

Our Ref:



an agency of the  
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town  
P.O. Box 4637 | Cape Town | 8001  
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CaseID: 19571

Date: Tuesday February 28, 2023  
Page No: 1

## Final Comment

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

Attention: Nisarox (Pty) Ltd

P.O. Box 127, Port Nolloth, 8280 1804 Kamp Street, Mac Dougallsbay, Port Nolloth 8280

**Nisarox (Pty) Ltd is applying for a prospecting right with bulk sampling on Sea Concession 12 B to prospect for and remove and dispose of diamond (alluvial). The concession is situated off the Olifants River mouth and extends approximately 25 kilometres northward and two kilometres southward from the river mouth. The shoreward boundary of the concession is one kilometre from the shore, whereas the western boundary is defined by a straight line between two points situated 34.6 kilometres apart as 31 27' 18"S, 17 56' 37" E and 31 42' 37"S; 18 09' 20"E, and which lie approximately five kilometres from the South African coast in the Western Cape Province.**

The South African Heritage Resources Agency would like to thank you for submitting the Draft Environmental Impact Assessment Report for the Proposed Prospecting Right with Bulk Sampling over Sea Concession 12B, Western Cape, South Africa.

In terms of the National Heritage Resources Act, No 25 of 1999 (NHRA), Sections 2 and 35 stipulates that any wreck, being any vessel or aircraft or any part thereof older than 60 years old lying in South Africa's territorial waters or maritime cultural zone is protected and falls under the jurisdiction of SAHRA's Maritime and Underwater Cultural Heritage Unit. These heritage sites or objects may not be disturbed without a permit from the relevant heritage resources authority.

The proposed work consists of four activities and their associated studies, namely non-intrusive geophysical survey followed by intrusive drilling, core sampling and bulk sampling. The bulk sampling will be the most intrusive phase with up to 10 proposed trenches excavated which will result in the disturbance of approx. 3.6 hectares.

SAHRA previously issued a comment in October 2022 in response to the Final Scoping Report (FSR). The FSR had identified the need for a Maritime Heritage Impact Assessment (MHIA) and Palaeontological Impact Assessment (PIA) to be undertaken as part of the EIA phase and SAHRA supported this.



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The MHIA analyses the potential for encountering and impacting underwater cultural heritage and highlighted the possible presence of wrecks within the sea concession area. The reports states that while there are no definite wrecks within the Sea Concession area there is the possibility that 5 wrecks may be present, they are of varying heritage significance. The precise locations of these wrecks are not known, only that they are recorded as wrecking in the vicinity.

The report highlighted that any geophysical data collected as part of the project should be reviewed by a suitably qualified maritime archaeologist for wreckage as this can be an important tool in adding to the knowledge of underwater heritage around our coastline.

Because of the possibility that there may be unrecorded wrecks within the sea concession, the mitigation measures recommended in Section 8 of the MHIA and included in Section 9.2 of the EIA must be strictly adhered to.

The PIA is included in Section 9.3 of the EIA and states that the exploration and mining for diamonds in the marine environment is an opportunity to obtain fossils from various areas of the continental shelf, from deposits of various ages. As such any additional input from fossil information will be of benefit for the geological interpretation of the deposits. The EMPs for the prospecting and mining rights areas must include provisions for the collection of representative examples of the fossils that occur therein. As part of Environmental Awareness Training, geological staff involved in logging must be informed of the need to watch for fossil material and rescue such from the vibracores, grab samples and the gravel oversize screens of the drillship, dredge-ship and crawler vessels. The prospecting/mining company must apply to SAHRA for a general permit to destroy, damage, excavate, disturb and collect fossils identified during sampling and mining, as per the NHRA.

In Section 11 of the EIA, Table 35 gives a summary of the specialist reports and sets out the recommendations of these reports. The HIA and PIA are both referenced in this table and the information here must be used as a guideline should any heritage resources be discovered.

The recommended mitigation and management measures set out in the HIA and PIA and included in the relevant sections of the DEIA are supported by SAHRA and must be adhered to should any heritage resources come to light.

All updates and/or changes to the project, supporting documentation, correspondence, reports, or any other

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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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Briege Williams  
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

**ADMIN:**

Direct URL to case: <https://sahris.sahra.org.za/node/605341>  
(, Ref: WC30/5/1/2/2/10424PR)

**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.