heritage Impact Assessment (HIA) must include a study of maritime heritage for all areas that fall below the high-water mark, and this must be undertaken by a suitably qualified maritime archaeologist. Any wreck being any vessel or aircraft or any part thereof older than 60 years in South Africa's territorial waters or maritime cultural zone is protected as archaeological under section 2 of the NHRA.

The proposed beach mining activities are very destructive in nature and as such any heritage resources must be avoided. The national database of shipwrecks shows that the vessels *Catherine Isabella* (1845) which wrecked at Elephant Rock, and the *Elizabeth* (1817 or 1818) which possibly wrecked at Mietjie Frans se baai, are potentially located in the development area. The Maritime HIA must assess the potential for any heritage remains and make recommendations for any mitigation or management measures.

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SAHRA also notes that on page 53 of the DSR, it is stated that a comment on the Environmental Impact Assessment (EIA) could allow for the destruction of heritage resources to occur. Please note that a permit must be applied for in such cases, as is mentioned elsewhere in the DSR, and that the destruction of heritage must be avoided at all costs.

SAHRA would like to reiterate, that according to section 35(3) of the NHRA, if any heritage resource is discovered it must be reported to SAHRA immediately. Heritage resources that might be applicable in this case, include, but are not limited to; archaeological fossils, palaeontological fossils, and pieces of shipwreck material older than 60 years.

If any wrecks are encountered, the location and associated data used to identify the wreck must be provided to SAHRA. Should any shipwrecks be identified as part of this project then SAHRA must be notified to enable the information to be added to the national shipwreck database. Any new discoveries or updated data is a valuable resource in adding to our knowledge of South Africa's maritime history.

Please note that SAHRA's comment does not exonerate the applicant from obtaining other applicable authorisations from, inter alia, the provincial heritage resources authority (PHRA) Heritage Western Cape (HWC), if for example, an archaeological shell midden, a grave, or any other heritage resources are encountered above the high-water mark.

Please also note that all updates and/or changes to the project, supporting documentation, correspondence, reports, or any other work relating to the project must be uploaded to the case on SAHRIS to provide SAHRA with the opportunity to comment. SAHRA does not accept emailed documents or hard-copy documents received via post.

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

Yours faithfully

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**Moonstone Diamond Marketing Upgrade of the approved Environmental Management Programme of De Punt Et al**

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Ruan Brand  
Heritage Officer  
South African Heritage Resources Agency

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Lesla la Grange  
Manager: Maritime and Underwater Cultural Heritage  
South African Heritage Resources Agency

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**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/581746>  
(, Ref: )

**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.